



Marjorie Rhodes &lt;marjorierhodes4@gmail.com&gt;

**Re: safety hazard**

10/8/2017

Sun, Oct 8, 2017 at 9:38 AM

**Mark Beales** <mtbeales@gmail.com>

To: Suzan Van Eaton &lt;suzanve@outlook.com&gt;

Cc: Jon Erickson &lt;jon46erick@yahoo.com&gt;, Mike Beaumont &lt;redrocket70@me.com&gt;

Bcc: marjorierhodes4@gmail.com

Good morning, Suzan,

I apologize for the delay in responding to your email of October 3rd but I have been focused on the preparation of a state wide meeting of the Washington State Association of Boundary Review Boards AND taking care of my son who had extensive back surgery. The conference is over and my son is doing well, requiring less supervision and care than when he first came home from the hospital last Saturday.

It appears my delayed response may be moot based on what has transpired since October 3rd. When I returned from my conference Friday afternoon, the tree in front of your home had been removed. When I contacted Mike and Jon, I learned that you had been sent an email, I believe in July, approving the removal of the tree subject to conditions and requiring your signature of acceptance of the terms outlined in said email. Jon told me you returned that email, with your signature, AFTER the tree was cut down. Given the fact that your tree was the healthiest tree on your street, I would NOT have approved it's removal, the root structure being far less invasive/problematic than those other trees in our development.

Regarding the sidewalks in front of your home, you should be aware that the sidewalk bordering the street the the responsibility of the City as it is part of the right-of-way. Sidewalks and driveways on your lot are your responsibility for maintenance and repair, if necessary, and not the HOA. No where in the HOA provisions is there language that states that the HOA is responsible for your property, other than landscaping maintenance. It has been the policy of the HOA to remove dead or dying trees and shrubs and to either trim or remove trees that pose a danger to life or limb. It's my understanding the offending roots from the tree that apparently caused your entry sidewalk to rise, have been cut thereby eliminating future damage from the root(s). The tree was healthy. Obviously, with the tree having been cut down, those roots, not ground up when you have the stump removed, will eventually die.

Last, you feel the HOA should reimburse you for the cost of tree removal and sidewalk repair. That is not going to happen. The terms of the email referenced above, which you accepted, spell out the approval terms. As stated above, the HOA is not financially responsible for the removal of the tree in front of your home or your sidewalk repair.

Mark T. Beales, President  
Amberleigh HOA  
425-327-9573

On Tue, Oct 3, 2017 at 8:23 AM, Suzan Van Eaton <suzanve@outlook.com> wrote:

Mark Beales

President Amberleigh HOA

Dear Mark,



**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:**

Michael Beaumont <redrocket70@me.com>  
Sunday, July 30, 2017 5:03 PM  
Van Eaton Susan  
Beales Mark & Julianne; jon Erickson  
Re: landscape matter

**Follow Up Flag:**  
**Flag Status:**

Follow up  
Completed

Evening Susan

Jon and I have reviewed you issue with Mark.

You have the ok to have the tree and roots removed, the stump must be taken out and the area cleaned. Removal of your sidewalk square and replacement. Any damage to the lawn area needs to also be repaired. The area where the tree is removed may require some additional new lawn. It is understood this is a homeowner expense.

A replacement tree is required, the expense of the tree and replanting will be taken care of by the HOA

Please sign a copy of this if you are in agreement and return a copy to Jon or myself

If you have any questions let us know

thanks

Michael Beaumont  
[redrocket70@me.com](mailto:redrocket70@me.com)

425 239 9964

Jon Erikson

[jon46erick@yahoo.com](mailto:jon46erick@yahoo.com)

425 501 4593

10.6.17  
My initial contact  
w/ Arbor Trees was 8.24.  
They called that they could  
fit me in today. I agree.  
I am still awaiting a  
reply from Mark Beales.  
Pres HOA, regarding  
reimbursement for  
expenses that fall  
under ACP  
guidelines.

it is my understanding  
that Mike has received  
himself.

Lot 27



Since you are on the Amberleigh landscape committee, it is my understanding that you have been kept apprised of this safety issue I have been in communication with Mike and Jon about. If not, please advise and I will give you a recap.

Mike has suggested that I bring this issue to you for a decision.

Consequently, please respond to the following three issues; I also welcome any additional information or insight that you may be able to provide that will help me to better understand this process because this is the first time that I have ever requested

the HOA address any repair/maintenance issue associated with my property:

1. Does the tree and sidewalk meet the requirement of CCR7.2 that 'there is need of removal and/or replacement'

Due to the clearly unsafe condition of the sidewalk, caused by the roots of the tree in the easement zone, it appears to me to fit precisely within the landscaping easement of 5.1, and that the HOA should prioritize this repair to occur immediately. This is not an aesthetic concern, but a safety issue.

2. Please let me know immediately: (a) if the HOA intends to repair the sidewalk and remove the offending tree, and (b) if HOA funds are currently available to pay for the sidewalk repair and the tree removal.

Mike and Jon suggested that I go ahead and schedule the tree removal, which I am happy to do. It is unclear to me whether the HOA intends to pay for the tree removal directly, or reimburse me if I go ahead and schedule it. Mike and Jon did not think the HOA was responsible for the sidewalk, so we will obviously need you to weigh in on that as a preliminary matter before either the HOA would pay for it, or agree to reimburse me to have it done.

3. If, for some reason, adequate funds are not presently available to pay for the repair, HOA 5.2 states that my project will be 'placed on a list and become subject to prioritization'. Please confirm that if the funding is not available now, that the tree removal and sidewalk repair have been, or will be placed on the list for future funding, and please confirm that if I go ahead and pay for the work to be done with my personal funds, that the HOA agrees to reimburse me when the funding becomes available in the future.

Thank you for your attention to this critical matter. I look forward to hearing from you.

Suzan Van Eaton



Lot 27







COMMUNITY ASSOCIATION

ESTABLISHED 1973

Architectural Control Committee  
Plan and Specification Review Determination  
Exterior Painting Application

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure. Please note: You may need the City of Mill Creek's approval. (425) 745-1891.

For MCCA Use
Submittal Number
Date Submitted 6/4/12

1. Applicant Information

Name: SUZAN VAN EATON	Phone: 425-338-9014
Address: 1709-163rd St SE	

2. Site Information

Division: Amburleigh	Lot Number: 27
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3. Color (Please attach all color samples)

House: Gray Silt	Trim: gilded linen	Door: gilded linen
Other:		

NOTE: Although colors from any source may be submitted, a book of standard colors and combinations is available at the MCCA Office that may be useful, and may speed the approval process.

Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:

Approval subject to the following changes:

Rejected for the following reasons:

gilded linen

6002-1

(X) Approve ( ) Reject

(X) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

*Jon Erickson*  
Condominiums & Townhomes ACC or Board Approval  
Date: 5/31/12

*Joan Heath*  
MCCA Administration  
Date: 6/4/12

Date:  
Chairman, Architectural Control Committee

Date:

Date:

Date:

Application may be mailed to or dropped off at the MCCA Office in the bottom floor of the John L. Scott Building at 15714 Country Club Drive.

10/23/07



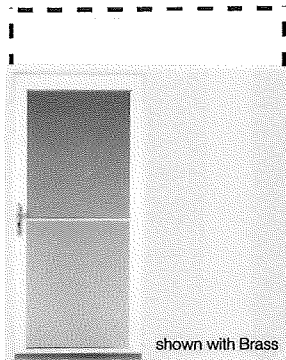


ESTABLISHED 1973

Architectural Control Committee  
Plan and Specification Review Determination  
Additions Application (Page 1 of 3)

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure. Please note: You may need the City of Mill Creek's approval. (425) 745-1891.

For MCCA Use
Submittal Number
Date Submitted



Attach color samples here.

White frame  
gold handle  
(brass)

Application may be mailed to or dropped off at the MCCA Office in the bottom floor of the John L. Scott Building at 15714 Country Club Drive.

11/07/07

<b>1. Applicant Information</b>	
Name: <u>SUZAN VAN EATON</u>	Phone: <u>425.338.9014</u>
Address: <u>1709 - 163rd St SE</u>	
<b>2. Site Information</b>	
Division: <u>Amberleigh</u>	Lot Number: <u>27</u>
Site Address: <u>Same</u>	
<b>3. Structure Type</b>	
Hot Tub: <input type="checkbox"/>	Deck: <input type="checkbox"/> Patio: <input type="checkbox"/> Addition: <input type="checkbox"/> Separate Building: <input type="checkbox"/>
Other (specify): <input checked="" type="checkbox"/> <u>Storm/Screen door</u>	
<b>4. Structure Description</b> (Include exact location, type of materials, finishes, colors, etc.)	
Describe: <u>Pella Storm/Screen door over front door</u> <u>white frame; gold handle (brass)</u>	
<b>5. Proposed Construction Drawings</b> - see Page 2.	

Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:

Approval subject to the following changes:

Rejected for the following reasons:

( ) Approve ( ) Reject

Jon Erickson Date: 7-13-12  
Condominiums & Townhomes ACC or Board Approval

( ) Approve ( ) Reject

MCCA Administration  
Date:

( ) Approve ( ) Reject

Date:  
Chairman, Architectural Control Committee

( ) Approve ( ) Reject

Michael Blum Date: 7-13-12

( ) Approve ( ) Reject

Date:

( ) Approve ( ) Reject

Date:





Architectural Control Committee  
Plan and Specification Review Determination  
*Fence Application* (Page 1 of 3)

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure. Please note: You may need the City of Mill Creek's approval. (425) 745-1891.

For MCCA Use
Submittal Number
Date Submitted

Attach color samples here.

ACC Insp. Month
ACC Insp.
Inspection Notes

Application may be mailed to or dropped off at the MCCA Office in the bottom floor of the John L. Scott Building at 15714 Country Club Drive.

11/07/07

<b>1. Applicant Information</b>	
Name: <i>SUZAN VAN EATON</i>	Phone: <i>425-338-9014</i>
Address: <i>1709-163rd St SE</i>	
<b>2. Site Information</b>	
Division: <i>Amberleigh</i>	Lot Number: <i>27</i>
Site Address: <i>Same</i>	
<b>3. Fence Description</b>	
Style of Fence: <i>cedar privacy</i>	
Type of Material:	
Color & Dimensions: <i>Natural Stain</i>	
<b>4. Proposed Construction Drawings – see Page 2.</b>	

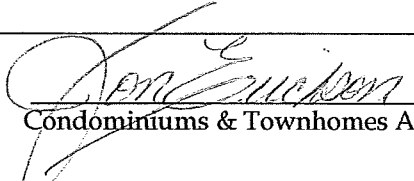
Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:

Approval subject to the following changes:

*SIDE PATIO FENCE ONLY REQUIRES AMBERLEIGH APPROVAL.*

Rejected for the following reasons:

- |   |                                 |
|---|---------------------------------|
| <input checked="" type="checkbox"/> Approve | <input type="checkbox"/> Reject |
| <input type="checkbox"/> Approve            | <input type="checkbox"/> Reject |
| <input type="checkbox"/> Approve            | <input type="checkbox"/> Reject |
| <input type="checkbox"/> Approve            | <input type="checkbox"/> Reject |
| <input type="checkbox"/> Approve            | <input type="checkbox"/> Reject |
| <input type="checkbox"/> Approve            | <input type="checkbox"/> Reject |

	Date: <i>8-22-46</i>
Condominiums & Townhomes ACC or Board Approval	
MCCA Administration	
Date:	
Chairman, Architectural Control Committee	
Date:	
Date:	
Date:	





Architectural Control Committee  
Plan and Specification Review Determination  
Roofing Application

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure.

Submittal # :

12342

Date Submitted :

7/30/15

1. Applicant Information:

Applicant Name: SUZAN VAN EATON Phone #: 425-338-9014  
Applicant Address: 1709 - 163rd St SE

2. Site Information:

Lot #: 27 Division: Amberleigh  
Site Address: Same as above

3. Type/and/Color of Roofing to be used:

Certainteed Presidential TL PORTLAND Blend

4. Contractor: Lobergo

5. Will a dumpster be used on your property? No How long?

Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:

Approval subject to the following changes:

Rejected for the following reasons:

( ☒ ) Approve ( ) Reject

( ☒ ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

[Signature] Date: 7/30/15  
SUB-ASSOCIATION (IF APPLICABLE) Condominiums & Townhomes

[Signature] Date: 7/30/15  
MCCA Administration or ACC Chair

Date:

Date:

Date:

Date:





Lot 27

Mr. Jim Martin  
1715 163<sup>rd</sup> St. SE  
Mill Creek, WA. 98012  
Lot 26 Amberleigh

Dear Mr. Martin:

Your concern about Suzan Van Eaton (Lot 27 Amberleigh) parking her truck in her drive-way has been reviewed by the Board of Directors of Amberleigh. The Board could find no violation of Amberleigh CCR's or Amberleigh Rules and Regulations.

Suzan's truck is well maintained, clean and periodically driven. She has every right to park in her drive-way. In talking to Suzan, she did express a desire to eventually be able to park in her garage but as of now has no time frame for this to happen.

In summary the Board feels this is non-issue.

Sincerely

Jon Erickson

President Amberleigh Homeowners' Association

Cc: MCCA  
Suzan Van Eaton Lot 27

