

The Property is located within a **common interest development** in the northern California coastal community of Big Lagoon Park Company, Inc. (“BLPC,” the “Company,” or the “Corporation”).

Is the BLPC a common interest development?

The board discussed removal of Client’s garage adjacent to the cabin. It was a **three-car, 550 square foot** garage. At a previous board meeting, the board voted that the existing garage must be demolished upon approval of Client’s cabin relocation. The board’s rationale was that the existing garage would be “in the way” of Ms. Harlan’s cabin when her cabin was eventually moved to a relocation site. The board agreed that the existing garage could remain in place until it had to be moved or demolished.

The garage in 1984 was three car garage 550 sq ft. After the move in 1984, the garage was divided into two separate garages. My garage was 315 sq ft. The remaining portion belonged to Terry Spreiter, Cabin Number 1047.

FROM THE CHRONOLOGY - Cabin 1008’s first relocation was completed in April 1985. Prior to this relocation, there was a three-car garage that was shared with Cabin 1047. The garage had a partition between the two respective sole use areas: Cabin 1008 had the two-car area with two car doors; Cabin 1047 had a single car garage area with smaller single car door. There was a fence between the two cabins that went all the way (about 40 feet) to the garage partition between the garage doors. There were two sole use areas.

In the relocation, the two-car garage was cut away from the single car garage, resulting in two buildings. Cabin 1008’s part of the garage was moved directly back, and the inside was braced to prevent collapse. The two-car garage was turned 90 degrees, and a new exterior wall was added that reduced the inside dimensions approximately 3-4 feet to allow for an overhang for the roof, probably causing a loss of about 30 to 40 square feet. The other

cabin had a complete single car garage and gained an overhang. No loss of square footage to that garage occurred.

Approximately 1987-1989 -,The Cabin 1047 owner (also owner of the single-car garage that was separated from the Cabin 1008 garage) relocated out of the North Planning Area (the area where Cabin 1008 and Cabin 1047 were located) to the Huckle Berry Lane area. At this time, the Cabin 1047's owner sold to Cabin 1008 the single car garage to add back to the two-car garage.

The sale of the garage was not subject to BLPC approval. Craig bought the garage piece from Cabin 1047. The BLPC would not allow the original part of the garage to be reattached. Because Craig was working out of the area at the time he was unable to attend BLPC meetings and represent Cabin 1008.

In 2016, former neighbor Ms. Harlan passed away and her daughter, Debbie McCullen, inherited the Harlan cabin. Ms. McCullen sold the cabin that year, and the new owner applied for permission to relocate the cabin to a site Ms. Harlan selected. At this point, the board ordered demolition of the 3-car garage Client ~~shared with Harlan~~. Client was still using this garage, at least for storage.

The garage was not shared with Harland. This is the 315 sq ft garage that belongs with Cabin 1008.

Cabin 1047. “The Cabin located at 12 Huckleberry Lane, certificate #1047, has a 20’ by 22’ addition approved for the east side of the cabin and decks on the north, west and south sides of the cabin approved. The dimensions of the decks are as shown on the drawings approved by the board and contained in the files. These improvements will be built sometime in the future.”

Cabin 1047, was the cabin that was the shared garage with my cabin back in 1984 when we divided the three car garage into two garages. When Cabin 1047, relocated to 12 Huckleberry Lane in 1985, the owner had board agree to an add-on.

(Note: although the following information may have originated with the board, third parties, e.g., former board members and community members, may have this information.)

The possibility exists that the board implicitly approved the construction of a new “garage” when Client’s relocation plans were approved in 2013. Client’s 2013 relocation plans included a cabin and an adjacent structure similar in size to a garage or a large shed. Client did not build this structure when the cabin was built because he was still using the existing three-car garage ~~shared with Harlan~~, and therefore had no pressing need to build a new garage. The board denies the existence of any garage-related documents, but Client says he got a letter from board member Nancy Tidwell dated 4/9/2012 asking him to erect tell tale poles for the garage.

The 315 sq ft garage belonged to Cabin 1008. The garage was not shared with Harlan.

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