

To: Long Hill Estates Board of Directors  
From: Diana Griffin #32 & Julie Clattenburg #31  
Re: Use of Common Area/Liability  
Date: June 23, 2006

There has been an ongoing problem with tennis balls being hit onto and around our patios, also against our units. Diana was approached by Allen in April about his son retrieving tennis balls from the area in front of her unit. She said as long as the child went through the grass area on either side of the shrubbery, that would be acceptable. However, in spite of repeated requests to the child, he continues to crawl through the shrubs and plants on a regular basis retrieving the balls.

The grass area on the hill, as well as the shrubs and plants have been damaged. The baseball games with the constant "flying" tennis balls in the direction of our units can take place up to three or four times a day. This has become very annoying.  
*(Ref. p.33 restriction on Use of Units, paragraph e).*

We are happy to see a father and son having fun together, however we believe the area used for play should be the large open space by the tennis court where their games can take place away from the buildings, thus not causing damage or a nuisance factor. We understand this common area of open space is available to all unit owners for recreational activities.

A second concern is the "slip and slide" game which takes place on the same hill. A large sheet of plastic, hammered in by means of stakes with water running from a hose is placed on the hill for the children to slide down. As an experienced physical educator, Diana has serious concerns for the potential of accidents and possible liability.

There are occasions when the child and his friends are not under the supervision of an adult resulting in the increase for the likelihood of accidents. Are we as unit owners liable should an accident occur to the child or his friends as a result of their activities?

We request that these games are stopped immediately at their present location.

We suggest that an amendment be made to the Condominium Policy requiring that recreational activities (such as these) take place no closer than 100' from the buildings. We encourage the use of the open space by the tennis court for fun and games.