



Sage Port Homeowners Association

Filings 2 and 6A

P.O. Box 344, Larkspur, CO 80118

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(303) 991-6688

October 22, 2017

Wilfred Magnan
1092 Kenosha Dr
Larkspur, CO 80118

RE: Cease and Desist Demand

Dear Mr. Magnan:

This letter is to serve as a demand to cease and desist in improperly representing yourself as a member of or having authority to act on behalf of the Sage Port Architectural Control Committee (ACC).

Your claim of being appointed to the Sage Port ACC in 2007 is bogus. The two individuals who supposedly made your appointment resigned from the Sage Port ACC in 1987, twenty years earlier. Those who made your supposed appointment had no authority to do so. You are not, and have never been, a member of the Sage Port ACC. Furthermore, we don't believe you have an honest, good faith belief in the truth of your claim. We are aware of emails you sent documenting efforts to obtain signatures and to file a document fraudulently making new appointments to the Sage Port ACC.

In one email, you referred to a "battle" and a desire to "dominate the conversation and public image". In the email, you wrote:

"By early next week we should have our new ACC if all goes well!

... Using the news letter and WEB we should be able to dominate the conversation and public image for the first time since this battle has started."

If you truly thought that what you were doing was honest and above board, why would you think that by "... Using the news letter and WEB we should be able to dominate the conversation and public image for the first time since this battle has started."?

If you truly thought that what you were doing was honest and above board, and that the document you were about to record with the Douglas County Clerk/Recorder was just a legitimate, signed piece of paper recording a normal, uneventful change in membership on the Sage Port ACC, why did you title an email about the recording of the document with the phrase "Wild Week about to happen!"?

In that same email with the subject heading *"Wild Week about to happen!"*, you wrote, *"The plan is to overwhelm the opposition in terms of getting our stories out and building support for the likely election challenge"*. It sounded like you were planning to work real hard to persuade/convince/overwhelm/trick the 237 property owners of Sage Port into believing your bogus story. You seemed to suspect that the community might not believe and support your story, and you expected a likely challenge.

In that same email with the subject heading *"Wild Week about to happen!"*, you wrote, *"... the key thing is moving fast to keep the old ACC team off balance."* Who were you referring to as the *"old ACC team"*? The story that you want us all to believe is that two previous ACC members, Cliff Wallace and W.M. "Sandy" Sanders, "appointed" you as their replacement. According to your story, Cliff Wallace and W.M. "Sandy" Sanders would make up your *"old ACC team"*? Why did you feel that *"moving fast"* and keeping them *"off balance"* was important?

We believe that fraudulent documents relating to the Sage Port ACC have been recorded with the Douglas County Clerk and Recorder. We believe you have acted with the intent to defraud.

Accordingly, we demand that you (1) cease and desist in representing yourself as a member of the Sage Port ACC; (2) cease and desist in representing yourself as having authority to act on behalf of the Sage Port ACC; (3) cease and desist in sending postcards or any other form of correspondence, such as, but not limited to letters, greeting cards, singing telegrams or electronic communications that represent you as a member of the Sage Port ACC or represent you as having authority to act on behalf of the Sage Port ACC; (4) discontinue recording fraudulent documents with the Douglas County Clerk and Recorder regarding the Sage Port ACC; (5) remove your name and contact information from government contact lists, such as, but not limited to the Douglas County Building Department, in which you represent yourself as a member of the Sage Port ACC and/or as someone having authority to act on behalf of the Sage Port ACC and (6) cleanse all websites, including but not limited to websites and social media pages, that you own, or directly or indirectly control, influence, have knowledge of, or have any connection with of all content that represents you as a member of the Sage Port ACC or represents you as having authority to act on behalf of the Sage Port ACC.

Finally, we demand that you mail via USPS, at your own expense, a hand signed apology postcard to all Sage Port #2 and 6A property owners, that reads:

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PLEASE ACCEPT MY APOLOGY

Dear Sage Port Home Owners:

Previously, multiple postcards were mailed that disparaged the Sage Port Homeowners Association (SPHOA), and individuals including local residents Mark Hesse, John Manka and Glen Erickson. I also made the false claim of being chairman of the Sage Port ACC. What I said was inaccurate, inconsiderate, unlawful, and I apologize.

Glen Erickson and John Manka are current members of the Sage Port ACC, a committee of the Sage Port HOA.


Sincerely,

Wilfred Magnan

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If these actions are not taken by October 31, 2017, we will pursue any and all legal remedies available. Please confirm that you have complied with the above demands by October 31, 2017.

Sincerely,



Cindy Cole
Sage Port Homeowners Association
Board of Directors
It's President



Glen Erickson
Sage Port Homeowners Association
Architectural Control Committee
It's Chairman

cc: Dennis Nuttall