

Lifside Condominium Association
PO Box 244
Jeffersonville, Vt. 05464

January 19, 2017

Dear Lifside Homeowners,

The purpose of this letter is to communicate two important issues.

1. Lifside Collection Policy adopted by the Lifside Directors.
2. The need to cast a ballot to amend the Lifside Declarations and file new drawings to replace original drawings that are missing from the Cambridge Town Records to secure clear title for all Lifside properties.

Lifside Collection Policy

A copy of the policy adopted by the Lifside Directors on January 12, 2017 is enclosed with this mailing and is also posted on the Lifside website: <http://www.snha.net/regimes-a-buildings/lifside>

The most important points to know about the collections policy are:

1. Smugglers' Resort will no longer be deducting Lifside assessments from your Smugglers' homeowner account. This is a service that Smugglers' can no longer supply for the Full Owner Regimes. The Smugglers' Notch Homeowners' Association, Inc. (SNHA) will now invoice the Lifside homeowners directly and the homeowners will send their payments made payable to Lifside to SNHA.
2. SNHA will invoice and collect the 2017 assessments for Lifside twice during the year. The 1st installment will be due May 10th and the 2nd will be due November 10th. Invoices will be sent in April and October respectively. This is in line with the previous pattern for Lifside to collect assessments when most homeowners will be receiving a positive net income from Smugglers' rentals that should cover the assessments.
3. Any payments received after the posted deadlines (May 24th and November 24th) will be assessed a one-time late charge of 2% of the late assessment.
4. Also, after May 24, a 1%/month finance charge of the balance due will be assessed each month going forward for any balance not paid by the 24th of each month. Homeowners who currently have past due balances due Lifside on their accounts will have an opportunity to pay in full before May 24th without penalties being assessed between now and May 24th.
5. Vermont State Statutes consider any assessment a statutory lien on the property until the assessment is paid. Any balance past due 60 days is subject to the filing of a paper lien in the Cambridge Town Records. Any balance past due 90 days will be subject to the assignment of the collection to an attorney for legal collection of the debt. Any attorney fees incurred in collections will be charged back to the homeowner with the delinquent account.

Lifside Amendment and drawings for Town Records

Last summer, a title insurance company in the process to issue a certificate of clear title in regards to a mortgage being obtained by a buyer on a Lifside resale, discovered that the drawings showing the floor plans to all Lifside homes were not included in the land records as are referenced in the Lifside Declarations. The drawings for this reference is required to be on file. We were all surprised that after all these years, it was just then being discovered that they were not in the Town files. The discovery reflects the higher level of diligence by all parties in the finance approval of mortgages in today's world. Regardless, the drawings need to be in the records. The good news is that John Doane,

the architect for the major building renovations of several years ago, had already completed much of the work required to produce the needed drawings. We now have the drawings and are ready to file. Attorney Alan Sheredy has drafted the necessary amendment to the Liftside Declaration that needs your vote of approval to adopt the new drawings as official before they can be filed. The important fact to understand is that "clear title" to any and all Liftside homes is unavailable until the homeowners adopt the amended drawings. **We urge you to return your ballot by the due date February 1st 2017 with a vote marked "In Favor" of the amendment and drawings. The amendment will be approved by ballot, with no meeting required. But we need the vote of 75% of the undivided common ownership to approve the amendment and documents. If you have any questions, please address them to Joe at SNHA (joe@snha.net) . A ballot is enclosed. Please find the amendment and other pertinent documents and a copy of the ballot posted and available on the Liftside web site: <http://www.snha.net/regimes-a-buildings/liftside> .**

Thank you for your attention and cooperation in helping us with these important issues.

Yours truly,

Liftside Directors

Michele Cloke
Kent Weber
Ernie Simuro

Liftside Condominium Association
Call to amend the Liftside Declaration by ballot

Notice is hereby given on this date of January 19, 2017 for the consideration by the Liftside Homeowners of an amendment to the Liftside Declaration to be determined by Vote in lieu of a meeting, pursuant to the "Amended and Restated Bylaws of the Liftside Condominiums Association" as adopted and found recorded in Book 398, pp 105-126 of the Cambridge Vermont Town Records.

The Directors of the Liftside Condominium Association hereby call for a vote to amend the Liftside Declaration as stated in the motion described below and printed on the ballot. The purpose of this amendment is to provide replacements for the referenced plans and documents referenced in the original Declaration that have been noted as missing from the Cambridge Vermont Town Records. These documents are essential to the determination of clear title in the transaction of sales and transfer of ownership of units in Liftside, and whose absence potentially affect all unit owners in Liftside. The Directors have engaged John Doane architect and Alan Sheredy, attorney to create the documents that will replace the originals and when approved by this vote will be recorded in the town records and serve to secure clear title. The Directors recommend that homeowners cast ballots Yes - in favor of the motion below, so that these replacement documents can be filed in the Cambridge Town Records.

Deadline for ballots to be submitted – February 1, 2017 at 3 PM to the office of Smugglers' Notch Homeowners' Association, Inc. (SNHA) as below:

By mail to:
SNHA
PO Box 244
Jeffersonville, VT 05464

By email to:
Tracy@snha.net

Hand deliver to:
SNHA Office – physical address
27 Old Rt 108 Loop, Unit 2
Cambridge, Vt.

A vote to adopt this motion and replace the missing documents will require a minimum of 75% of the homeowners voting Yes in favor as will be calculated by their weighted undivided common ownership interest vote held by their respective properties. Questions about the issue may be directed to Joe Hester Ingram, Executive Director of the Smugglers' Notch Homeowners' Association, Inc. by email to joe@snha.net, or a phone call to 802 371 8810. Homeowners wishing to communicate comments to all other homeowners must submit their comments in writing to SNHA no later than Tuesday January 24, 2017 at 3 PM. Such comments will then be distributed on Wednesday January 25, 2017 to all Liftside homeowners by US Postal mail and posted on the Liftside Google Board and the SNHA.net web site - Liftside pages.

Respectfully submitted,

Liftside Directors:
Michele Cloke
Kent Weber
Ernie Simuro

Ballot for the

MOTION FOR THE AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF LIFTSIDE CONDOMINIUMS
January 18, 2017

Whereas, it appears from a review of the Cambridge Land Records that no condominium floor plans can be found in the Cambridge Land Records for the Liftside Condominiums, and

Whereas, in order to assure that the title to the condominiums units remains marketable and assure future unencumbered sales of the Liftside properties the Board of Directors of Liftside Condominiums recommends the following action be approved by the members:

That the Declaration of Condominium of Liftside Condominiums located in Smugglers' Notch Resort, formerly known as The Village At Smugglers' Notch, dated August 9, 1977, recorded in Book 52, Pages 169-185 of the Cambridge Land Records and further amended by amendments dated December 9, 1977 and recorded in Book 52 at Pages 244-246 of the Cambridge Land Records; and last amended by undated Amendment recorded in Book 398 at Page 104 of the Cambridge Land Records on February 14, 2014 be further amended as follows:

1. By substituting for those floor plans dated and filed on August 9, 1977 with the original Declaration of Condominium, which floor plans can no longer be found in the Cambridge Land Records and appear to be lost, with the floor plans being filed simultaneously herewith.
2. By substituting for Exhibit II attached to the said Declaration of Condominium and Amended Declaration, the Revised Exhibit II attached hereto.
3. By adding thereto the attached verified statement of John Q. Doane, licensed architect, certifying that the floor plans being filed simultaneously with this amendment fully and accurately depict the layout, location, apartment numbers and dimensions of the apartments as built as required by 27 V.S.A. Section 1313.

Ballot for above motion

As Homeowner of Liftside unit _____, I/we hereby cast a ballot as indicated below:

____ Yes - in favor of the above motion and supporting documents
____ No - Not in favor

Name _____

Address _____

Dated this _____ day of _____, 2017

Return the completed ballot by February 1, 2017 to:
Liftside Condominium
c/o SNHA
PO Box 244
Jeffersonville, VT 05464

REVISED EXHIBIT II
TO
DECLARATION OF CONDOMINIUM
OF LIFTSIDE CONDOMINIUMS

Reference is hereby made to the Lot Plan and Floor Plans of the Liftside Condominiums, as hereinafter set forth, filed with the Land Records of the Town of Cambridge, Lamoille County, Vermont with the Declaration of Condominium of the Liftside Condominiums to which this Exhibit II is annexed:

1. "Plan of Lot AA-9 Showing Buildings, Utilities and a Portion of the Revised Woodrun Road in the Core Area of The Village at Smugglers' Notch, Cambridge, Vermont, scale 1 inch = 50 feet, dated May, 1977, prepared by J. P.R. Associates, Inc., Land Surveyors, Stowe, Vermont, and recorded at Map Slide 38 of the Cambridge Land Records.
2. "Liftside Condominium AS-Built Plans, Smugglers' Notch Resort, Jeffersonville, Vermont", prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
3. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Overall Plans, Sheet LS1-1", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
4. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 1, First Level, Units 1-4, Sheet LS1-2", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
5. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 1, Second Level, Units 5-8, Sheet LS1-3", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
6. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 1, Third Level, Units 9-12, Sheet LS1-4", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
7. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 2, First Level, Units 13-16 Sheet LS1-5", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
8. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 2, Second Level, Units 17-20, Sheet LS1-6", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
9. "Liftside Building 1, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 2, Third Level, Units 21-24, Sheet LS1-7", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
10. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Overall Plan, Sheet LS2-1", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.

11. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 1, First Level, Units 25-28, Sheet LS2-2", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
12. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 1, Second Level, Units 29-32, Sheet LS2-3", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
13. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 1, Third Level, Units 33-36, Sheet LS2-4", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
14. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 2, First Level, Units 37-40, Sheet LS2-5", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
15. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 2, Second Level, Units 41-44, Sheet LS2-6", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
16. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 2, Third Level, Units 45-48, Sheet LS2-7", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
17. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 3, First Level, Units 49-52, Sheet LS2-8", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
18. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 3, Second Level, Units 53-56, Sheet LS2-9", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.
19. "Liftside Building 2, Smugglers' Notch Resort, Jeffersonville, Vermont, Block 3, Third Level, Units 57-60, Sheet LS2-10", dated 08/01/16, prepared by John Q. Doane, Architect, 110 Center Road, Essex Center, Vermont 05452.

AFFIDAVIT

I, John Q. Doane, Licensed Architect, do hereby certify that the floor plans of Liftside Condominiums, which plans consist of 19 sheets and being filed simultaneously herewith in the office of the Town Clerk, Town of Cambridge, Vermont with an Amendment To The Declaration of Liftside Condominium, do show the layout, location, apartment numbers, dimensions of the apartments and do depict the buildings as Building 1 and Building 2. Said floor plans are accurate copies of the plans and fully and accurately depict the layout, location, apartment numbers and dimensions of the apartments as built as required by 27 V.S.A. Section 1313.

Dated at _____, Vermont this _____ day of _____, 2016.

John Q. Doane

STATE OF VERMONT

_____, COUNTY, SS

Subscribed and sworn to before me this, _____ day of _____, 2016.

Notary Public