

EAGLES MASTER ASSOCIATION, INC.
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MINUTES OF THE ANNUAL MEETING
HELD OCTOBER 13th, 2003, AT 6:30PM AT THE EAGLES GOLF CLUB

Officers & Directors Present: Bill Lambos, Teddy Lambos, Ralph Evans, Adrienne Sundheim, Tom Keller, Sheri Schobert, Jelena Mulin, Bruce Derby, Bruce Walling, Dave Walsh.

All present were welcomed by Bill Lambos who called the meeting to order at 6:34pm. A quorum of more than 30% was established by those present, proxies of Eagles Ltd. and US Homes.

24 Homeowners present.

A motion to accept the Minutes of the previous al Meeting held August 11, 2003, was made by Bruce Walling/seconded by Bruce Derby and carried unanimously.

Security Update, Cameras & Barrier Arm

Bruce Carman reported that the Eagles remained with the lowest crime rate record in North West Hillsborough County and that security was now even more enhanced with the additional 32 hours inclusive of radar time and roving patrol.

There were no questions from those present.

An upgrade of camera hardware at the front entrance was proposed to the Board. The old analogue black and white VCR system to be replaced, added to and upgraded with modern digital high-speed conversion in color for outbound lane and incoming residents lane. The cost would be \$275/m over and above what is currently being paid. Among many other advantages the resident's lane could then be operational 24/7.

Motion by Adrienne Sundheim/second by Bruce Derby and carried unanimously to accept the proposal as presented for the 5-year lease plan for all 3 cameras for the front entrance.

The Board was presented with a bid to replace (\$3,340.00) and a bid to repair (\$662.00) the faulty barrier arm machine for the front entrance guest/visitors lane.

Motion made by Bruce Walling/second by Adrienne Sundheim and carried unanimously to go with the repair option versus the new replacement.

Committee Updates

Landscaping – Bruce Derby

Bruce reported on work-in-progress projects as follows:

- a) sets have been designed by a landscaper for the 600ft long white pvc wall along Windsor Park. As this project encroaches on 9 individual homeowners property's the project would be contingent on their and Windsor Park HOA's consent. A grant will be pursued to fund although the project inclusive of irrigation extension is budgeted;

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- b) accent lighting was completed for main entrance on right hand side last year and now 9 new left hand side lights were being installed;
- c) more azaleas for under the trees on the left hand side to be installed after the freeze (March 2004);
- d) sago treatment against Asian Scale was relayed in detail – Imidachloprid active ingredient in Bayer Tree & Shrub solution application process.

Park Projects – David Luchina

The committee has met and all agreed that ideally what is sought is a field or open flat grassed area with some play equipment and a shelter. They require a survey identifying actual size of the USH Construction site to continue with their planning. Bill advised that there are maps at the executive office identifying wetland boundaries. Their plans will have to involve an engineer plan that fits within the environmental constraints which would go to bid and then to zoning through the County – this can quickly generate expenses and it is unknown as to how much USH will contribute. In the meantime USH must clear and clean up the existing area. The tract is owned by Eagles Ltd and it is part of the Eagles PUD and although Bill can't speak for partners there is likelihood that given the historical use of the area the Eagles Ltd. will consider deeding it over to the Master Association. David will visit the office to locate plans.

US Home Outstanding Issues

The Board was furnished with a list of outstanding issues and another meeting with Francine Miller was due – Bill Lambos and Bruce Walling would attend.

Cell Tower

Bill Lambos advised that as most of the Board Members have interacted in various ways with their homeowners they are in a position now to make a more informed vote and he opened the table for input and discussion from the Board stating that the subject is intended to be brought to vote.

Tom Keller expressed his dissatisfaction with the way the matter had been handled, he had reviewed previous minutes and per December 9 it was represented that the Developer would abide by the homeowners consent of a flag pole cell tower. He felt it was inappropriate for this Board to act on it without the vote of the residents.

Concern was raised regarding St. Andrews Board not polling their residents vote on the issue and Adrienne Sundheim referred to the minutes, which reflected that the issue was to be taken by the Village Eagles Master Reps to their respective Boards.

Village results:	Against	In Favor
Byrnwyck	17	3
Prestwick	4	35
Windsor Park	6	27
Canterbury	133	62
Turnberry- overwhelming against with a 54% return vote from homeowners	61	13 (actuals)

Royal Troon – voted in favor of as a result from the response the President of Royal Troon Village received from the Village regarding the vote.

St Andrews – Board voted in favor of with condition that the flagpole would not be illuminated at night.

Adrienne Sundheim motioned to move the issue

Homeowner input varied from not wanting it outside their back door.../biased opinion received in mailings.../topic has been over-discussed.../number of attendees at meeting clear indication of apathy when one considers 1057 homes have closed at the Eagles. Jelena Mulin expressed her disappointment at the turn out of only 24 homeowners present at the Annual Meeting which had important issues to discuss.

Bill Lambos had made it clear from the start that this is a matter for the Board to decide because this is a representative Board that votes on issues which matter to the community.

Dave Walsh had a question that from the last meeting there was discussion of viewing the contract between T-Mobile and Eagles Ltd and understood that Eagles Ltd did not want to share the actual contract but he was concerned with the liability issues. Bill Lambos said that he had the draft contract reviewed and how it addressed the liability aspect – all the liability lies with T-Mobile; zero liability from the operations of the flag pole lies with The Eagles. The companies operating on the tower, the co-locators, assume all liability for its operating. Dave questioned indemnification and Bill said that we have insurance but the contract stipulates that the liability of the operations of the tower is with the operators on the tower. Bill stated that there was a representative from T-Mobile here tonight and asked Sharon to address the liability issue which was not within her scope to do. Bill said that The Eagles Ltd was a bigger target than the Eagles Master Association and did not want any liability and so would not accept in any arrangement any liability and secondly he can promise although cannot prove that T-Mobile did this as they wanted favorable relationship with the community and not to share the liability.

Bruce Derby questioned the formal contract offered between the Eagles Ltd and the Master Association pertaining to the revenues. Without guaranteeing any changed Eagles Ltd areas' ownership honoring of such an agreement Bill Lambos is certainly willing to put in writing a document between Eagles Ltd and the EMA which states 25% of the revenue will be given to the EMA and that the contract can have specific language in it to verify income. This document can be produced in 45 days. Bruce Walling asked if that agreement could be made part and parcel of the Eagles Ltd agreement with T-Mobile in the event that the Eagles Ltd sold the property to an outside source. Bill Lambos was unsure if the parties would agree to the constraint of their ability should the property change hands but that the new owners would be foolish to not adhere – we could add an amendment to the Covenants stating the 25% cell tower gross revenue which Bill would have no problem doing.

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Bill Lambos asked each Board Member to vote on the following motion seconded by Adrienne Sundheim:

That the Developer enter into a contract with T-mobile to erect a flag pole which internally contains a cell tower to be located in the maintenance area the lower portion of which with associated equipment will be hidden from public view on Eagles Ltd property and the Eagles will share 25% gross revenue generated by users of the antenna inside the cell tower with EMA and will retain the rest. In addition the Eagles will pursue amending the Covenants to state that the EMA will receive 25% of that revenue.

Canterbury votes against

Royal Troon votes in favor

Byrnwyck votes against

Developer votes in favor x 2

Turnberry votes against

Prestwick votes in favor

St Andrews votes in favor with the stipulation that it will not be illuminated

Windsor Park votes in favor

The motion passes 6 to 3 in favor of.

Board of Directors 2003/04 fiscal year

At the January Meeting most of the Villages will have had their Annual Election Meeting at which they must appoint/re-appoint their Eagles Master Association Representative Director.

Dave Walsh would like this Board to consider an organizational meeting – at least an appointment of Vice Chair and Treasurer. More formal requirements with respect to Finances should be privy to Board members to make more informed votes with respect to expenses. Bill Lambos said that his input was valuable and pointed out that any homeowner has a right to the financials which are available for inspection purposes at both the Property Group and the Executive Office. Bruce Derby questioned turnover at 1057 homes closed with 20 remaining to complete Eagles original set up of 1077. Bill Lambos said another 140 have been added in Augusta although not part of the Eagles PUD but the Master Association in granting them access to the roads require that they join the Association so under the plat count Bruce Derby is correct but under the EMA members they are accountable and therefore he was 140 short. Turnover as per the ByLaws takes place when the Class A = Class B votes so turnover proceedings should have commenced. A committee must be set up to prepare. The Board members presently comprise representation from each village. One of the steps required for turnover is a full audit of all the books. It was decided that first a letter of opinion from the attorney stating that we are due for turnover and identifying the steps we need to follow so that at the next meeting a turnover committee can be elected. The elected committee must report back to the Board when those steps or progress of those steps have been made so that turnover can be performed formally.

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Architectural Control

There is a home being built in Prestwick and the EMA AC Committee has been requested to respond and are not qualified to make a determination. The Developer will review the plan and provide a verdict by December 1.

Homeowner Input

1. For water aerobic classes the Golf Club will allow heat to be turned on per use basis;
2. Garage Sales are once per year in the spring;
3. Suzanne Opalinsky offered to be on EMA Landscaping committee from Royal Troon;
4. Soaring Eagles newsletter to be prepared and distributed;

There being no further business the meeting was duly motioned to adjourn at 8:55pm

Minutes prepared by Leigh Slement November 10, 2003.