

**MINUTES OF EXECUTIVE BOARD  
PIONEER PLAZA COMMERCIAL TOWNHOMES  
ASSOCIATION, INC.  
OCTOBER 11, 2024 – VIA ZOOM**

**Board Members:** Eric Roemer  
Rich Saperstein  
Matt Santor

**Others Present:** Rob Harper, Toad Property Management  
Aaron Huckstep (“Huck”), Legal Counsel

Rob of Toad Property Management called the meeting to order at 11:02 p.m. and confirmed a quorum. Rob explained the purpose of the meeting was to continue the discussion of any potential alley realignments and/or changes to lot lines.

Rob explained a survey of Lot 15 had been prepared and placed the corner pin of the lot within the existing alley. Rob agreed to ask the owner of Lot 15 for a copy of the ILC prepared at the time of purchase. Eric explained there were utility boxes on Lot 14 on the opposite side of the alley. No ILC was available for Lot 14 at the present time. Huck suggested requesting a utility locate on Lot 14.

Concern was expressed about the Association giving up any prescriptive easements and incurring costs to move utilities as some owners might not approve of those actions. Eric explained the width of the alleys had increased over the years with people driving off the road surface or parking and that had also been happening for many years. Any solution for Lots 14 and 15 would also set a precedent for other lots.

Huck suggested the Board consider and research a reconfiguration of Lot 15 so that the replat would include land in the right of way on Elcho Avenue instead of the strip of land along the alley. A replat would involve some costs and a resolution would need to be reached regarding the sidewalk along Elcho but cost might be less than a road realignment and relocation of utilities. The width of Lot 15 would need to be considered as the lot was reasonably narrow. Huck explained a Quit Claim Deed could be prepared if the owner of Lot 15 supported the solution and the prescriptive easement issue would be removed.

For the utility boxes on Lot 14 Huck suggested reaching out to the utility companies to have the boxes moved into the utility easement on Lot 14 but Rob explained the utility companies would not pay that cost. Rob confirmed a culvert would need to be extended by approximately 10 feet in that area. The alley would then need to be restored in the easement.

Rob explained the cost for moving the utility boxes and restoring the road surface could be in the region of \$25,000. Concern was expressed about the Association bearing all of that cost.

After a long discussion it was agreed Huck would reach out to the owner of Lot 15 and discuss the following. The first choice of the Association was to record a permanent perpetual easement across a small triangle of land on the corner of the alley and Elcho Avenue. Zero setback or other setback agreements would be considered by the Board. The utility boxes would remain in place on Lot 14. The second choice would be the owner of Lot 15 or title insurance would incur the cost of approximately \$25,000 to move the utility boxes.

Other lots with small encroachments from the alley were discussed. Huck suggested after reaching a resolution with Lot 15 he could prepare a document to remove the prescriptive easement rights for all lots and any owners with utility boxes within the platted alley easement would be required to have the boxes moved back into the utility easement on the lot.

Huck left the meeting.

Eric said snow removal expenses would be increasing in the future and it would be necessary for the Board to consider those additional costs and the need to mark snow storage areas.

At 12:05 p.m. the meeting adjourned.

---

Prepared by Rob Harper  
Toad Property Management