

18 November 2017

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To: The City Clerk of the City of Ann Arbor

I represent the Board of the Broadway Condominium Association. This is to inform you that we object to the requested change in the zoning for the 1140 Broadway proposal.

The area involved includes the following residences:

Broadway Street

1201  
1203  
1207  
1209  
1213  
1215  
1219  
1221  
1225  
1227

Jones Drive

806  
808  
812  
814

Respectfully submitted on behalf of the Board,



Linda R. Ebbeler

As per instructions by the City Planning Staff, I have attached copies of three documents to prove my authority in representing the Broadway Condominium Association:

1. The section of the Condominium By-laws that pertain to the Board representing the Association.
2. Minutes of the latest meeting of the Condominium Association that identifies each Board member by name.
3. Confirmation of my authority to write this letter by the other Board member.

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THE BROADWAY CONDOMINIUM  
ASSOCIATION DOCUMENTS

Amended November 14, 1993

(j) Other provisions as to voting by members, not inconsistent with the provisions herein contained, may be set forth in the Association Bylaws.

\* Section 3. the Association shall keep detailed books of account showing all expenditures and receipts of administration which shall specify the maintenance and repair expenses of the Common Elements and any other expenses incurred by or on behalf of the Association and the Co-owners. Such accounts and all other Association records shall be open for inspection by the Co-owners and their mortgagees during reasonable working hours. The Association shall prepare and distribute to each Co-owner at least two times a year a financial statement, the contents of which shall be defined by the Association. The books of account shall be audited at least annually by qualified independent auditors: provided, however, that such auditors need not be certified public accountants nor does such audit need to be a certified audit. Any institutional holder of a first mortgage lien on any Unit in the Condominium shall be entitled to receive a copy of such annual audited financial statement within 90 days following the end of the Association's fiscal year upon request therefor. The costs of any such audit and any accounting expenses shall be expenses of administration. The Association also shall maintain on file current copies of the Master Deed for the Project, any amendments thereto and all other Condominium Documents and shall permit all Co-owners, prospective purchasers and prospective mortgagees interest in the Project to inspect the same during reasonable hours.

Section 4. The affairs of the association shall be governed by a Board of Directors. All of whom shall serve without compensation and who must be members of the association except for the First Board of Directors designated in the Articles of Incorporation of the Association and any successors thereof elected by the developer prior to the First Annual Meeting of members held pursuant to Section 7 of this Article I. The number, terms of office, manner of election, removal and replacement, meetings, quorum and voting requirements, and other duties or provisions of or relating to directors, not inconsistent with the following, shall be provided by the association Bylaws.

(a) The Board of Directors shall have all powers and duties necessary for the administration of the affairs of the Association and may do all acts and things as are not prohibited by the Condominium Documents or required thereby to be exercised and done by the co-owners. In addition to the foregoing general duties imposed by these Bylaws, or any further duties which may be imposed by resolution of the members of the Association or which may be set forth in the Association Bylaws, the Board of Directors shall be responsible specifically for the following

- (1) Management and administration of the affairs of and maintenance of the condominium project and the common elements thereof.
- (2) To collect assessments from the members of the Association and to use the proceeds thereof for the purposes of the Association.
- (3) To carry insurance and collect and allocate the proceeds thereof.
- (4) To rebuild improvements after casualty.
- (5) To contract for and employ persons, firms, corporations or other agents to assist in the management, operation, maintenance and administration of the condominium project.
- (6) To acquire, maintain and improve, and to buy, operate, manage, sell, convey, assign, mortgage or lease any real or personal property (including, any unit in the condominium and easements, rights-of-way and licenses) on behalf of the Association in furtherance of any of the purposes of the Association, including, (but without limitation) the lease or purchase of any Unit in the condominium for use by a resident manager.
- (7) To borrow money and issue evidences of indebtedness in furtherance of any and all of the purposes of the business of the Association, and to secure the same mortgage, pledge, or other lien on property owned by the association: provided, however, that any such action shall also be approved by affirmative vote of more than sixty (60%) percent of all co-owners of the Association.
- (8) To make rules and regulations in accordance with Article VI, Section 11 of these Bylaws.
- (9) To establish such committees as it deems necessary, convenient or desirable and to appoint persons thereto for the purpose of implementing the administration of the condominium and to delegate to such committees any functions or responsibilities which are not by law or the Condominium Documents required to be performed by the Board.
- (10) To make rules and regulations and/or to enter into agreements with institutional lenders the purposes of which are to obtain mortgage financing for unit co-owners which is acceptable for purchase by the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the Government National Mortgage Association and/or any other agency of the federal government or the State of Michigan.
- (11) To enforce the provisions of the Condominium Documents.

BROADWAY CONDOMINIUM ANNUAL ASSOCIATION MEETING 3/19/17

Present : Dan Lyons, Laura Kulakowski, Chrysta Lienczewski, Alan Jesiel, Linda Ebbeler, Aaron Hawley (Select)

Proxy votes: Michael Orozco, Gustavo Verdesio

-Aaron reviewed budget for 2017. We are on track, but will require close monitoring. Target is to work within the outline of the reserve study as proposed by the CS Jones Co. HOA dues will be \$298.00/\$306.00 respectively, but no increase due from Select Management. A copy of the CS Jones study will be sent to all Owners from Aaron. FEMA costs are speculated to go up by 5-8% yearly per notice from the FEDs. We will review the LOMA and Certification of Elevation to assess qualification for a lesser rate.

- The insulation was replaced and the undersides of 5 buildings were sealed.
- Partial windows were replaced and this year we will complete this (approx. 6)
- 1/2 of the decks are to be washed/sealed. Balance of the decks are scheduled for 2018.
- Woodpeckers have had a field day with the buildings damaging the siding. These have been repaired, but more have occurred necessitating intervention.
- The large winter storm felled a large tree. The stump will be removed. We will schedule a tree service to identify the most vulnerable.
- There have been additional unexpected costs we absorbed including wasp infestations, rail/deck damage. If you note a safety issue please inform Select.
- Quotes in progress to facilitate outdoor dryer vent(s) cleaning. This is a yearly safety maintenance.
- In view of the building remediation, the Association will no longer support critter removal service.
- Yard Pro has done a great job in maintaining the grounds. They go out of their way to do "extras" and it shows.

Parking: A tremendous thanks goes out to those of you who have adhered to Parking as assigned. This has always been problematic, but in order for everyone to Have a better understanding the following outlines what needs to be done. UNITS 107/1209, 1213/1215 and 1227 are allotted to use the surface spaces. The rest of Broadway Owners need to park behind each other in their carports. Visitors, "extra roommates"/guests are to use street parking. An identification system, e.g., hang tag will be investigated. This has historically been a Difficult situation.

NOISE AND NEIGHBORS: With the nice weather descending upon us EVERYONE Is reminded that all social outdoor activities need to go inside by 11:00 p.m. Already the complaints have started. We live in such close proximity of each other That we need to be sensitive to noise.

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If you don't know, a developer has submitted plans to the City for the old Kroger Lot across the street. It is not being well received by the Neighborhood. Information about the project is available via the city. We received information as to what was planned and it could have significant impact.

Alan will be selling his unit and resigning from the board. No one volunteered their services. Chrysta and Linda have offered to remain on the board. And the position will remain vacant indefinitely. Should anyone have an interest in the position we would be happy to share what it entails. Don't be shy,

Hopefully this brings into focus the direction we are taking this year. Your input and/or suggestions are more than encouraged. We need to know what safety issues are as soon as they are identified. Additionally, those of you who rent out their unit please share pertinent information with them especially the parking demands. Any questions do not hesitate to ask.

Respectfully submitted,

Linda R. Ebbeler

P.S. Should your contact information change please let us know ASAP  
Separate copies of the Master Deed and approved budget will be sent to you.

**Chrysta.CL** <chrysta.cl@gmail.com>

**To:** lebbeler@umich.edu

**Cc:** Laura Strowe

Nov 18 at 8:53 PM

I, Chrysta Lienczewski, homeowner at 1215 Broadway St, Ann Arbor, object to the zoning AND also, that as the only other board member, I authorize Linda Ebbeler to represent the board in formally objecting to the zoning to the City.

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Chrysta C Lienczewski