



Dear Lakes Residents:

While we understand and share the strong interest in having our pool area reopened, the area has decayed to such a point where it has become a safety hazard. Our HOA attorney has advised us against reopening until we are able to completely replace the pool deck. Unfortunately, the original builder of the pool area failed to account for the nature of highly corrosive soil and the installation of the steel reinforcement in the concrete was not done appropriately. Over the years, it is now rising to the surface which defeats its purpose and further creates a safety hazard.

In summary, we started the process early in 2020. First step in the process was to identify why we were experiencing these problems. We hired a soils engineer to take core samples of the soil adjacent to and under the concrete at the pool area. Those findings indicated highly corrosive soil, and of the type that our pool deck was not built to withstand indefinitely. We consulted with the HOA's legal counsel about those findings, which included engagement with a construction defect attorney. If we were able to pursue remedy from the original builder, this would have potentially saved the HOA a significant amount of money. However, the construction defect attorney's legal conclusion was that the 10-year time limitation had passed, and we are unable to pursue legal remedy. That was just when the Covid-19 pandemic took hold and those effects linger to this day.

Despite the Covid-19 pandemic, the volunteers on the HOA Board were still working but our Property Manager left suddenly. As such, it took time finding, negotiating, and hiring a new Property Manager. Once she started and got up to speed, we were able to move forward with the pool area process and we hired a vendor (architect/engineer) to design the pool deck replacement, based on the extensive input and comments we have received from the residents over the years. Unfortunately and unexpectedly, this vendor pulled out during the final contract negotiations, forcing the board to go through the vendor selection process again. We were able to find a vendor who, after a time, was able to work with our legal requirements. We then selected our current vendor, who has now completed the design phase and is currently working on putting together bids for the next and final phase of construction.

Fortunately, the design for the pool area has been finalized. The pool area will now have shade for those that want it, private spaces in the form of cabanas, and protect the views of our beautiful lakes. We are in the midst of identifying a contractor and scheduling the start of construction. We feel the timeframe given to us is overly optimistic so before we release it, we want to make sure we have a valid construction milestone timeline.

While we will push to get the work completed on time and on budget, please note that material availability (on top of the rising cost of materials) may have an impact on this schedule, and this is all out of our control. If this work is not done correctly, it will have a significantly negative impact on our property values and our association reserve funding. The pool deck, as a safety liability, has already been a talking point for several interested in buying and selling homes here at The Lakes. We will release a formal construction schedule as soon as it is finalized.

Sincerely,

The Lakes Community Association Board of Directors