Daniel E. Hancock ■ 502.588.2022 ■ dhancock@fmdlegal.com

October 12, 2026

VIA EMAIL

Richard Hornung
rich@hhmlawyers.com

Re: John and Reta Underwood | Request for LPOA records access

Dear Mr. Hornung:

I understand that you now represent the Board of Directors of L'Esprit Property Owners Association, Inc. ("LPOA"). This firm represents John and Reta Underwood, owners of L'Esprit tract 152-1. As owners of a tract within L'Esprit, the Underwoods are members of the LPOA. Pursuant to Article X of LPOA's By-Laws, as amended (the "Bylaws"), "[t]he books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member."

Over the past few years, the Underwoods have made multiple requests of LPOA's Board to review LPOA's books, records, and papers, but the majority of those requests have not been acknowledged, much less accommodated, by any LPOA Board representative. I also understand that, Article II of the Bylaws notwithstanding, LPOA no longer maintains a principal office at 4960 Old Sligo Road where such records may be physically inspected.

As I am sure you understand, the LPOA Board may not circumvent the rights of LPOA members to inspect LPOA's records by failing to maintain a physical office, nor may it circumvent those rights by ignoring member requests. The Underwoods request copies of, or an opportunity to inspect, the following books, records, and papers of LPOA:

- The roster of tracts and assessments applicable thereto kept pursuant to Article V, Section 2(c)(ii) of the Bylaws;
- The Master Book of LPOA Documents referred to in the attached November 24, 2023, email;

- All LPOA Board-adopted legal opinions from November 16, 2022, through the present;

- The Architectural Control Committee's (the "ACC") signature page of the Underwoods' November 18, 2023, ACC application that was denied by the ACC via email on December 23, 2023;

- LPOA bank statements from November 2022 to the present;

- LPOA's current D&O liability policy;

- In light of on-record comments made by LPOA representatives during the July 22, 2026, Board of Directors meeting, all records regarding sources who have made independent financial contributions on behalf of L'Esprit/LPOA that were not collected pursuant to LPOA's assessment process or reflected in LPOA financial records (such records would include any document that shows the sources' names, amounts contributed, and purpose for each contribution);

- Board minutes after June 1, 2025, that reflect the approval or denial of any submitted LPOA Major Subdivision Application Form 2023, or any application accepted by the ACC/LPOA Board for a major subdivision;

- Records reflecting the tracts, and the corresponding tract owners' names and mailing addresses, for which current bridle path easement tags have been issued;

- Records reflecting all non-bridle path easement locations within L'Esprit that are included on the Bridle Path Map posted on www.lesprit.org;

- Records reflecting all non-bridle path easement locations within L'Esprit for which any L'Esprit bridle path signage is posted;

- Records reflecting all non-bridle path easement locations within L'Esprit where LPOA representatives have, during 2026, facilitated volunteer or contracted services for maintenance, upkeep, or repair, including but not limited to mowing, tree removal, tree trimming, and weed-whacking; and

- Records reflecting any tracts for which 20-day notification has been issued by the LPOA president/vice president since January 1, 2026, or for which an enforcement of

> covenants action was initiated under Article 7 of the Declaration (the Third Amendment and Restatement of the L'Esprit Master Declaration of Easements, Covenants and Restrictions) since January 1, 2026, regarding any alleged violation of the following Declaration requirement: "Maintenance and care of all fences constructed by the Developer on the L'Esprit property, consisting of fencing around the outside perimeter of the L'Esprit Property (or along the interior boundary of bridle paths which abut the outside perimeter of the L'Esprit Property) and along the right-of-way of all public roadways within the L'Esprit Property, shall be the responsibility of the individual owners upon whose property such fences are located."

Please contact me as soon as possible to arrange for the Underwoods to inspect the requested documents, or provide copies of them directly to me. If inspection is permitted, Mr. Underwood intends to copy certain documents and will bring equipment for that purpose. If you contend that certain records requested above do not exist, please state so affirmatively in your response. In the absence of such affirmation, the Underwoods will presume that records not made available do not exist, given that LPOA is otherwise compelled to make such records available for inspection.

Further, please note that the list above is not intended to include any LPOA Board communications that are subject to attorney-client privilege. If you contend that any records otherwise responsive to the above requests are protected by any privilege, please state so affirmatively in your response and identify the privilege claimed.

I look forward to your response no later than October 21, 2026.

Sincerely,



Daniel E. Hancock

Encl.

cc: L'Esprit residents (via Mr. Underwood)
Nexus Specialty, Inc. (via email – notifications@nexusclaims.com)

From:	puifox@aol.com
To:	John Underwood
Cc:	Hal Thomas; tomhenrion@bellsouth.net; Elizabeth Rapaport; Barrett Shirrell; Michael Ash
Subject:	Underwood document request
Date:	Friday, November 24, 2023 1:16:04 PM

Mr Underwood

With respect to your email dated November 20,2023 please be advised that you may contact our attorney Hal Thomas at 502-426-1700 to request an appointment to review LEsprit documents. A conference room and copy services are available. This has been our process for over 12 months since LEsprit does not have an office for document review

It was announced at our LPOA homeowners meeting on November 16,2023 that the current Board of Directors is creating a Master Book of LPOA documents that will be available for all members to review in person at a private residence near LEsprit by appointment beginning after the first Board of Directors meeting of2024 to be held on January 15,2024

You may attend the meeting or contact me after January 15 for full details

Rollo Fox

President

LPOA