

# Saddlebrook Central and South

## Homeowner Survey

Dear Valued Homeowner:

Both Saddlebrook South Homeowners Association and The Saddlebrook Homeowners Association (Central) are reaching out to gauge homeowner opinions about several issues facing the two associations. They are detailed below. We encourage all homeowners to fill out the enclosed survey to let us know how you feel about each issue. Please know this is a survey and not an official binding vote. Based on the survey results, the board of directors will make decisions about next steps.

### **LEGAL STATUS OF BOTH SADDLEBROOK SOUTH HOA AND THE SADDLEBROOK HOA (CENTRAL)**

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Please know that the associations are **two separate legal corporations**. They have separate legal standings with the State of Indiana, separate bank accounts, elect two separate board of directors among other items. Though they are two separate corporations, both boards have always worked together for the greater good of both associations.

Unfortunately, there are few things the original developer did in the beginning that should be addressed.

1. One thing that the two associations share is the governing documents. Instead of creating two separate sets of the Declaration of Covenants and Restrictions (originally recorded on September 1, 1989), they simply added Saddlebrook South HOA with Supplemental Declarations as homes were built within Saddlebrook South. This means that both associations and all members must abide by the same governing documents. It is suggested that the governing documents be cleaned up so that both associations have their own set of documents. Please know that **no** language in the governing documents will be changed. Both associations will still be bound by the same language as previously recorded. It will simply create two sets of documents of the same language.
2. There is also a conflict with how the common area was deeded in Saddlebrook South. Most of the common area was originally deeded to The Saddlebrook HOA (Central). Saddlebrook South HOA has maintained those common areas from inception, and we believe this was an error on the part of the developer. There is also a small parcel of common area along 56<sup>th</sup> Street that is still deeded to the developer. The process for correcting this issue is to have Saddlebrook (Central) simply transfer deed to Saddlebrook South. The legal team would accomplish this as well as the developer parcel.

During the last annual meeting, a few homeowners mentioned the possibility of creating one association for both neighborhoods. This would involve one association surviving while the other winds down and is dissolved. The surviving association would include all homeowners currently in Saddlebrook South HOA and The Saddlebrook HOA (Central). There is more information below under OPTION B.

Based on homeowner input at meetings as well as conversations with the associations' attorney, there appear to be two options for resolution. Please read the below options that contain a description along with pros and cons. Give us your thoughts by returning the survey.

### **OPTION A**

As mentioned above, this would include creating two separate sets of governing documents for The Saddlebrook HOA (Central) and Saddlebrook South HOA. All language would remain the same. In addition, all common area within Saddlebrook South would be deeded from The Saddlebrook HOA (Central) or the Developer to Saddlebrook South HOA. It cleans up any inconsistencies and ensures both associations are in good shape with City, County and State. The legal costs for this option would be a few thousand dollars and would be covered with each association's budgets with no special assessment to owners. The board could approve this option without an official vote of the homeowners.

#### **PROs:**

- Transfer of property will be seamless for both associations.
- All governing documents will be updated so that each association has its own set. All will be recorded with City, County and State.
- The governing document language will remain the same.
- The HOA annual assessment will continue to remain separate based on the budgets and number of homeowners in each association.
- Both HOAs will remain as separate legal corporations.
- The Saddlebrook HOA (Central) will retain its bank accounts which are about four times the amount compared to Saddlebrook South bank accounts.

#### **CONs:**

- There are not substantial cons for this option as it is attorney recommended to clean up issues that occurred during the development phase.

### **OPTION B**

This option would merge the two associations to form one association for both neighborhoods. One of the associations would survive and the other would merge into it. The attorneys would need to Amend and Restate the Declarations, By-Laws and Articles of Incorporation to wrap in the other association. All language would remain the same with regards to rules and regulations in the governing documents. The association that does not survive will no longer exist and will need to "wind down" with the State. All common area would be deeded to the surviving association. All homeowners in both Saddlebrook South and The Saddlebrook (Central) would be mandatory members of the surviving association.

#### **PROs:**

- One set of governing documents for both neighborhoods.
- There would be one board of directors and one architectural review committee made up of homeowners from both neighborhoods.

- Saddlebrook South annual assessments may decrease as the costs will be divided among all members of both neighborhoods.
- Maintenance costs may decrease with the use of only one vendor for landscaping.

**CONS:**

- Legal costs will be more than double Option A.
- HOA assessments may increase for Saddlebrook Central as the costs will be divided among all members of both neighborhoods.
- All bank accounts would be combined and funds may be used to benefit either neighborhood. This would not protect the Central funds that as mentioned are four times the amount of South.
- Creating one association would require an affirmative vote of 75% of all homeowners. That would mean 75% of Saddlebrook South and 75% of The Saddlebrook (Central) homeowners would need to vote yes for Option B once an official meeting/vote took place.

**TWO ISSUES THAT ONLY APPLY TO THE SADDLEBROOK HOA (CENTRAL)**

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**ENTRANCE WALL MAINTENANCE AND LANDSCAPING RENOVATION**

The monuments at the entrance of Saddlebrook Central are crumbling and in need of extensive maintenance. Since repairs are required on the walls, it would best during this time of renovation to also update the landscaping in a manner that would benefit the community so that the monument walls are not further damaged by existing landscaping and the signs are more visible. The current plan is to repair the monuments and update the landscaping utilizing the Reserve Funds in a four (4) phase process. Phase I – Get bids for project prior to October Annual meeting in 2023 and get a design to renovate the landscaping. Phase II - Remove the current landscaping at the monuments and center island. Phase III – Repair the Monuments – tuck point and refurbish as required. Phase IV – Install the approved design via landscaper.

- Current Cost received for Monument Refurbish is \$17K,
- Current Cost received for Landscaping Design which would roll into (go toward) the total cost chosen is \$500, landscaping bids are based on design chosen by the HOA board of directors we hope to share at the October Annual Meeting. The board has asked for a cap of \$7500 for total landscaping.

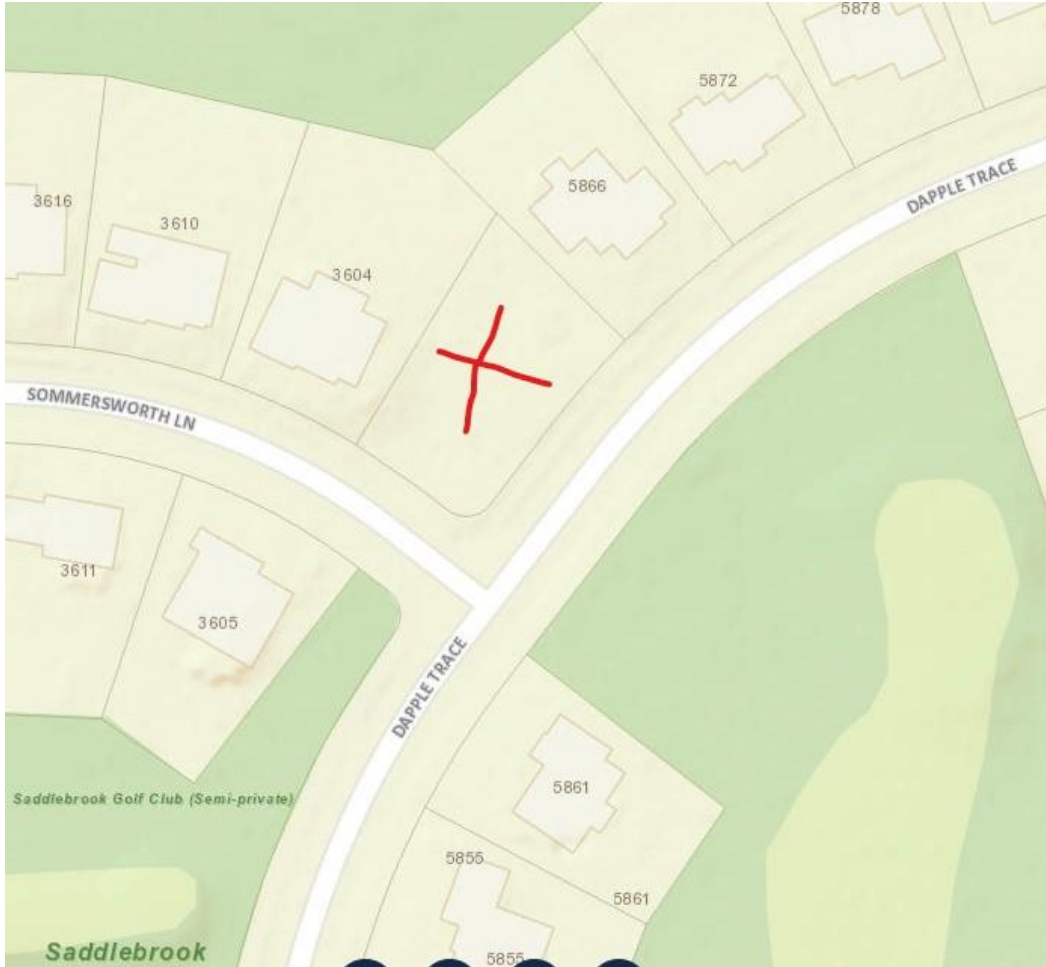
**PLAYGROUND INSTALL AT COMMON AREA AT SOMMERSWORTH AND DAPPLE TRACE**

There is a space in Central that was a spare lot that is currently maintained as common area. It was mentioned that due to the lack of amenities within Central, it would be nice to have a playground in that area. With that being the only space available, the HOA would like to know if there is homeowner interest to install a playground at the site.

Basic installation details are not locked in, but the HOA would endeavor to install a mulched area as a base and follow ADA guidelines to ensure there would be a ramp installed for wheelchairs. Additionally, there may be a few benches and a trash receptacle. All in, we may be looking at a minimum of 25K+.

The installation would not be completed until 2026 if it were approved by the homeownership to move forward. A map is included below to show the area and homeowners nearest to the location will also be involved to ensure they would be aware and accepting of the installation prior to implementation.

**PROPOSED LOCATION OF PLAYGROUND FOR THE SADDLEBROOK HOA (CENTRAL)**



**SADDLEBOOK SOUTH HOMEOWNERS ASSOCIATION**  
**THE SADDLEBROOK HOMEOWNERS ASSOCIATION (CENTRAL)**

# SURVEY

This survey is to gauge homeowner opinion on several issues facing the board of directors. Please know this is not an official binding vote. It is to simply understand homeowner thoughts regarding potential action for both associations. Please mark your choice in the space provided. **Please mark only one choice per issue. Only one survey may be submitted for each Lot.**

**LEGAL STATUS OF BOTH SADDLEBROOK SOUTH HOA AND THE SADDLEBROOK HOA (CENTRAL)**

**PLEASE CHOOSE ONLY ONE OPTION**

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**OPTION A:** CLEAN UP GOVERNING DOCUMENTS & DEED LAND CORRECTLY \_\_\_\_\_

**OPTION B:** MERGE BOTH ASSOCIATIONS INTO ONE \_\_\_\_\_

**THE SADDLEBROOK HOA (CENTRAL) ONLY ISSUES: PLEASE CIRCLE YOUR CHOICE FOR EACH ITEM.**

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- ENTRANCE WALL AND LANDSCAPING RENOVATION      YES      NO
  
- PLAYGROUND INSTALLATION      YES      NO

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NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Please return the survey to: Centerpoint Community Association Management, 13295 Illinois Street, Suite 316, Carmel, IN 46032. **OR email to: [support@centerpointcam.com](mailto:support@centerpointcam.com).**

Please return your survey no later than **September 29, 2023** to be considered in the discussion.

**SADDLEBROOK CENTRAL AND SOUTH (Questions and Comments)**

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Below please write your questions and comments to be answered by the HOA BOD. If there is an amendment, by law, CCR you would like to know more about or have a suggestion to better the community, please write it here and return with your ballot so that you can be heard, and the HOA BOD can help make better decisions to improve the community.

Thank you for your participation.

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