

February 23, 2018

Dear Somerset Estates Homeowners:

**You are invited and encouraged to attend a meeting on  
Tuesday, March 20 at 7:00 pm at Niwot High School**

**The purpose of this meeting is to authorize the incorporation of a homeowners association for Somerset Estates and to elect a board of directors for this association.**

As you know from the recent communication from the Somerset Homeowners Association's board of directors, we have been working to determine a legal structure that complies with the Court Order of May 31, 2017, stating "The Court finds that the Somerset Estates and Cottonwood Hills common interest communities are separate and distinct legal entities – and homeowners in the communities have separate legal rights – despite the common management arrangement." The conclusion of two board-appointed committees that studied the situation over several months, and an attorney retained by SHOA to draw her own conclusions on this matter, is that Somerset Estates can no longer be governed by SHOA and must form its own homeowners association and elect a separate board of directors. Even if Somerset Estates and Cottonwood Hills eventually vote to merge, each community must first have its own homeowners association in place to comply with the merger statute. We want to work cooperatively with the SHOA board of directors throughout the continuing process of complying with the court order.

Please consider being nominated for the new board of directors that will represent Somerset Estates. The initial tasks of the board will be to get proper governing documents in place, including amended declarations and new articles of incorporation, and to work with SHOA (which will continue to operate as the association for Cottonwood Hills) to keep our two neighborhoods operating smoothly throughout a transition period.

A quorum of 20% of Somerset Estates' homeowners (at least 18 homes) is required to conduct business. **If you are unable to attend the meeting, please fill out the attached proxy and either give it to someone of your choosing or mail it to me at 8428 Strawberry Lane, Niwot CO 80503.** This proxy can be used for quorum purposes only or you can authorize someone to vote on your behalf. If you are interested in being on the new board of directors, yet are unable to attend the meeting, please indicate this on your proxy. Feel free to contact me before the meeting with any questions or comments.

Best regards,

Jim Hemenway  
Board Member and Treasurer, Somerset Homeowners Association  
8428 Strawberry Lane  
(303) 827-3458  
j.hemenway@comcast.net

**SOMERSET ESTATES HOMEOWNERS MEETING  
MARCH 20, 2018, 7 pm, Niwot High School**

**PROXY**

**I/We are unable to attend the meeting and submit our proxy as follows:**

\_\_\_\_\_ **Please count us as present for quorum purposes.**

\_\_\_\_\_ **I/We authorize \_\_\_\_\_ to  
vote on our behalf on any matters that are put to a vote at the meeting.**

**Printed Name(s)** \_\_\_\_\_

**Address** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

Proxy may be given to person acting on your behalf at the meeting or may be mailed to:

Jim Hemenway  
8428 Strawberry Lane  
Niwot, CO 80503