

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
Timbrshor, Finley Point  
Polson, MT 59860  
June 12, 1986

Mr. E. L. Selvig  
3015 Stanford Dr.  
Billings, MT 59102

Dear Vern,

I am enclosing copies of bids received from D & D Construction of Polson for the replacement of the the walkway and stairs. I was authorized at the Board of Directors meeting of August 10, 1985 to expend up to \$1,300 from the general fund for these repairs. The bid for the walkway of \$570.60 is exactly within the estimate I made for that area. the bid of \$659.80 for the stairs is less than the \$754.64 I had estimated. You will note on the estimate for the stair that to have this replaced with redwood would cost and extra \$156.50 for materials. The redwood stair would be much more durable and, in my opinion, well worth the extra cost. The total cost using redwood would exceed the \$1,300 that I am authorized to spend be \$86.90. I intend accept the bid of D & D for the walkway and try to have construction finished next week. I am enclosing an authorization request to expend the extra \$86.90 for redwood for the stairs. If you will authorize this added expense, I will try to have construction finished on both projects before the annual meeting.


I have had D & D do some work and have found them to be reliable and capable. This is also a licensed contracting firm which guarantees their work. I had based my estimates upon simply hiring a carpenter and supervising the work myself. Although that probably would have been satisfactory, I believe using a contractor is preferable from several standpoints.

Since two of the board members declined to make any nominations for Chairman or a replacement Treasurer, I have taken no further action in those areas. Also, since two board members have requested, the board meeting will be held on June 28, 1986, at 9:30 a.m. at Rich Cannon's place. This will give very little time to prepare adequately for the General Membership Meeting the same day, but I will do what I can.

I am getting a written legal opinion from a local attorney about Wally's status, and will invite Wally to the board meeting as well as the senior available officer of Borchers of Finley Point.

Please indicate your preference on the enclosed authorization and return it to me as soon as you can, as I would like to get the construction finished as quickly and with as little inconvenience to residents as possible.

Sincerely,

  
James B. Payson, Chairman

# Proposal

Page No.

of

Pages

## D & D CONSTRUCTION

P.O. Box 942 Rt 1 Box 204D

POLSON, MT 59860

Phone ~~883-4818~~ 849-5443 883-4023

PROPOSAL SUBMITTED TO <b>James B. Payson</b>		PHONE <b>887-2566</b>	DATE <b>6-10-86</b>
STREET <b>Finley Pt.</b>		JOB NAME	
CITY, STATE AND ZIP CODE <b>Polson, Mt 59860</b>		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

**Deck replacement in common area****Materials****320<sup>60</sup>****Labor****250<sup>00</sup>****570<sup>60</sup>**

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

**Five hundred seventy & <sup>60</sup>/<sub>100</sub>** dollars (\$ **570<sup>60</sup>**).

Payment to be made as follows:

**Full payment on completion of each job**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

**Daniel R Juy**Note: This proposal may be withdrawn by us if not accepted within **30** days.

**Acceptance of Proposal** — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

# Proposal

Page No. \_\_\_\_\_

of \_\_\_\_\_

Pages \_\_\_\_\_

## D & D CONSTRUCTION

~~P.O. Box 942~~ Rt 1 Box 204D  
 POLSON, MT 59860  
 Phone ~~883-4818~~ ~~849-5443~~ 883-4023

PROPOSAL SUBMITTED TO <b>James B. Payson</b>		PHONE <b>887 2566</b>	DATE <b>6-10-86</b>
STREET <b>Finley Pt.</b>		JOB NAME	
CITY, STATE AND ZIP CODE <b>Polson Mt</b>		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

**Stair replacement****Materials****359<sup>80</sup>****Labor****300<sup>00</sup>****659<sup>80</sup>****Add 156<sup>50</sup> for redwood stairway**

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

**Six hundred fifty nine & <sup>80</sup>/<sub>100</sub>** dollars (\$ **659<sup>80</sup>** ).

Payment to be made as follows:

**Full payment on completion of job.**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

**Daniel R. Gray**Note: This proposal may be withdrawn by us if not accepted within **30** days.

**Acceptance of Proposal** — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

00248

May 30, 1986

Dear

Lou is in California working, building McDonald's Restaurants, but has asked me to get in touch with some of the homeowners who may not be in attendance at the June 28th meeting this year. Since amendments to either the Declaration or the By-Laws requires 75% vote of the general membership, we need your input either in person, or in writing.

The first proposed amendment (see attached proxy) was presented by Lou in 1984 to the general membership, but since there wasn't 75% attendance, it was supposed to have been mailed out to everyone for approval, but was apparently overlooked by the Board of Directors at that time. Lou wants me to try and get this accomplished this year, so that we can get it submitted to the County officials.

So that all of the members of Timbrshor are involved and informed as to how their \$\$\$ are being spent, the second amendment which is to the By-Laws of Timbrshor is also to be voted on. Keeping the voices of the people as a whole being heard, he feels, is imperative to a good, working relationship among the membership. Without this limitation, the Board of Directors has a rather wide range of authority under Article V. of the By-Laws.

Inequity and unfair proration of some of the expenses are showing up on the annual budgets during the last several years, and Lou feels that now is the time to get these things settled for once and for all. Under item #12 of the Declaration there is an either/or provision for proration of expenses which requires a little thought as to which method should be used, depending on whether some or all of the units, developed or undeveloped, are benefitting. Item #12 reads....".....It is understood that all the costs of utilities, water, road, streets, paths, and lighting and any other utility or service requested or required by the membership of the Association shall be paid by the Association or those effected thereby, and the Association shall have the right to levy against each dwelling site its pro rata share of such costs and expenses."

For instance, regarding the area lighting - it is inconsistent that a service which benefits a few should be supported by those who derive no benefit from it, such as the large mercury light over by Peningtons and Mailanders, although it is billed on a monthly rate and everyone is paying for it. Also, the mercury light up behind those units across the bay south of the Lodge is being handled the same way, even though most of the owners in that area find it an annoyance for sleeping at night and would like it removed. A number of the owners have already taken steps to install their own low-level lighting and are paying for it on their own without expecting the general membership to financially participate in their cost.

00249

Another example of inequity in assessment is the charging of the Shoreline Protection Fee to the membership at large, including undeveloped lots. This annual fee is for only those areas of docks and breakwater in five feet or more of water. Since the docks are leased to individual members for a fee, we feel that the fair way to pay the fee is from the proceeds of the leases or from those who have docks, but certainly not by the membership as a whole including undeveloped lots which if sold, the new owners wouldn't even be able to have a dock since there aren't 50 docks to match the number of units at Timbrshor.

These are just two examples of those who benefit should be those to pay.

After spending six weeks of my time investigating the liability insurance policies that the Association added coverage on to what was originally our liability policies, there appears to be double coverage in some areas, questionable coverage in others, and coverage for property that is not and never has been owned by Borchers of Finley Point nor Timbrshor Association. Adding on to these policies has limited Borchers' coverage in a negative way, and there seems to be some question as to the validity of the coverage of the members of Timbrshor Association, to say nothing as to the manner in which the different factions are paying their "share." I am hoping to have available at the general meeting on June 28th, an insurance counselor to try to clear up exactly what the problems are - problems for you and for us.

I wish to urge you to come to the general meeting so that you can personally participate in some of the decision-making for the Association. As your letter from the Chairman indicated, it will be held here at the Lodge and I would also like to ask those attending to bring a covered dish or something, as we would like to have a little social gathering afterwards and put a little fun back into our Association. Our intention is to hold the business of the Association down to a minimum and get the pleasure and enjoyment back into your lives at beautiful Flathead Lake.

If for some reason you cannot attend, I would appreciate your proxy so that we can get some of these items settled for once and for all and get back to the fun of summer. Please sign and indicate "yes" or "no" on the two amendments and sign the bottom which will serve as a general proxy. If you have any questions or comments, please either call me at 887-2500 or write your comments right on the proxy.

Thanks in advance for your help.

Sincerely,

Amendment to;

Amended Declaration under the Unit Ownership Act and Restrictive Covenants  
filed in Lake County Courthouse microfilm #254077  
Paragraph 10. Add subparagraph m to read;

- m. Outside lighting shall comply with subparagraph a. above and shall be controlled by the Architectural Committee, who shall use the following directives;
  - (1) No light shall be installed so that a direct beam can strike any other residence with an intensity of greater than 40 watts.
  - (2) All electrical lines used in installing such lighting shall be buried or otherwise suitably concealed.
  - (3) Installation of and cost of operation of such lighting shall be the responsibility of those individuals serviced by said lighting.
  - (4) Outside lighting not attached to a structure shall be switched automatically so as to be on during hours of darkness during at least the months of June, July, and August.
  - (5) Existing outside lighting which can meet the above requirements shall be deemed approved.
  - (6) Outside lighting not meeting the above requirements shall be removed or corrected upon 30 days written notice from the Architectural committee.
  - (7) Suggested lighting systems shall include pagoda or mushroom type fixtures, flood lights either mounted on buildings or on the ground, louver lights, tube lights, tree lights and another other generally used landscape-type lighting.
  - (8) Lighting is to be powered either by low voltage systems or by 110 volts. In the case of 110 volt systems, proper installation is necessary so as to preclude shorting or shocking.

\_\_\_\_\_  
signature Yes \_\_\_\_\_ No \_\_\_\_\_

Amendment to;

By-Laws of Timbrshor - filed in Lake County Courthouse microfilm#254077  
Article V. CONTRACTS, LOANS, CHECKS AND DEPOSITS  
Add Section 5. to read;

SECTION 5. LIMITATIONS. The Board of Directors may not authorize any expense or indebtedness on behalf of the Association exceeding \$100.00 per specific instance without the approval of a majority of the voting membership.

\_\_\_\_\_  
signature Yes \_\_\_\_\_ No \_\_\_\_\_

I, \_\_\_\_\_, hereby grant my proxy vote at the  
(your name)  
Timbrshor Association general membership meeting to be held on June 28, 1986,  
to Alice L. Borchers.

\_\_\_\_\_  
Signature Date

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
Timbrshor, Finley Point  
Polson, MT 59860  
May 24, 1986

Miners Bank of Montana  
3650 Harrison Ave.  
Butte, MT 59701

Dear Sirs:

It has come to my attention that your Corporation now owns the property, Unit 314, of the Timbrshor development formerly owned by Mr. Earl Genzberger. Ownership of property at Timbrshor includes, under the Amended Declaration Under the Unit Ownership Act and Restrictive Covenants, a 2% share in the common areas and membership in the Timbrshor Association. Membership in the Association entails certain financial obligations, in particular a yearly association assessment, which will be due in July, heating and winter maintenance of the area water system, which I will bill in June, and power for the water and sewage pumps, which is billed in January, and any special assessments voted on by the Timbrshor Board of Directors or the General Membership. As chairman of the Timbrshor Association, I would very much appreciate a contact in your corporation with whom I can discuss these financial obligations and other matters pertaining to the Association.

Mr. Genzberger also had a 15 year lease on a boat dock with the Association which runs until 1996. I would like to know if you have assumed that lease or have any knowledge of its disposition.

I will be calling a General Membership Meeting of the Association to be held at Timbrshor on June 29, 1986, and will be sending out a letter to all members announcing the particulars next week. Again, it would be most helpful if a member of your Corporation could be designated to correspond with the Association concerning this property. Thank you for your cooperation.

Sincerely,

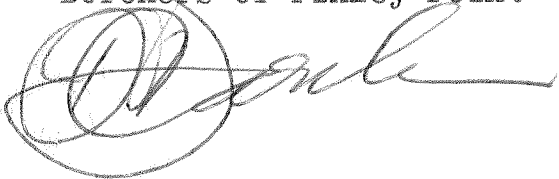
James B. Payson, Chairman

May 23, 1986

To Whom it May Concern:

This letter will certify that a meeting of the board of directors and stockholders of Borchers of Finley Point was held on May 15, 1986. At the meeting Alice Borchers was elected vice president.

Attest: Dean Borchers, Secretary Treasurer  
Borchers of Finley Point

A handwritten signature in cursive script, appearing to read "Dean Borchers", written over a circular stamp or seal.

cc: Lou Borchers  
cc: Alice Borchers



**TIMBRSHOR ASSOCIATION**  
Dr. James B. Payson, Chairman  
Timbrshor, Finley Point  
Polson, MT 59860  
May 23, 1986

Lake County Planning Board  
Lake County Court House  
Polson, MT 59860

Dear Sirs:

Attached are proposed amendments to the By-Laws of Timbrshor, a document recorded at Lake County Court House (No. 40-254078). These amendments have been approved by the members of the Association as provided in Article VIII. of the By-Laws and are submitted for your approval as required by that Article.

I have not had reason to contact your Board previously, so am not sure of the proper format to present the amendments. I would appreciate it if you would contact me at Timbrshor (Phone 887-2566) if you have any questions or if there are requirements of which I am not aware.

Sincerely,

James B. Payson, Chairman

00254

**AMENDMENT TO BY-LAWS  
of  
TIMBRSHOR**

In accordance with the provisions of Article VIII. of the By-Laws of Timbrshor, the membership has accepted the following ammendments to those By-Laws:

**ARTICLE II. MEMBERSHIP**

SECTION 1. Annual Meeting. The annual Meeting of the members shall be held no earlier then Memorial Day and no later than June 30th. The exact time and place to be determined by the Board of Directors and the members to be informed no later than 30 days prior to the meeting date.

**ARTICLE III. BOARD OF DIRECTORS**

SECTION 2. Number, Tenure and Qualifications. The number of Directors shall be five. Term in office for the first election: Chairman - 3 yrs., Secretary - 2yrs., Treasurer - 1yr., Director - 3yrs., Director - 2yrs., thereafter the term of office shall be (3) three years. Members of the Board of Directors shall be elected each year at the annual meeting by the Membershipatlarge.

SECTION 6. Quorum. Three directors present at a meeting shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

May 22, 1986

James B. Payson, Chairman  
Timbrshor Association  
Finley Point  
Polson, Montana 59860

Dear Jim:

I would like to be considered to fill the opening as Treasurer of Timbrshor Association which recently occurred. I have the background as a bookkeeper and the tools of the office to make it function smoothly, plus I intend to be right here at Timbrshor as a full time resident for the foreseeable future. With all the kids being gone from home per Christy leaving August 20, 1986, I also have the time needed to do a thorough and complete job.

Thank you and the other Directors for your consideration.

Sincerely,



Alice L. Borchers  
Vice-President  
Borchers of Finley Point

April 24, 1986

Jim Payson  
Chairman, Timberhorn Assoc  
112 Garden Circle  
The Woodway, La 70301

Dear Jim,

I mailed you a check for \$694.20 yesterday to pay the balance of the \$1194.20 you agreed to pay. However, please note in his letter of 1-9-86 the items he was paying included the lease on the Marina for \$100<sup>00</sup> and #6 in the 4-plex (AKA #309) for \$94.21. Not until today were we aware that Randy had paid the \$100<sup>00</sup> on the Marina and that Bill had paid the \$77.21 on #6. After checking with Wally Schwank and verifying this to be the case, it is my request that the \$177 be applied in one of two ways:  
members of Timberhorn Association

in the first place.

The \$177 is not to be applied towards Buckers of Finley Point's assessment of the 85-86 Budget

Sorry for any confusion, however, as you will note on the 85-86 budget, last paragraph, Wally did not include Unit #6 and the Marina lease, so we could only assume that it was an oversight since we knew it was our obligation. Also, I might add that it seems obvious now that it wasn't an oversight, but was in fact already paid and the oversight was to make mention of it anywhere on the budget, nor at a later date.

Please let me know if you plan to remit to Randy and Bill; otherwise, I will put it towards the future budget.

In the future, no one but  
~~anyone~~  
Klean Buckus, Sec-Treas.

0025

In reading thru some of the files, I today became aware of the problem so I hope this quickly settles it satisfactorily. We don't wish to have another misunderstanding.

Now that Lou is working in Calif and I am a full time resident at Finley Point, please send all correspondence to me and we'll try to get them handled as they need it (by we, I mean Lou and I are still in communication - Ma Bell should send us a Thank-You Note with her bill which is beginning to look like the national debt.)

Look forward to some nice weather this summer. Tell Appraiser "Hi" for me.

Sincerely,  
Alice & Buckers

over now - and you are  
with you.

00259

11257

April 23, 1986

Jim Payson  
Timberline H Olson

Dear Jim:

Just took over the bookkeeping  
for Beckers of Finley Point, now  
that I am an officer in same.  
In all the records, I just tonight  
came across the letter that Lou  
sent you on Jan 9, 1986 agreeing  
to pay \$1194.20 on 85-86 budget.  
The records also show \$500.00 was  
paid 1/11/86. A check for the  
balance of \$694.20 is enclosed.

Sincerely,  
Alice L Beckers

Encl: CK # 1021 AK Fed Cr Union  
Alice L Beckers for \$694<sup>20</sup>

00260

Timberhor Association Members,

April 7, 1986

Randy Borchers has a comprehensive liability insurance policy for \$300,000 covering the Marina.

The Board of Directors of Timberhor Assoc. in a Board meeting Aug. 12, 1985 approved payment of an annual premium not to exceed \$1,000 to place a rider for an additional \$700,000 on that policy. This additional coverage, in the Board's opinion, was a necessary addition in comprehensive liability protection for all Assoc. members.

Immediately after the Board meeting & following the instructions of the Board, I contacted Marlene Doolittle, Randy's insurance agent, explaining the Board's action & requesting as soon as possible the additional coverage. I followed up with several phone calls. As Marlene states in her letter "FINALLY" in Dec. the addition to the Marina policy & the cost for that addition was finalized.

Note enclosed letter from Marlene dated 1/20/85. As Helen & I were in Australia & New Zealand from Dec 19 to Jan 25, I did not receive this letter until Mon., Jan 27. I called, as noted, Marlene on Jan. 30 & requested a certificate of insurance for this new Assoc. policy & a statement of cost for the additional coverage to begin on Feb 1, 1986. Copies of the certificate & revised statement of cost are enclosed.

On 2/4/86 a check for \$426.00 & on 4/7/86 an additional one for \$105.07 was mailed to Marlene Doolittle, Western States Insurance Co. to cover the cost of this additional \$700,000 liability insurance for the period 2/1/86 to 2/1/87.

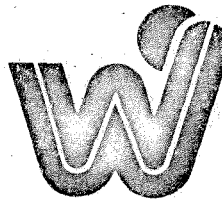
Nally Schwanck,  
Treasurer, Timberhor Assoc.

C.C. Randy Borchers  
Furley Pt. Marina



TO:

Wally Schwank  
24921 Muirlands - #243  
El Toro, Ca. 92630



Western States  
Insurance  
Agency,  
Inc.

220 East First Street  
Polson, Montana 59860 406/883-6288

SUBJECT: Increased Liability

DATE 12/20/85

Wally, we have FINALLY determined what it would cost to increase the liability on the Finley Point Marina policy to \$1,000,000. The annual premium would be \$640 and to add it on effective 1/1/86 would be \$481. If you wish to have this done, please send a check for \$481 and we will request the endorsement of the policy.

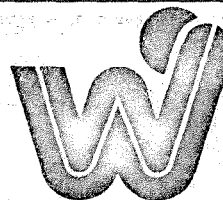
Thank you.

And MERRY CHRISTMAS!!!

Marlene Doolittle

*Called 1/30/86 - requested certificate of insurance + statements for coverage to begin on 2/1/86. Met*

Wally Schwank  
24921 Muirlands - #243  
El Toro, Ca. 92630



Western States  
Insurance  
Agency,  
Inc.

220 East First Street  
Polson, Montana 59860 406/883-6288

SUBJECT: Increased Liability

DATE 2/4/86

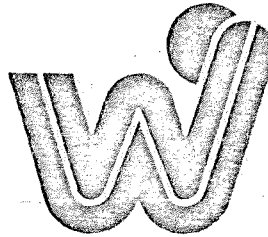
Wally, to increase the liability to \$1,000,000 effective 2/1/86 would cost \$426. If you wish to have this done send a check and we will request an endorsement of the policy.

Thank you.

Marlene Doolittle

*Copy of answer mailed to Marlene 2/10/86.*

*Enclosed is check for \$426<sup>00</sup> for increasing liability on Randy Borchers' Marina Policy from \$300,000 to \$1,000,000 effective 2/1/86. Increase is for Timberhorn Association + Timberhorn members. Please send me endorsement for the policy & Certificate of insurance. This note + check is in response to your letter of 2/4/86. Thank you - Wally Schwank, Pres.*



Western States  
Insurance  
Agency,  
Inc.

220 FIRST STREET E. • P.O. BOX 489  
POLSON, MONTANA 59860  
406 / 803-6288

CUSTOMER NO.

403365

PRODUCER NO.

401

COMPANY NO.

4AS

FINLEY POINT MARINA  
L.F. BORCHERS  
FINLEY POINT  
POLSON MT 59860

DATE

3/17/86

NAMED  
INSURED

PLEASE DETACH AND RETURN WITH REMITTANCE

AMOUNT  
REMITTED \$

POLICY NUMBER AND DESCRIPTION	POLICY PERIOD		CLASS CODE	TRANS CODE	PREMIUM	
	EFFECTIVE	EXPIRATION			CHARGE	CREDIT
01AP0914991 COMMERCIAL PACK	020186	020187	63	50	\$531.07	
		<i>Paid</i>			<i>426.00</i>	
					<del>\$531.07</del>	
					<i>\$105.07</i>	

BALANCE

PREMIUMS DUE AND PAYABLE ON EFFECTIVE DATE OF POLICY  
WESTERN STATES INSURANCE AGENCY, INC.

INSURED'S COPY

SUBJECT: Liability endorsement

DATE 3/27/86

Wally, enclosed is a copy of the endorsement on the Finley Point Marina policy. Also, enclosed is the bill for the increase. And obviously the company quoted me short. I apologize for that. Please send a check for the difference in the envelope provided.

Thanks very much.

Marlene Doolittle

00263

\*\*\*\*\*  
POLICY CHANGE \*  
EFFECTIVE: 02-01-86 \*  
\*\*\*\*\*

POLICY NUMBER: 01-AP-091499-1

MED FINLEY POINT MARINA, L.R.  
INSURED BORCHERS, DBA:  
BILLING C/O L.F. BORCHERS, FINLEY  
ADDRESS: POINT MARINA, FINLEY POINT  
PULSON, MT 59860

AGENT: WESTERN STATES INS AGY-POLSDN  
PO BOX 489  
220 FIRST STREET EAST  
POLSON, MT 59860  
25-93122 (258)  
(406) 883-6288

POLICY PERIOD: FROM 10-01-85 TO 10-01-86

\*\*\*\*\*  
THE CHANGE IN YOUR POLICY RESULTS IN AN ADDITIONAL PREMIUM OF \$ 531.07 \*  
\*\*\*\*\*

POLICY CHANGES

INCREASE GENERAL LIABILITY LIMIT TO \$1,000,000/CSL.  
ADDITIONAL NAMED INSURED

\*\*\*\*\*  
GENERAL LIABILITY\*  
\*\*\*\*\*

FOLLOWING HAS BEEN CHANGED

COVERAGE	LIMITS OF LIABILITY	
BODILY INJURY LIABILITY	\$ 1,000,000 PER OCCURRENCE	\$ 1,000,000 AGGREGATE
PROPERTY DAMAGE LIABILITY	COMBINED SINGLE LIMIT	
PREMISES MEDICAL PAYMENTS	\$ 1,000 PER PERSON	\$ 10,000 PER ACCIDENT

CLASS	COVERAGE INFORMATION	EXPOSURE	RATE	PREMIUM
	PREMISES-OPERATIONS - M&C			
	** LOCATION # 1 **			
012	SHIP REPAIR OR CONVERSION - INCLUDING SHIP OR YARD, THE OPERATION OF DRY DOCKS AND MARINE RAILWAYS INCLUDING CHARGE FOR ADDITIONAL INSURED REMUNERATION (PER \$100)	BI 15,700 PD 15,700 MED 15,700	.8091 .4056 .0214	\$ 199.00 133.00 3.00
032	BOAT YARDS OR MARINAS - PUBLIC - ADDITIONAL CHARGE: BOAT STORAGE AND MOORAGE - INCLUDING SLIP OR DOCK RENTAL RECEIPTS (PER \$100)	BI 5,000 PD 5,000 MED 5,000	1.6461 .6084 .0435	82.00 30.00 2.00

MED INSURED: FINLEY POINT MARINA, L.R.

POLICY NUMBER: 01-AP-091499-1

AS	COVERAGE INFORMATION	EXPOSURE	RATE	PREMIUM
595	BOAT YARDS OR MARINAS - PUBLIC REMUNERATION (PER \$100)	BI 5,000 PD 5,000 MED 5,000	1.6740 .9464 .1323	84.00 47.00 7.00
	PRODUCTS & COMPLETED OPERATIONS LIABILITY			
	** LOCATION # NA **			
217	SHIP REPAIR OR CONVERSION-INCLUDING SHOP OR YARD, THE OPERATION OF DRY DOCKS AND MARINE RAILWAYS RECEIPTS (PER \$1,000)	BI 15,000 PD 15,000	5.9932 2.2211	90.00 33.00
	TO MEET COVERAGE MINIMUM	BI		666.00
	TO MEET COVERAGE MINIMUM	PD		148.00
595	BOAT YARDS OR MARINAS - PUBLIC RECEIPTS (PER \$1,000)	BI 5,000 PD 5,000	12.2589 1.9147	61.00 10.00
	SPECIAL CLASSIFICATION			
	** LOCATION # NA **			
114	ULTRA COMPREHENSIVE LIABILITY - ALL OTHER TYPE RISKS - INCLUDING BROAD FORM PROPERTY DAMAGE AND BLANKET CONTRACTUAL LIABILITY (ENDORSEMENT CHARGE)	BI 1 PD 1		177.00 60.00

THE FOLLOWING FORMS HAVE BEEN ADDED:

-206(1267)

00265

TIMBRSHOR ASSOCIATION  
Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
March 30, 1986

Mr. Lou Borchers  
Borchers of Finley Point  
Polson, MT 59860

Dear Lou,

On January 20, 1986, I wrote to you concerning the annual assessment owed to Timbrshor Association by Borchers of Finley Point. At that time I had received \$500.00 from you and offered to defer any action provided Borchers of Finley Point remitted \$694.20 by February 28, 1986. I have received no further communication from you since that time, and the treasurer of the Association informs me that he had not received any further payment from you as of March 12, 1986.

Since you have chosen to ignore the solution I proposed in my letter of January 20, I have no alternative but to act in accordance with the resolution passed by the Board of Directors of Timbrshor Association on July 27, 1985, and initiate action to have a lien placed against the property of Borchers of Finley Point on behalf of Timbrshor Association for the full amount of \$931.40. I find this action personally repugnant in the extreme, but your continued refusal to meet the financial obligations of Borchers of Finley Point or to even engage in any meaningful dialogue concerning these obligations seemingly precludes any other course of action.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

cc: Dr. Carol Ammons  
Mr. R.G. Cannon  
Mr. Vern Selvig  
Dr. Walter Schwank

**TIMBRSHOR ASSOCIATION**  
Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
March 20, 1986

Mrs. Evy Fordahl  
3232 5th Ave. South  
Great Falls, MT 59405

Dear Evy,

On January 20, 1986, I wrote to you concerning accepting the nomination for Secretary of the Timbrshor Association. At that time, I requested that you let me know at your earliest convenience whether or not you would accept the nomination. As of this time, I have heard nothing from you, and wonder if you either did not receive my letter or misplaced it. I would very much appreciate a reply as we must have nominations for the general meeting in June, and with the membership of the association so geographically separated, doing anything seems to take a great deal of time.

I would be most pleased if you could accept the nomination for this position as we are going to be in a period of some turmoil and desperately need officers who are capable and committed.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

Weds, March, 12, 1986

Dear Jim,

In reference to letter of Jan. 9, 1986 from Lou Borchers to Payson with carbon copies to board members & the Jan. 20, 1986 letter from Payson to Lou Borchers with carbon copies to board members:

To date I have received no word nor any further payment from Lou Borchers or Dean Borchers on the balance still due Timberhor Assoc. for the developer's share of the 1985-86 operating budget. Per your letter of Jan 20, 1986 Borchers of Fenley Point (Lou Borchers) was to pay \$694.20 by Feb. 28, 1986.

On Tues., March 11 I received from Alice Borchers, at Fenley Point, a check in the amount of \$28.58 to pay for Jan. '85 - Jan. '86 area #3 electric service for the 1 unit in the 4 plex owned by Borchers.

I assume Jim, you have not received this payment as I have not heard from you.

Wally Schrank.  
Treas, Timberhor Assoc.

C.C. Vern Selwig  
Rich Cannon  
Carol Ammons

P.S. June 28-29 sounds good as a possible time for board meeting & general meeting of Timberhor Assoc.

W.S.

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
February 12, 1986  
March 10

Dr. Lonard Rotundi  
3069 Atherton Lane  
Butte, MT 59701

Dear Dr. Rotundi,

As you are probably aware, my term of office as Chairman of the Timbrshor Association will expire at the time of the next general membership meeting. I requested the members of the Board of Directors to submit names of eligible association members in nomination for this office.

Your name was placed in nomination by a majority of board members, and I would ask you to consider accepting the nomination to be the new Chairman of the Association. The term of office is for three years, and would begin with the conclusion of the next general meeting in late June.

The association is in need of firm and effective leadership which I am sure you can provide. Please consider this carefully and let me know your decision at your earliest convenience.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

0056A



**TIMBRSHOR ASSOCIATION**  
Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
February 12, 1986

Dr. Walter Schwank  
Space 243  
24921 Muirlands  
El Toro, CA 92630

Dear Wally,

I imagine you have returned from your trip by this time and are well rested. I am enclosing a deposit slip, check stub from Dean, and registered letter receipts. It was somewhat expensive sending registered letters to Lou and Dean but it is difficult to get their attention. As I mentioned in my last letter to the Board, Lou sent \$500.00 and Dean sent payment in full. I believe I sent you a copy of my letter to Lou. Please let me know if he sends any more money before the end of the month. I understand he is in California at the moment, but I will try to contact him if he does not pay. I had asked Vern to send me the minutes of the meeting in which we voted to impose sanctions so I would have some official basis for action if such needs to be taken. I have not heard from him. I also asked Rich to look into what we would need to do to impose a lien on Borchers of Finley Point. I have not heard from him.

Fred Long called the other night and declined the nomination of Chairman of the association. I have written to Jay Penington, requesting that he accept the nomination. I have not heard from Evy Fordahl. Fred did indicate that he would consider accepting the position of Ssecretary. It may be that we will have to take him up on that. I am planning to be at the lake about May 15, and will look at setting up the annual meeting on June 28 or 29.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

00270

**TIMBRSHOR ASSOCIATION**  
Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
February 12, 1986

Mr. J. L. Penington  
221 4th Ave. North  
Great Falls, MT 59401

Dear Jay,

As you are aware, my term of office as Chairman of the Timbrshor Association will expire at the time of the next general membership meeting. I requested the members of the Board of Directors to submit names of eligible association members in nomination for this office.

Your name was placed in nomination by a majority of board members, and I would ask you to consider accepting the nomination to be the new Chairman of the Association. The term of office is for three years, and would begin with the conclusion of the next general meeting in late June.

The association is in need of firm and effective leadership which I am sure you can provide. Please consider this carefully and let me know your decision at your earliest convenience.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
January 20, 1986

Dr. Fred Long  
2601 Old Mallard Rd.  
Enid, OK 73701

Dear Fred,

As you are aware, my term of office as Chairman of the Timbrshor Association will expire at the time of the next general membership meeting. I requested the members of the Board of Directors to submit names of eligible association members in nomination for this office.

Your name was placed in nomination by a majority of board members, and I would ask you to consider accepting the nomination to be the new Chairman of the Association. The term of office is for three years, and would begin with the conclusion of the next general meeting in late June.

The association is in need of firm and effective leadership which I am sure you can provide. Please consider this carefully and let me know your decision at your earliest convenience.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

**TIMBRSHOR ASSOCIATION**  
Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
January 20, 1986

Mrs. Evy Fordahl  
3232 5th Ave. South  
Great Falls, MT 59405

Dear Evy,

The term of office of Mr. Vern Selvig, the secretary and member of the Board of Directors of Timbrshor Association will expire with the next general meeting of the association. I have asked the members of the board of directors to place names in nomination for this office. A majority of board members submitted your name for this office.

I ask you to consider accepting this nomination. The term is for three years, beginning in late June. Please let me know your decision at your earliest convenience.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

00273

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
January 20, 1986

Mr. Lou Borchers  
Borchers of Finley Point  
Polson, MT 59860

Dear Lou,

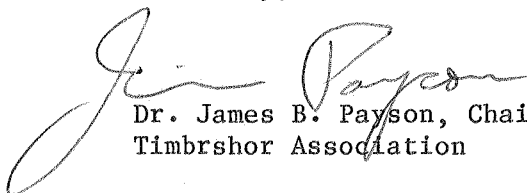
I am in receipt of your letter of January 9, 1986 and a check for \$500.00 for partial payment of the yearly assessment of Borchers of Finley Point. I have deposited the check in the Timbrshor account.

As chairman of the Timbrshor Association, I have not the authority to make any changes in the operating budget as previously approved by the Board of Directors, nor do you as developer. The points you made in your letter will have to be considered by the board, if not by the general membership of Timbrshor Association.

I will take it upon myself to defer any legal action over the disputed \$237.20 if the remaining \$694.20 you agree is owed by Borchers is paid by February 28, 1986. I will call a board meeting as early as is practicable in May or June to consider the points that you have raised and hope you will be able to attend to present your case. I am planning to call a general membership meeting in late June, and would be most happy to consult with you on meeting dates to insure your representation.

You have indicated that you sent copies of your letter to all board members, and I will send a copy of this letter to each. I understand that the Treasurer will be returning to his home in California on or about February 1, 1986. Any payments you wish to make subsequent to that date should be sent to him.

Sincerely,



Dr. James B. Payson, Chairman  
Timbrshor Association

cc: ~~Mr. Dean Borchers~~  
Dr. Carol Ammons  
Mr. R.G. Cannon  
Mr. Vern Selvig  
Dr. Walter Schwank

Dr. James B. Payson  
Chairman TIMBRSHOR

Jan. 9 ,1986

DEAR JIM,

Nice to be back on the Flathead, if only for a short stay. Alaska is lovely, but it's not Montana.

To the matter at hand. I have gone over the budget for 85-86 and have the following comments.

As regards lighting. It is inconsistent that a service that benefits a few should be supported by those who derive no benefit. Particularly when several are providing that service for themselves at their own expense. I would submit that this service be handled as other utilities are handled, i.e. paid for by those that are in the immediate area and/ or directly benefit. I further insist that a lighting code be established addressing minimum standards for residences, parking areas, other common areas as necessary.

Considering the above position, the development corp. will not participate in the expense of lighting, particularly when it is already supporting a number of lights at no cost to the association.

As regards insurance. The increase in cost is appalling. The development corp. share reflects better than a 700% increase over the entire previous years cost. Suggest we investigate alternative sources and methods. The corp. will pay share of new policy as shown, but decline participation in the two smaller interim policies as they neither added to or in any way increased it's coverage.

As regards Shoreline protection. Through negotiation and agreement with the tribe, the development corp. has covered all charges on the docks except those breakwater and deep water slips in over 5 feet of water. These areas accrue benefit primarily to boat slips and therefore should be supported by them and not the membership at large.

Incorporating the above points, the budget would be as follows:

Item	Cost	No.	Cost per unit	Development corp. share	Total
Liting	219.60	20	11.00	-0-	220.00
Garb.	590.00	20	29.50	-0-	590.00
Ins.C	138.00	20	6.90	-0-	138.00
Ins.B	291.00	20	14.55	-0-	291.00
Ins.B	1163.00	50	23.26	674.54	1163.00
C.P.A.	200.00	50	4.00	116.00	200.00
St.Tx.	50.00	50	1.00	29.00	50.00
Shln.P	123.64	25	4.95	19.80	123.75
Admin.	200.00	50	4.00	116.00	200.00
Marina lease fee				100.00	100.00
Total	2975.24		94.21	1055.34	3075.75

In addition each dock owner will pay an assessment of 4.95, you will notice I have included that assessment for four dock slips in the development corp. share. I will see that these monies are paid for the corp. in the amount of 1055.34, the unit in the fourplex for 94.21 and the lodge for 44.65 (unit assessment less first four items). A total of 1194.20 .

Sincerely,

Lou Borchers

copy:

Vern Selvig  
Carol Ammons  
Wally Schwank  
R.G. Cannon

*Lou*

1431.40

237.20

0077

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
January 1, 1986

&title& &fname& &mi/o& &lname&  
&space/o&  
&street&  
&city&

Dear &name&,

Pursuant to the resolution adopted by the Board of Directors of Timbrshor Association on July 27, 1985, I have sent the enclosed communications to Lou Borchers and Dean Borchers, via Registered Mail, return receipt requested. I have also contacted Mr. R. G. Cannon and requested that he take preliminary steps to determine the requirements for placing liens on the properties of Borchers of Finley Point and Mr. Dean Borchers (McFaden, O'Connor, and Korell) should that step become necessary.

I received, on December 20, 1985, a communication from Carol Ammons concerning the trial installation of a shore station by Mr. Thibodeau. She requested that this matter be tabled until further discussion could be accomplished. Since the communication was received well past the November 30th deadline and the other four board members had voted in favor of the installation, I consider the letter sent to Mr. Thibodeau on December 7, 1985 to be valid.

Dr. Ammons nominations for new officers of the association did not change the alignment of the nominees, although it did result in a change of point totals. I will contact Dr. Long and Edie Fordahl later this month and let you know their replies as soon as possible.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

00276

**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
January 1, 1986

Mr. Dean Borchers  
c/o American Furniture Co.  
4700 10th Ave. South  
Great Falls, MT 59405

Dear Dean,

As you were informed in a letter from the treasurer on December 3, 1985, the Timbrshor Association Board of Directors in its meeting of July 27, 1985 passed a motion requiring the Chairman to officially inform any member who has not paid his/her operating budget assessment by January 1st of the budget year that unless full payment is made by February 1st, legal action will be taken to place a lien on the association property of that member.

The association treasurer, Dr. Walter Schwank, has informed me that he has not received the operating budget assessment for the unit owned by yourself, Mr. O'Connor, Mr. McFadden, and Mr. Korell, amounting to \$77.21. He further informs me that statements were sent to you as the representative of this group concerning this delinquency on September 26, 1985, November 1, 1985, and December 3, 1985. To my knowledge you have not made any reply to these communications. It therefore becomes my duty as Chairman of the Timbrshor Association to inform you that unless I receive the total amount due, \$77.21, from you by February 1, 1986, legal action will be initiated to place a lien for that amount on the property owned at Timbrshor by you, O'Connor, McFadden, and Korell.

I am also enclosing a letter sent to Mr. Louis F. Borchers as President of Borchers of Finley Point concerning assessment delinquencies of that corporation. Although I have knowledge that Lou has returned to Timbrshor, you have been acting as representative of the corporation for the past year and I have received no communication from you or Lou to indicate that you have relinquished those duties. Please consider the enclosed communication as notification of the corporation delinquencies in whatever capacity you now operate as an officer of Borchers of Finley Point.

Please remit the monies to me rather than the Treasurer, and make out any financial instrument to the Timbrshor Association. A copy of this letter will be sent to each member of the Timbrshor Association Board of Directors.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

cc: Dr. Carol Ammons  
Mr. R.G. Cannon  
Mr. Vern Selvig  
Dr. Walter Schwank

00277



**TIMBRSHOR ASSOCIATION**

Dr. James B. Payson, Chairman  
112 Garden Circle  
Thibodaux, LA 70301  
January 1, 1986

Mr. Lou Borchers  
Borchers of Finley Point  
Polson, MT 59860

Dear Lou,

Since I have been informed by good authority that you have returned to Timbrshor, I am addressing this communication to you there. I will also send a copy to Dean Borchers since he has been acting as your representative for Borchers of Finley Point, and I have received no communication from either of you to indicate whether or not that arrangement is still in effect.

As I indicated to you in my letter of December 7, 1985, the Timbrshor Association Board of Directors in its meeting of July 27, 1985 passed a motion requiring the Chairman to officially inform any member who has not paid his/her operating budget assessment by January 1st of the budget year that unless full payment is made by February 1st, legal action will be taken to place a lien on the association property of that member.

The association treasurer, Dr. Walter Schwank, has informed me that he has not received the operating budget assessments for the 29 undeveloped sites, amounting to \$1383.59, or the Lodge, amounting to \$47.71, from Borchers of Finley Point. He further informs me that statements were sent to Dean Borchers as a representative of Borchers of Finley Point concerning these delinquencies on September 26, 1985, November 1, 1985, and December 3, 1985. I wrote to you concerning this matter on December 7, 1985. To my knowledge, neither you nor Dean has made any reply to these communications. It therefore becomes my duty as Chairman of the Timbrshor Association to inform you that unless I receive the total amount due, \$1431.30, from Borchers of Finley Point by February 1, 1986, legal action will be initiated to place a lien for that amount on the property owned at Timbrshor by Borchers of Finley Point.

Please remit the monies to me rather than the Treasurer, and make out any financial instrument to the Timbrshor Association. A copy of this letter will be sent to each of the members of the Timbrshor Association Board of Directors as well as to Dean Borchers.

Sincerely,

Dr. James B. Payson, Chairman  
Timbrshor Association

cc: Mr. Dean Borchers  
Dr. Carol Ammons  
Mr. R.G. Cannon  
Mr. Vern Selvig  
Dr. Walter Schwank

1 June 1986

To whom it may concern:

I wish to reaffirm and update the document executed by me on July 1, 1984 which granted the Power of Attorney and the Right of Proxy to Helen E. Schwank and Walter C. Schwank so that they may separately and/or collectively execute and conduct all Timboshor Association business and affairs as set forth in that document. I wish to have these powers as stated above and as stated in the document executed by me on July 1, 1984, to stay in force and be effective until Helen E. Schwank and Walter C. Schwank become legally

00278

1986 1 June 1986

Declared mentally incompetent and/or  
are deceased.

Joseph H. Schwank, PhD  
Colonel, USAF, Retired  
1 June 1986

WITNESS Blake J. [Signature]  
1 June 1986

WITNESS Hope M. Schwank  
June 1, 1986

I hereby grant the Power of Attorney and the Right of Proxy to Helen E. Schwank and Walter C. Schwank so that they may separately and/or collectively:

a. Execute and conduct all official Timberhar Association business as it relates to Unit # 210 of Timberhar Association [Property as described in Schedule A of the Trust Agreement]

b. To officiate and serve in my stead as a member of the Board of Directors or in any other official capacity as requested by the members of Timberhar Association.

c. Conduct the financial affairs for the Lake Property Fund.

d. Represent, as if they were the current owners, Unit # 210 in all respects and activities related to Timberhor Association Affairs.

e. Do what is necessary to provide for the orderly management, use, operation, maintenance and disposition of the property as set forth in Schedule A of the Trust Agreement signed and executed July 1, 1984.

SIGNED: Jack A. Schwank, Ph.D.  
Colonel, USAF  
Trustee

DATE July 1, 1984

WITNESS Blake J. Schwank July 2, 1984

WITNESS Hope M. Schwank July 1, 1984