



December 15, 2023

Mr. Troy Smith  
Town Manager, Payson, Arizona  
Attn: Mr. John Paladini  
Town Attorney, Payson, Arizona  
303 N Beeline Hwy  
Payson, AZ 85541

Mr. Smith:

The Alpine Heights Homeowners Association (AHHOA) is willing to set aside its legal objections to the manner in which the Town of Payson, Arizona has conducted its process of land acquisition and land preparation for the construction of a new Water Tower at the end of Hillcrest Drive in, and adjacent to, the Alpine Heights Subdivision. AHHOA would do so without giving up any right to future legal action, should it be deemed appropriate by the AHHOA Board of Directors.

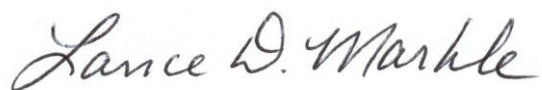
It is still the position of the AHHOA that the Town of Payson has improperly removed lot 147 from the Alpine Heights Subdivision. After legally purchasing said lot within the Subdivision boundaries and entering into subsequent agreements, including a lot line adjustment with a 3<sup>rd</sup> party, the Town has indicated it considers said lot to have been removed from the Subdivision. It is further noted that the AHHOA was not consulted in the lot line adjustment process undertaken by the Town of Payson and no financial consideration was offered to or received by the AHHOA for the removal of the "fee paying lot" in the Subdivision/ HOA.

Understanding the above, and desiring to resolve the ongoing dispute between the parties so the infrastructure project can move forward on its current projected time schedule, the AHHOA Board of Directors respectfully requests confirmation of the previously discussed courtesies (AHHOA Board President and Town of Payson Town Manager on December 9, 2023) as outlined below:

1. The Town of Payson owns land adjacent to the Alpine Heights subdivision where it plans to build a new Water Tower structure. The Town of Payson has indicated the entrance to and perimeter of the access road to the new structure (previously considered to be part of Lot 147), will be secured and is not intended to be used for purposes other than access to the Town's property.
2. The Town of Payson will allow input from an AHHOA appointed person in the design of the appearance of the access road so that the entrance fits into the look and feel of the neighborhood. If desired by the Town of Payson, the AHHOA will coordinate volunteers to assist with landscaping the entrance to the driveway to help with this expense to the Town.
3. The Town of Payson will try and coordinate with the Public Works Department to evaluate the roads on the construction route through Alpine Heights before and after the construction process with the intent, as budget and road maintenance schedules allow, to repair any damage caused by the construction process. AHHOA appreciates this courtesy as over half of all the homes in our Association are on the roads leading to the construction site.

4. The Town of Payson will try and include a daily construction start time no earlier than 7:00AM. It is understood that contracts have not yet been awarded for this project so a guarantee of this start time cannot be given at this time. Residents in Alpine Heights, as well as the neighborhoods that lead into Alpine Heights, would appreciate and benefit from this courtesy.

The Alpine Heights Homeowners Association Board of Directors looks forward to your confirmation of these items.

A handwritten signature in cursive script that reads "Lance D. Marble".

Lance D. Marble  
Alpine Heights HOA, President, 2023-2024

CC: Alpine Heights Homeowners Association, Board of Directors,  
Stephanie M. Wilson, Stoops, Denious, Wilson & Murray, P.L.C.