



Development of Planned Communities

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SettlePou's Real Estate Transaction Section has unique expertise in creating planned communities for real estate developers. Unlike some firms that create property owners associations as an adjunct service to their primary work, our firm has a team that concentrates exclusively in this area. Having represented owner-controlled associations, our legal talent knows what property owners associations need to function effectively. We bring real world experience to the paper we produce.

SettlePou is a vital member of the development team that breathes community into the bricks and mortar. At the core of that representation are the project documents that establish and govern the mandatory association of property owners. Typically, these include the Declaration of Covenants, Conditions & Restrictions (the CC&Rs), the Association Bylaws, and the Association's Articles of Incorporation. As needed by our clients, we also prepare common area deeds, annexation instruments for phased developments, marketing materials, design guidelines, initial rules, management certificates, and other documents related to the creation and marketing of the property owners association.

In connection with creating the planned community, we work with our developer clients and their management companies to effect a smooth transition of the control of the association to the property owners. Many of our clients ask us to participate at transition meetings to explain to the owners how the project documents work and to provide an overview of the governance structure. We also seek opportunities to help train our client's sales and marketing teams on these issues.

Because the names of our clients appear in documents that will be used daily by generations of owners, SettlePou wants our clients to be as proud of the project's documentation as they are of the project's entry feature. Mindful that the project documents are handed to prospective purchasers and posted on clients' websites, in addition to being in the public record, we strive to make our documents attractive and readable.

Why our documents are unique:

- * Custom tailoring for the unique aspects of each development.
- * Responsive to each developer's unique concerns.
- * Protect development and marketing rights using concepts that are more contemporary and flexible.
- * Reflect changes in case law, statutes, lenders' underwriting guidelines, and standards of operating property owners associations.
- * Written in plain English.
- * Attractive presentation for use as marketing tool.
- * Graphics alert the reader to unusual or particularly important provisions.
- * Formatting designed to facilitate legibility after document images are reduced in size by microfilming or scanning.
- * Tables of contents in longer documents.
- * Developer protective provisions are segregated for quick reference by our clients, and to improve the post-development usefulness of the documents.