

SUNBURST FARMS EAST, INC.

13634 NORTH 52ND STREET. SCOTSDALE, AZ 85254. 602.996.5796

December 29, 2021

Hello SBFE Neighbors,

Our Annual community is scheduled for January 11, 2022, location TBD. An email will be sent out and information posted at the well site as we get closer to the meeting date with updated details. Included in this mailer are the following documents:

2022 SBFE Operating Budget, 2021 Profit & Loss and Balance Sheet, CC&R's relating to your lot, Annual Meeting Agenda, 2022 BOD Candidate Ballot.

Monthly Dues for irrigation service remain the same as we enter 2022. Monthly dues are due on the 1st of every month and **late if not received on the 15th of the month and late and finance fees will be applied**. Lots will not receive irrigation service during the current cycle if the lot account is delinquent which will subsequently place the lot on cut-off until the account is brought current. If you have questions relating to your account, please email Judy at accounting@sbfehome.com.

We have two open positions on the Board of Directors. Enclosed in this mailer, please find a Ballot for the two lot owners who have come forward to volunteer on the SBFE Board. The Board will hold a vote on January 11, 2022, at our Annual meeting if there is a quorum, otherwise the vote for the open Board positions will be deferred to the BOD to review and discuss following the Annual meeting.

Irrigation - Our irrigation service is provided by H2O Works. Greg Luebkin (owner) Please note the following phone number should you need to contact H2OWorks regarding your lot irrigation (not billing). Greg Leubkin can be reached at, Cell #602-736-9132. Robbie is under Greg's employ, and you will see their vehicle throughout the community providing service with their company logo.

Status of the Litigation - After a hard-fought battle, the litigation is now over. We had mixed results. Unfortunately, we were one vote shy of passing the 2007 Amendment in Section 7 and consequently, the Court held that the 2007 Amended CC&'s were invalid because it had to pass in all four Sections to become effective in any Section. We were surprised by and disagreed with that legal conclusion. Nevertheless the 2007 Amendment is invalid as to all Sections and Sunburst has resolved all the remaining issues with the litigants.

At the same time, Sunburst was successful on many issues. The 1985 Judgment and Settlement Agreement which drastically restricted the Association, was held to be invalid. As was the 2004 Settlement Agreement. Further, the Court determined that lot owners in Sections 2, 3 & 4 are members in the Association pursuant to their lot ownership.

The status of the CC&R's is as follows: Lot owners in Section 2 are subject to mandatory membership and dues. Lot owners in Sections 3 & 4 are subject to mandatory membership, but only pay dues if they receive irrigation. Lot owners in Section 7 are not subject to mandatory membership and only pay dues if they receive irrigation.

Your properties current CC&R's are enclosed, please discard the 2007 Amended CC&R's that you may have in your files.

Bylaws and Rules and Regulations - The BOD and legal counsel are continuing to work on the Bylaws for the corporation and updating the Rules and Regulations (R&R) for the community and BOD operations. The BOD intends to present the updated documents to SBFE lot owners in Q1 of 2022.

Website - The website is www.sbfehome.com. You can find Contact information, Board Minutes and Financial summary to stay updated on what is happening in the community if you are unable to attend a Board Meeting.

Community Communication - SBFE is trying to move forward in going paperless and to incorporate all homeowners to receive information via email. We still have many homeowners receiving their monthly payment invoices and other communication via US Mail. Please consider changing to paperless (receive information via your email) and contact SBFE at admin@sbfehome.com to change your status.

Blue Stake – Please remember to contact AZ Blue Stake (602) 263-1100 if you are going to be doing any excavation or tree planting on your property so we can verify the irrigation lines, please contact H2OWorks and admin@sbfehome.com to review your lot and mark irrigation lines and valves and risers.

Bridle Paths – There are many areas in our community that have tall grass/weeds, foliage, and other debris, in addition to low hanging branches or shrubs encroaching into the bridle paths making it difficult for your neighbors to use. Tree branches, shrubs, (oleanders and other foliage, need to be cut 14 feet up to allow clear and safe passage for Lot owners ingress and egress as well emergency vehicles). Lots in violation will receive a letter and have 15 days to correct the violation. In the event the situation is not rectified the BOD will impose a bill to the Lot owner to collect the fees associated with clearing the infraction. Please be a good neighbor and maintain your lot areas. Per the CC&Rs in Section 2, 3,4 and 7 lot owners are responsible to maintain their section of Bridle Path easements. Please be mindful in using the Bridle paths following rain. Driving and using other vehicular equipment causes severe rutting when paths are wet.

The Bridle paths are **not** intended to be used for lot owners to drive ATV's, golf carts and Dirt Bikes down them unless you are entering your back lot. Nor are the Bridle paths for drivers young and old to go joying riding down and excessive speed. We have been experiencing several teenagers in golf carts, other off-road vehicles and trucks driving at high rates of speed down the Bridle Paths (and streets). Please speak with your young people and their friends and advise them that SBFE Bridle paths and streets are not a racetrack for their enjoyment. We have many neighbors out walking, running, families with children on bikes and equestrian riders and the young drivers who are acting irresponsible are putting everyone at risk for potential injury should they lose control and hit someone.

Please be mindful of the **weight restrictions on the Bridle Paths** for vehicles. We have many homes under construction, and it is the owner's responsibility to ensure that the contractors, concrete providers and other, including lot owners with large commercial vehicles adhere to the weight limits posted at the entrance of the Bridle paths. Please email admin@sbfehome.com or call the office at 602-996-5796 if you have questions about the weight restrictions and how to access your lot from the back without causing damage.

Pump & Well – We performed our annual preventative maintenance on the pump during the last quarter and the system is in good working order. Our water depth in the well with the pump running on 12/2021 was at 359 feet compared to last year at 528 feet which is great as the water table is up.

SBFE Zoning – Reminder that lots in Sunburst Farms East are zoned Single-Family. Renting or leasing a Casita, guest home, shop or any sub structure that is **not** directly connected to the main home is prohibited by the City of Phoenix.

Lot owners participating in AirBnB, Vacation or other similar rentals in Sunburst Farms East need to ensure they are following the City of Phoenix guidelines and ordinances per the phoenix.gov (website is under the "At your Service" Orange tabs). Lot owners are required to complete the necessary forms and pay associated fees to the City of Phoenix with proper income reporting to the State. Only the main home can participate in these programs as lots located in SBFE are zoned single family in SBFE. RVs are also prohibited to be rented an AirBnB, Vacation or similar rentals. Lot owners who are using the main part of their home or attached structure as a rental need to have their guests enter the rental from the front of the property. Please ensure you are following all the guidelines and ordinances to avoid fines or zoning issues from the City of Phoenix.

Selling your home – If you are selling your home, please contact admin@sbfehome.com and accounting@sbfehome.com to get the necessary information that is required by SBFE to provide to the Title Company.

We wish you a Happy New Year!

Sunburst Farms East Board of Directors:
Jeff, Steve, Desiree, Carol, Valerie, Tom, Marco