

# Additional Q/A's as of September 17, 2021

## **How will Rock Springs Ridge control the development that occurs on the 51-acre outparcel if it is sold?**

Verbiage will be included in the sales contract to control development on the parcel to the effect of: "Buyer shall not undertake any comprehensive plan amendments or rezoning of the property without the express, prior written consent of Seller, which consent may be unreasonably withheld. This provision shall survive closing."

## **What is the RSR board's stance on the density that will be allowed on the 51-acre outparcel? Does the board plan to allow apartments or townhouses?**

The developer plans to build homes but they are flexible as to what form those homes will take. Some of the 12 homeowners who back up to the 51-acre outparcel, who have all been consulted, said that they wanted the development set back as much as possible, even with the extra 200 feet of property they will receive. The buyers were asked about this possibility and the buyers' agent said that if the 12 want the development farther away, then townhomes would be a good idea. Townhomes would allow them to build up and use less land, and would look like a community with all two-story homes. Townhomes would allow for more room between the development and the Sand Wedge homes.

## **If the golf course is purchased, will some of the funds be used to keep the weeds and the fire ants in control?**

The board hasn't discussed or looked at any bids for pest control. It will probably be too expensive to try to control fire ants and weeds on all 320 acres. However, the increased mowing, from the current eight to nine per year to 15 per year, as well as trimming and maintaining the trees will be a noticeable improvement.

## **What is the tax liability for RSR with regard to the sale of the 51-acres, purchase of the golf course and the tri-corner exchange?**

According to both of RSR's CPAs and the company handling the 1031 tax exchange, which is a swap of one investment property for another that allows capital gains taxes to be deferred, the \$2.5 million RSR will pay for the golf course will not be taxed. Of the approximately \$3 million profit made from the sale of the 51-acres, \$1.5 million will go into the 1031 tax exchange, leaving the remaining \$1.5 million as taxable.

## **On the handout at the meeting it was stated that the buyer will pay all commissions. Where will those funds go? Will they go entirely into the HOA bank account? Are any of the Board receiving any of these funds?**

Absolutely no Board member is receiving any funds. Any and all proceeds will benefit the HOA only.



## **Should we have environmental studies (ponds, pesticides, gas tanks) done before we vote on the purchase of the golf course?**

Estimates for the environmental studies came in at more than \$50,000. Once the vote is completed and we know if we are able to sell the outparcel and purchase the golf course, it would then make sense to spend the money for environmental studies.

The ponds will be handled by the city and the golf group. The pond agreement already exists and is recorded in public records from February 2001. RSR's land attorney will create a legally binding document if needed to protect the community's interests. He has provided the document to the city and golf group as to the agreed legal document between both parties of the 50/50 split for any pond repairs that may be needed.

The RSR lands were thoroughly environmentally studied when the original developer purchased the land. The biggest environmental issues with golf courses are natural resource consumption of water and the use pesticides. The golf course has been closed since 2014, so it has been many years since any pesticides were used.

The gas tanks were installed properly with containment pads and two-thirds of any spills would have evaporated immediately on the containment pads. In addition, the tanks are relatively small, self-vented and not underground storage. The tanks were there for a limited number of gas golf carts as many carts were electric, unlike a commercial gas storage situation.

## **If and when the golf course is purchased, can we get something in the by-laws that states we can't sell any portion of the golf course for development unless there is a community vote? What's to stop the HOA board from selling any of the golf course land?**

Because the golf land would be "common property for use and enjoyment" by the entire community it cannot be sold without a vote. This is already in the RSR governing documents.

## **Currently the cart paths on the golf course are overgrown and not attractive. Will the pathways be maintained from weeds and how often will our common space be mowed?**

We have a mowing estimate for 15 mows per year for around \$100,000 annually, which will be an increase from the current eight or nine mows per year done only in visible areas. RSR will be mowing the entire course and can increase the number of mows as needed. The cart paths will be connected and any paths that are damaged will be replaced and consistently maintained.



For additional information, and latest updates please visit  
our community website: [rockspringsridge.org](http://rockspringsridge.org)

