

FOOTHILLS RESERVE MASTER OWNERS ASSOCIATION NOTICE OF VOTING AND SOLICITATION FOR ACTION BY WRITTEN BALLOT

There is a ballot contained in this mailing. It is for voting for or against a Board Resolution that would allow for the final design and construction of a community park.

The Park

You can see the park features on the attached plan. Perhaps the most important feature is the creation of a venue that promotes gathering for Owners and Residents. There is a large open area with artificial grass that can be used for picnics or any other kind of gathering. There are recreational opportunities for all ages. Children will enjoy a splash pad, playground, and swing set. Those older can play basketball, pickleball and work out at the fitness area. The Board intends that the entire concept of this park will promote friendships, social opportunities and “community” for 589 households.

Procedures

The procedures for this matter are specified in §12.4 of the Declaration. The Owners have a right to vote on whether to change the use of a piece of the Common Area.

The final conceptual plan for the park is enclosed. This conceptual plan has been approved by the City of Phoenix (“COP”). If the Owners approve the Resolution, we will proceed to construction and engineering plans, hiring contractors and building the park.

Quorum: The quorum requirement is ten percent. That is 59 ballots. At least 59 ballots must be cast for a valid vote.

Approvals: 50% of those voting must vote in favor of the Resolution for it to pass.

Polls close: In order to be counted, your ballot must be received in PO Box 94510, Phoenix, AZ. 85070 no later than 5:00pm on Monday April 3, 2023. A self-addressed stamped envelope is enclosed. All absentee ballots timely received will be used for quorum purposes. The Board may extend the closing of the polls by motion made on or before March 29th, 2023.

FREQUENTLY ASKED QUESTIONS

Q. How will the Foothills Reserve HOA pay for the park?

A. The park construction and ten years maintenance will be paid for with the ADOT settlement for the taking the HOA land. That money was earmarked by the court for community improvements. It may not be disbursed to individual members. That settlement fund balance is currently at \$3,286,468. HOA dues will not be affected by the park for at least ten years.

Q. What are the cost breakdowns for utilities and maintenance?

A. Our park designer estimates the park will cost \$38,000 annually for maintenance. That comes to \$64.00 per year per household. The cost estimate is enclosed. The project budget includes 10 years of maintenance costs.

Q. Will the new park cost cause an increase in HOA dues?

A. No. 10 years of maintenance costs are included in the budget. In 10 years assessments may have to be addressed. In 2023 dollars, the maintenance cost is estimated at \$38,000 per year or about \$64.00 per household annually.

Q. Is this a public park for anyone to use or just for the community?

A. This is a private park only for Owners and Residents.

Q. Are restrooms and drinking fountains also being built to accommodate the users?

A. No.

Q. Is it going to be lighted and what are the hours of use?

A. Yes, there is lighting. Hours of use have not been established.

Q. Will the park cause the HOA insurance rates to go up due to the added liability?

A. That is not likely. Our existing carrier says \$34 for year one, that's about six cents per household

Q. Will the park have a fence and video surveillance or other vandalism deterrent?

A. Initially no.

Q. If a park is not built can there be a reduction in HOA dues?

A. No. The values of all our homes diminished when we lost the Common Area. The money should be used to enhance the long-term values of our homes, rather than a short-term benefit to current Owners.

Q. Where will parking be?

A. The park is for the residents with the idea that residents would walk or cycle to the park. There is no parking on the streets in our community, and no special plan for park user parking. It is understood that there may be a need to have focused enforcement of the no parking rule if it becomes a problem on the streets closest to the park.

Q. Do the homeowners adjacent to the location approve of it?

A. We have had a meeting with some of those homeowners to understand their concerns.

Q. Will it be a pet friendly park and who will clean up the pet waste?

A. It is not a dog park, so the existing community rules apply to pet owners in the park area.

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
FOOTHILLS RESERVE MASTER OWNERS ASSOCIATION
RELATING TO CHANGE OF USE OF A PART OF THE COMMON
AREA TO ADD A COMMUNITY PARK**

The Board of Directors ("Board") of the Foothills Reserve Master Owners Association ("Association"), having duly noticed and convened a meeting of the Board pursuant to A.R.S. §33-1804, hereby adopts the following resolution by a majority vote:

WHEREAS, under the present circumstances, the Association has approximately \$3.3 million available from a settlement with the Arizona Department of Transportation relating to the condemnation of Common Area;

WHEREAS, this \$3.3 million will be used in part to pay for the park;

WHEREAS, this 589-household community has meager gathering areas and recreational facilities;

WHEREAS, the value of the condemned Common Area was imbedded in the long-term value of all the Owners' homes, and the value of the new park will also be imbedded in the long-term value of all the Owners' homes;

WHEREAS, facts have arisen that indicate to the Board that the best interests of the Association are served by constructing a park per the attached conceptual plan at an approximate cost of \$963,289.45 which includes a 15% contingency;

WHEREAS, the scope of the project includes 10 years of earmarked maintenance and insurance costs bringing the total budgeted amount for the park to for \$1,343,609;

WHEREAS, in the Board's opinion, the current use of the Common Area depicted on the attached conceptual plan is no longer in the best interests of the Owners and Residents, but the construction of the park is in the best interests of the Owners and Residents;

WHEREAS, capitalized terms used in the Resolution shall have the same meanings as defined in the CC&Rs, Articles of Incorporation, Bylaws and Rules; and:

WHEREAS, having duly deliberated on and investigated the relative merits of designing and constructing a park per the attached conceptual plan, the Board adopts the following Resolution to be inserted in the minute book of the corporation:

IT IS HEREBY RESOLVED: The Board approves moving forward with the final design and construction of the park per the attached conceptual plan.

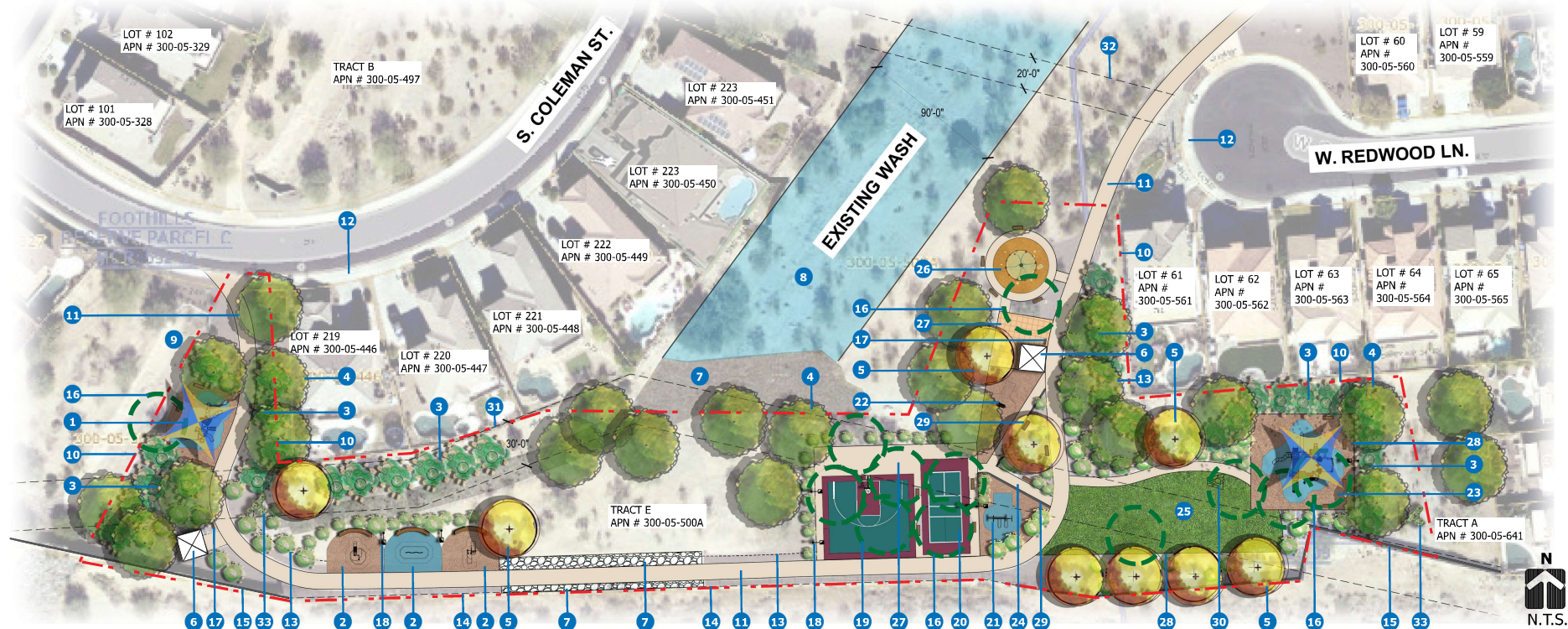
THIS RESOLUTION was adopted on February 9, 2023 after full deliberation and a majority affirmative vote of the Board.



President



Secretary



- 1 Covered playground - 2-5 Years, 1,800 S.F., Burke NaturePlay NUNP-3109, including 25% ADA access play equipment. Tensile fabric shade structure (USA Shade,model Mariner Peak, 25' x 45'), 3 x benches (Form & Surface dash bench without back 6',natural color). safety surface (soft/rubber, 12"TH, Flex ground, color: mix of 50% blue and 50% black).
- 2 Outdoor fitness area, 875 S.F., 3-equipment, Burke Fit-2646 balance challenge, Fit-2672 stretch & core, Fit-2681 push N' lift. safety surface (1/4" minus stabilized DG, rose color contrast with existing DG color/ rubber surface, color mix of 50% blue and 50% black), seat walls (2'W x 20'L, CMU block with precast concrete cap).
- 3 Landscape view/sound buffer, 6'-8' tall, large flowering shrub/hedge
- 4 Existing Trees (protect in place) x 25
- 5 New trees or salvaged, 9 x 24' box
- 6 Existing ramada (protect in place)
- 7 Existing riprap (protect in place)
- 8 Existing wash (protect in place)
- 9 Existing drainage channel (protect in place)
- 10 Limits of Work
- 11 Existing concrete pathway (protect in place)
- 12 Existing concrete sidewalk (protect in place)
- 13 Existing concrete curb (to be adjusted)
- 14 Existing fence (protect in place) (Community boundary close to freeway)
- 15 Existing wall (protect in place) (Community boundary close to freeway)
- 16 Existing tree removal or salvage x 12
- 17 Community park rules sign
- 18 Proposed light fixtures x 7
- 19 Half College Basketball Court- 50' x 47' Size, play surface (coated/concrete), 2 x Benches (Form & Surface dash bench without back 6', natural color)
- 20 Pickleball court - 44' x 20' size, 2 x Benches, play surfacing (coated/concrete)
- 21 Swing set - 2-12 Years, 1,560 S.F., 1/4" minus DG surface
- 22 Porch swing, 1/4" minus stabilized DG surface, 1,290 S.F., WillyGoat contour bench swing 6'L, color blue
- 23 Covered playground - 5-12 years, 3,900 S.F., Burke NaturePlay NUNP-2986, including 25% ADA access play equipment.Tensile fabric shade structure (USA Shade,model Mariner Peak, 35' x 40'), 4 x Benches (Form & Surface dash bench without back 6', natural color) , safety surfacing (soft/rubber, 12"TH, Flex ground, color: mix of 50% blue and 50% black)
- 24 New concrete path 6'W to match ex.color
- 25 Open area, synthetic grass, 6,100 S.F.
- 26 Splash pad - 960 S.F,ground sprays with nozzles, Vortex, Model: SIDE WINDER VOR 7518, color finish, lime and orange
- 27 New concrete pavement, match ex. concrete pathway finish
- 28 Proposed concrete header, 6"W x 12"D
- 29 CMU retaining wall
- 30 Existing underground drainage removal
- 31 Existing sewer easement, 30' wide
- 32 Existing water easement, 20' wide
- 33 Existing saguaro cactus (protect in place)



CONCEPT PLAN
 Site 4 & 5 COMBINATION- Foothills Reserve Master Plan
 Jan 16th, 2023 **CP 1.0**



Harrington Planning + Design
 landscape architecture environmental planning urban design

Foothills Reserve Master Plan - Site 4 & 5

Opinion of Probable Cost

Prepared by

HP+D

Project Phase

Concept

01.16.23

Item	Description	Est. Qty.	Unit	Unit Price	Total Price
Removals					
1	Ex. tree	12	EA	\$ 400.00	\$4,800.00
Total Price for Category					\$4,800.00
Landscape					
2	24" Box tree	9	EA	\$ 450.00	\$4,050.00
3	5 Gal. - shrub	150	EA	\$ 35.00	\$5,250.00
4	Decomposed granite - brown 1/2" screened to match ex.	45980	SF	\$ 1.50	\$68,970.00
5	Concrete header - 6"Wx8"D	204	LF	\$ 6.50	\$1,326.00
6	Concrete header - 6"Wx12"D	543	LF	\$ 9.00	\$4,887.00
7	Decomposed granite - 1/4" minus SDG, color rose	3050	SF	\$ 2.00	\$6,100.00
8	Synthetic grass	6090	SF	\$ 13.00	\$79,170.00
Total Price for Category					\$169,753.00
9	Automatic Drip Irrigation System	23,525	SF	\$ 2.00	\$47,050.00
Total Price for Category					\$47,050.00
Miscellaneous					
10	2' Height CMU block wall with precast concrete cap	60	LF	\$ 50.00	\$3,000.00
11	Burke play structure NUNP-3109	1	LS	\$ 35,900.00	\$35,900.00
12	Rubber surfacing - 12" depth (playgrounds, fitness area, swing set)	8140	SF	\$ 15.00	\$122,100.00
13	Burke fitness equipment (balance / stretch & core/push n' lift)	1	Allowance	\$ 26,775.00	\$26,775.00
14	Light fixture	7	EA	\$ 3,000.00	\$21,000.00
15	CMU block retaining wall	942	SF	\$ 30.00	\$28,260.00
16	Tensile fabric shade structures (25'x45') - playground	2	LS	\$ 20,000.00	\$40,000.00
17	Tensile fabric shade structures (35'x40') - playground			\$ -	\$0.00
18	Metal trash receptacle	4	EA	\$ 1,300.00	\$5,200.00
19	Forms +Surfaces dash bench without back 6' - SBDSH-72C	16	EA	\$ 1,500.00	\$24,000.00
20	Park rule sign without map	2	EA	\$ 500.00	\$1,000.00
21	Infrastructure installation	1	Allowance	\$ 20,000.00	\$20,000.00
22	New concrete paving and path	5,730	SF	\$ 8.00	\$45,840.00
23	3.5" Arch swing set	1	EA	\$ 4,200.00	\$4,200.00
24	WillyGoat contour bench swings	1	EA	\$ 2,665.00	\$2,665.00
25	Basketball court & surfacing (sound reduction & drainage)	1	Allowance	\$ 50,200.00	\$50,200.00
26	Burke play Structure NUNP-2986 (including ADA acess events)	1	LS	\$ 98,500.00	\$98,500.00
27	Pickleball court & surfacing (sound reduction & drainage)	1	Allowance	\$ 25,000.00	\$25,000.00
28	Splash pad	960	SF	\$ 65.00	\$62,400.00
Total Price for Category					\$616,040.00
Operation+ Maintainece Per Year					
29	Water (annual)	1	LS	\$ 10,000.00	\$10,000.00
30	Deep clean artificial turf (annual)	1	LS	\$ 5,000.00	\$5,000.00
31	Playground maintenance	1	LS	\$ 3,000.00	\$3,000.00
32	Splashpad maintenance	1	LS	\$ 3,000.00	\$3,000.00
33	Sport Court Surface Maintenance	1	LS	\$ 5,000.00	\$5,000.00
34	Added LS / IR maintenance	1	LS	\$ 12,000.00	\$12,000.00
Total Price for Category					\$38,000.00
Subtotal					\$837,643.00
15% Contingency					\$125,646.45
Grand Total site 4&5					\$963,289.45
Grand Total + 1 year maintainance					\$1,001,289.45

*Estimate does not include other removals, other site improvements or dumping fees.