

January 22, 2014

Summit Park HOA Members,

Re: Antenna Devices

The Summit Park CC&Rs (Sec. 8.8) provide for regulating the installation of antennas used for transmission or reception of television, internet or radio signals or any other form of electromagnetic radiation or associated equipment. Section 8.8 was amended with the update of our Association Project Documents to allow for installation of antennas that comply with installation rules of the FCC governed by 47 C.F.R. §1.400 (Over-the-Air Reception Devices Rule).

FCC rules allow for the installation of antennas and devices within the Limited Common areas of patios and balconies, but these antennas and devices must be installed so as not to break the plane of the exterior Common Elements of the Association's buildings and structures. The Association has the right to restrict and preclude installation of antennas and devices on exterior building surfaces like walls, fascia, roofs, patio and balcony top caps where they break the plane of the Common Elements.

The Association's CC&Rs have had restrictions prohibiting antennas since their first publication in 1997. Through the years the Board of Directors has enforced this prohibition with varying degrees of success. The January, 2009 Summit Park Newsletter included an article informing HOA members again of the requirement to comply with Section 8.8 of our CC&Rs. Attached to that newsletter was an explanation of the FCC's rule and a detailed Q&A from the FCC describing how their rule is interpreted. That attachment is included with this letter for your information.

In 2010 a bulk cable alternative was evaluated for providing access to television, internet and telecommunications services. In 2011 and 2012 community antenna alternatives were evaluated. These alternatives were not pursued due to lack of interest and/or opposition by HOA members and by the high costs to provide. In 2013, the Board was able to correct three installations of antennas that were non-compliant with our antenna restrictions in the CC&Rs.

Last year the Board of Directors re-affirmed its position to enforce the antenna restrictions as allowed in our CC&Rs, consistent with FCC rules. The Board has a responsibility to maintain the appearance of the property, protect the property from damage and protect the Association from liabilities caused by non-compliant installations of these antennas and devices. HOA members share the same responsibilities.

The Board of Directors requests that owners of Units that have antennas installed (whether owner or renter occupied) contact Property Manager, David Evans by February 28 to discuss complying with our antenna policy. David can be reached on 928-526-7971 or by email at [david@evanshoa.com](mailto:david@evanshoa.com). Please contact David or any Board member with questions or comments. Email contacts for Board members can be found on our website at [www.summitparkcondos.com](http://www.summitparkcondos.com). Thank you for your support in maintaining the quality of Summit Park as a premier residential property.

Randy Wensman

President