

Crismark HOA

FREQUENTLY ASKED QUESTIONS

Important Information for Our Homeowners

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What is this about?

Two parcels next to Crismark (about 43 acres) are being developed with condos and townhomes. Those parcels are zoned for multi-family housing. The question is whether the new residents would automatically be part of our HOA and get to use our pool, clubhouses, and other amenities.

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Are those parcels already in our HOA?

No. When the neighborhood rules (the CCRs) were filed in 2000, the original developer did not intend those 43 acres to be in Crismark. The HOA Board and the current owner both believe that. A future condo or townhome owner could still argue the opposite and demand access to our amenities. We want that gray area closed.

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Who owns the land under construction?

FS Development, Inc., a Typar-related company. In these materials it is called "Typar."

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What is the HOA asking me to do?

Sign a written Consent to an amendment that says, in plain terms: the 43 acres are not part of Crismark and not covered by our CCRs. If the amendment passes, the new community will have its own rules and will not use Crismark amenities.

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Why should I care?

If we do nothing, new multi-family residents may be able to use the pool, clubhouse, and other amenities that current homeowners pay for. The Board does not want that.

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How many signatures are needed?

67% of Crismark lots. That is two-thirds of the lots, not two-thirds of the people who happen to show up at a meeting.

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My spouse and I both own the house. Do we both have to sign?

Yes. Every person listed as an owner on that lot must sign. If only one owner signs, that lot does not count toward the 67%.

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Why does it have to be notarized?

So the signature is official and harder to challenge later. The notary must watch you sign and see a valid photo ID.

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Does signing take away any rights I have in Crismark?

No. It only clarifies that the other property is not in our association. Your lot stays in Crismark under the same CCRs.

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Is the Board giving legal advice?

No. This is notice and the Board's position. You may consult your own attorney.

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What does the Board recommend?

Sign the Consent. The Board believes that is the simplest, cheapest way to keep Crismark amenities for Crismark homeowners.

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How do I get it notarized?

Two options:

1. Sign at a HOA clubhouse session where a notary will be present.
2. Sign in front of any notary, then send the form back in the prepaid FedEx envelope Typar will provide.

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What happens if 67% sign?

The amendment is recorded. The new development is clearly out of Crismark. The planned lawsuit is dropped.

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What is the lawsuit?

If not enough owners sign, Typar plans a "friendly" lawsuit asking a judge to declare that the 43 acres are not in our HOA. The HOA Board supports that result. No one is asking you for money in that suit.

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Why would I be named in a lawsuit?

North Carolina procedure. For a court ruling to stick against every homeowner, every owner has to be listed and served with papers. That is paperwork so the decision is binding. It is not a claim that you did something wrong, and it does not ask you to pay damages.

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Do I have to hire a lawyer or file an answer?

You have the right to talk to your own lawyer. You are not required to. If homeowners do not fight the case, the court can issue the declaration the Board wants: the new property is not in Crismark.

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Will this cost me money?

The letter says the lawsuit will not ask for money from you or the HOA. The cheapest path is still signing the Consent so the case never has to go far.

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If I ignore this, what happens?

Your lot does not count toward the 67%. If we fall short, the lawsuit moves forward, and until a court or an amendment settles it, the risk remains that new residents claim full use of our amenities.

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Will the new condos and townhomes have their own HOA?

Yes, if this works. Separate rules. Separate amenities. Separate operation from Crismark.

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Who do I contact with questions?

Crismark HOA: jkcricmark@gmail.com



Thank you

for helping protect
our community!

