



18 Sept. 2016

Dear West Highlands Residents,

The HOA Advisory Board is aware that there has been some confusion, speculation and even mis-information making the rounds regarding the future amenity package. In an attempt to provide clarification on this matter, we have collected the questions we have received into the following FAQ's. We hope that issuing this in advance of the October 22<sup>nd</sup> HOA meeting will allow everyone time to maximize their understanding of the proposal. For those who will be able to attend the meeting, there will be opportunity to provide design feedback to the architects in addition to reviewing the budget in greater detail.

**I**  
**POOL/AMENITY OWNER IMPACT FAQ's:**  
The first set of FAQ's are intended to explain what the homeowners' rights are regarding the amenity proposal as well as the financial impact that each homeowner will see if it is approved.

**How much is the amenity package going to cost?**

The budget amount for the Phase 1 clubhouse and pool is \$2M. Included in the \$2M budget is a 15% contingency (\$300K) to address any cost variables that may crop up between the current concept design and final completion.

**Will there be a vote on the proposed amenities and if so how is the vote conducted?**

Yes, there will be a consent signatory mailed to each household. Your signature on the returned form indicates that you consent to the modification of the covenants that will allow the HOA dues to be increased in order to fund the amenities. Forms that are not returned will be counted as non-consent votes.

**What % of a vote is required for approval?**

67% of homeowners must provide consent for the motion to pass. There are presently 250 homes in the community.

**What will the new dues amount be starting in 2017?**

HOA dues will be increased to \$1,300/year (approx \$108/month). This will be payable either as a monthly bank draft, two semi-annual payments, or a single lump sum payment.

**Do all of the HOA dues go to funding the pool?**

No. The larger portion of the annual dues (approx. \$725) will continue to be used for the typical HOA budget purposes such as security, park maintenance, etc. The difference (approx. \$575) will go towards the loan down payment that will fund the construction of the amenities. Starting in 2018, this equivalent portion of the HOA dues will be used towards loan payments and for the operations and maintenance; approximately \$50/month per household.

**Will there be any special assessments on top of the HOA dues increase?**

Yes. There will be a special assessment of \$400 due by June 30, 2017. This will help to provide the necessary funds for loan down payment.

**Does that mean we won't have any other special assessments levied in the future?**

No, unfortunately, special assessments can be adopted in the future for any issue that is not in that fiscal years' budget. If, for example, the community votes in the future to install APD monitored video cameras to increase security, a special assessment vote with 67% homeowner approval to enact and pay for that cost.

**How much of this will be paid for by Brock and how much will be paid for by homeowners?**

Of the \$2M, Brock will be paying \$1.1M in total and homeowners will be paying the remaining \$900,000. Brock will secure the loan and pay \$350,000 (58%) towards the loan down payment. The homeowners will contribute the remaining \$250,000 (42%) toward the down payment total of \$600,000. Starting January 1, 2017 all home sales' initiation fees will be increased to \$1250. The initiation fees will be applied to the amenity package loan and maintenance. Brock Built will dedicate an additional \$1,500 from each new home sale toward the amenity package loan.

**Why isn't Brock paying for the entire amenity package?**

Simply stated, Brock is not legally obligated to build an amenity package or pay for it. The original site plan adopted by the City of Atlanta did not have a pool and as such the cost of this enhanced amenity was not included in the new

home sale prices. The amenities that were included in the original plan were to be paid for by public funds and made available to both WH residents and the public to use at their leisure. To our benefit that plan was never executed. Over the years, many homeowners have expressed a desire to have a pool and the current plan is a direct response to those homeowners' requests.

**Why do we need to pay for the amenities before they are built?**

We need to have the loan secured before construction can begin. The total down payment for a commercial property is approximately 30% of the total loan amount (\$600,000 for a \$2M loan). The \$250,000 homeowner contribution will be applied toward the loan down payment.

**If the pool construction is under/over our budget who will pay for the cost over runs?**

There is a \$300,000 contingency built into the budget to minimize the potential for this risk. However, if additional costs are incurred beyond this contingency Brock will pay 50% and the homeowners will pay 50%.

**Will there be a membership option that allows homeowners who do not want to use the amenities to opt out of membership and not pay?**

No. Setting up an opt-in/out system would require a dual HOA system to monitor each group separately and would result in a more divisive community.

**Will membership be assigned to the Lot owner's address and transfer upon sale of the house?**

The use of the amenities does not require a separate membership. All current homeowners will have the right to enjoy the amenities as part of their membership into the HOA.

**What are the maintenance and utility cost assumptions being based on?**

We are basing budgets on Dupont Commons 2015 and 2016 operating costs. Also, we consulted with pool maintenance companies for averages on similar communities and amenities.

## II

### POOL/AMENITY TECHNICAL FAQ's:

The second set of FAQ's are intended to explain some of the technical issues surrounding the Atlanta Housing Authority land grant, the construction of the amenities and the phasing approach. There are a number of variables that have factored into the current timeline for the amenities, including years' worth of campaigning to AHA that the homeowners would like to have an amenity package and that granting this land to the HOA would allow for this to happen. WH is a premier planned community with a transformative history dating back more than 20 years. The AHA is extremely proud of the progressive, varied and inclusive nature of this community; a community that includes housing at multiple scales and for multiple income levels, a senior residence care facility, a park, a charter school, and multiple connections to city amenities. It was this culture of diversity that allowed the HOA Advisory members to convince AHA to do what has never been done by a public housing authority and agree to grant the homeowners a share of their land that would be used for this homeowner initiative.

**Who owns the property where the amenity package will be placed?**

The Atlanta Housing Authority (AHA) and HUD currently own the land and will be donating it to the HOA, not to Brock Built.

**How much is the property worth?**

We don't know the exact value of the property. However, we estimate between \$1.2M and \$1.5M based upon comparables in the area. Also, AHA is planning to transfer the remaining greenspace to the HOA which includes Hollingsworth greenway, Perry Park, Argule Park and the land underneath the Georgia Power lines. The collective value of all of the donated land could exceed \$5M. Taking advantage of AHA's disposition of the land to WH will significantly increase the HOA's holdings and property value.

**What happens to the land if we don't get 67% approval from the homeowners to build the amenities?**

AHA owns the land and they are gifting it to the HOA to be used for the construction of the planned amenities. If the amenities are not constructed, AHA can choose to build more affordable public housing, similar to the apartment buildings already in West Highlands.

**When is the pool going to be constructed/when will it open?**

There are a number of things that need to happen before construction can begin. The land transfer from AHA to the HOA must be completed, and we are hoping that will happen in this last quarter 2016. Once the land has been transferred, construction documents can be finalized. This will take about 6 months so that the architects can receive and incorporate comments from the community, perform Value Engineering to address any budget issues, and

complete the engineering. Once construction documents are completed, the documents will be put out for bid. The bids will be reviewed to evaluate best value and competency, then it will be awarded to the winning contractor. Documents will then be permitted, and our understanding is that this process could take up to 9 months. We are planning for an opening date of Summer 2018, however, opening can be delayed during any of the above steps or if we do not have sufficient home owner support.

**What is included in the Phase 2 Amenities vs. Phase 1?**

The concept design for phase 1 amenities include a community clubhouse, a pool, a splash pad, fencing and security devices to secure the area, pergolas and a fire pit. Parking will also be provided. The phase 2 amenities currently include a second pool and grounds similar to the phase 1 area, a gym, and a second clubhouse with additional parking.

**Are the Phase 2 amenities included in the \$2M budget?**

No. Additional funding will be required to construct Phase 2 amenities. However, the intention is to refinance the Phase 1 loan to provide the construction capital for Phase 2, thereby minimizing the front-end financial impact to the homeowners.

**When is Phase 2 going to be constructed?**

That is not known at this time, and depends on future home sales as well as the relocation of the WACS trailers that currently occupy the Phase 2 land. Phase 2 will not be constructed until there is a clear need for the additional facilities and the additional cost can be justified. Additionally, not all of the proposed Phase 2 amenities may be required, as this assessment will be made based on actual usage of the phase 1 components.

**Can the gym be moved from the current Phase 2 plan, to Phase 1?**

Not within the current budget. The gym is presently designed as a stand-alone building to be added adjacent to the clubhouse. However, if there is substantial homeowner interest, it may be possible to construct the gym as a separate Phase 1A project ahead of the other Phase 2 amenities.

**What other amenities are being added to WH?**

Dog Park, Community Garden, Hilltop Park (with panoramic views), Ball Fields and more Walking Trails will be added after the land acquisition from AHA.

**What is the number of current houses sold/built in the community?**

250 homes are currently built and occupied.

**What is the planned amount of houses to be built in the community?**

The current estimate is 655 total. Previous estimates of 700 have been updated based on land grants to West Atlanta Charter School (WACS).

**When do we expect WH to be fully developed?**

That is entirely dependent on sales, the economy, etc. However, current projections estimate 50-70 home sales/year until completion.

**What public pools are near WH?**

Maddox Park on Donald Lee Hollowell Pkwy, NW; Piedmont Park, 400 Park Drive, NE; Center Hill Park at 2305 Donald Lee Hollowell Parkway, NW has a Sprayground for kids.

**Are there plans to build a public pool near WH?**

There are no current plans for the City of Atlanta, Parks & Recreations to build a public pool. A WH resident who serves on the Bellwood Quarry Redevelopment Review Committee and the Beltline Master Plan Subarea 9 planning committee has confirmed that there are no plans to place a pool in the near vicinity of WH or in the future Westside Reservoir Park.

### **III**

#### **POOL/AMENITY OPERATIONAL FAQ's:**

The third set of FAQ's are intended to explain what the homeowners should expect in the form and function of the amenities. Many of the regulatory and operational parameters are yet to be decided, as these items require substantial homeowner input. They have been thought through by the Advisory Board within the framework of sizing and budgeting for the pool/clubhouse, but have been left loose enough that we can collectively determine how we want these pieces to operate. The creation of a pool committee will help develop specific rules and regulations.

**Will the apartments or general public have access to the pool?**

No. This is a private amenity for the sole use and enjoyment of WH homeowners.

**How many people will the pool/clubhouse accommodate?**

We will not know the exact numbers until the architectural designs are complete and life safety quantities can be confirmed. However, we do anticipate a need for Phase 2 secondary pool as the neighborhood nears completion.

**What type of security will we have at the pool?**

The concept plans call for the pool area to be constructed on a raised berm area with a continuous, robust metal fence at the site perimeter, security cameras and proximity card sensors for entry. There will be a security desk, staffed during hours of operation. Each household will receive one (1) proximity card for pool access. Replacement cards will be issued for a fee and after the initial card has been cancelled.

**Can I rent the pool/clubhouse for a private event?**

This is being discussed as a possible revenue generator to offset homeowner costs, however, the final determination on this should be left for the community and pool committee to decide.

**Do I have to be current on all of my dues to use the pool?**

Yes. Access will be suspended if dues are not current and/or homeowner is not in compliance with the covenants.

**How many guests can I bring to the pool?**

This is yet to be determined, and is something for the community and future pool committee to decide. The suggestion is that guests be limited to 2-4 depending on capacity. Homeowners will need to be present at the pool along with their guests.

**Will there be lifeguards on duty?**

We are not currently budgeting for life-guards and will set age restrictions for those who are able to enter the pool area without supervision. We recommend that age limit be 16 years old and require a parent/guardian consent form acknowledging that the HOA is not liable for accidents/injury. If the community determines a lifeguard is necessary, the cost is approximately \$15K-18K per summer, per lifeguard.

**What will the operating times be for the pool (months and hours)?**

This should again be determined by the community and future pool committee, but the recommendation is that opening times will be from Memorial Day weekend – Labor Day weekend daily operation with extended hours on Fridays and Saturdays.

**Is the pool going to be chlorine or saltwater?**

That has yet to be determined pending community input.

**Will there be a diving board/slide/regulation lap lanes/beach entry/hot tub/kiddie area?**

The architects will present the concept plans at the October 22<sup>nd</sup> HOA meeting and feedback from the community will help shape the development of the construction documents. There are not currently plans to include a diving board or slide (both require a lifeguard be on duty), but there will be three regulation lap lanes (25m length), plus a beach entry to the open play area in the pool. There will also be a splash pad area for younger children adjacent to the pool.

**How is noise from the pool going to be mediated?**

Evergreen landscaping will be used at the pool perimeter to help dampen noise. The raised berm should also help to lessen the noise.

**Who verifies the pools safety certification every year?**

The Fulton County Department of Health and Wellness, Environmental Health Services Division.

**How frequently is the pool serviced?**

The pool will be serviced approximately 2-3 times per week during the summer months. The frequency may increase or decrease based upon usage. We expect to have daily janitorial services during peak seasons.

**When will the Pool Committee be formed?**

A sign-up sheet will be made available at the October 22<sup>nd</sup> HOA meeting. Once the votes have been counted and it is known if the proposal has passed, the committee will be given guidance on how to proceed.