

April 05



Sun Vail Condominium Association

Dear SunVailers,

Although dated April 1, this letter is not an "April Fools" letter. Everything is factual and completely above board. Vail continues to get new snow, and skiing has been excellent, but closing is scheduled for April 17th. Not much time left! The matter of the one homeowner being delinquent on his dues is being settled amicably. We did file a lien, which is now nearly paid off, and no further problems are anticipated. The transition of management from Vail Management Company to Vistar Real Estate is progressing smoothly, and the change-over will be completed on April 15th.

**Dr. Hal Magoun
President SVCA**

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Litigation is Over

Litigation involving Kit Williams, Gail Dunning and K.G., Inc. (plaintiffs) vs. SVCA, E. Key Irwin and Vail Management Co. (defendants) has concluded. Following the spring 2003 trial, the plaintiffs appealed the jury's verdict and post trial orders by the court. The Colorado Court of Appeals upheld the jury's verdict in all respects with the exception of the post trial order denying interest. The Court of Appeals directed the District Court in Eagle County to calculate statutory interest on the \$23,000 verdict. Therefore, the plaintiffs will receive \$23,000 plus statutory interest less \$17,970.72, costs for a net sum payment of approximately \$5,000. The court costs were awarded to the defendants (SVCA) because plaintiffs' did not obtain a verdict in excess of the defendants' pre trial statutory Offer of Settlement in the amount of \$46,000. The plaintiffs had until 25 February 2005 to appeal the Colorado Court of Appeals decision to the Colorado Supreme Court. No Petition for Writ of Certiorari was filed. Therefore, the case will be remanded to the District Court in Eagle County to make the statutory interest calculation per the

Court of Appeal's directions. It is estimated that all concluding documents will be exchanged between the parties over the next three months. Bayer, Carey and McGee's handling of the matter will end after the closing documents are executed. State Farm Insurance has handled this claim and paid the legal fees and monetary awards in their entirety!

Cable TV

Comcast cable company updated their channel line up recently for the Vail area. It may be necessary for you to re-program your TV channels so that your favorite stations appear automatically. Our basic programming package now includes even more channels than before.

Contact Numbers

Hal Magoun, President SVCA
303-488-2109 home
303-694-1821 fax
drhimdo@isp.com

Dale Bugby, HOA mgr., Vistar R.E.
800-456-VAIL work
970-476-5026 fax
dbugby@vailresortrentals.com