

VAIL HOMEOWNERS ASSOCIATION

October 3, 2012

Executive Summary:



Vail came to international prominence because of two unique factors, the romanticized images conjured by skiing trackless powder in the back bowls and strolling its pedestrian villages. The community maintains its dominance because it has sought to keep these images well polished. It was hoped that the sheer magnitude of the Vail Renaissance would set off a resurgence in its affluent

destination guest market. The strategy worked... [More details](#)



Stress Fractures Beginning to Appear: Lately, stresses are beginning to appear caused by unanticipated consequences from the press of new consumers produced by the Vail Renaissance and its associated marketing strategies. These consumers, seeking to achieve the full measure of enjoyment out of their Vail short stay holiday, are noticeably getting in each other's way as they crowd onto the Town Center's streets and recreational paths. The perception of traffic conflicts and congestion is raising public safety concerns ... [\(see VHA related correspondence\)...](#)[Read on](#)



Vail's Natural Environment - In Need of Serious Repair and Protection: Going largely unnoticed or quietly spoken of, is the deterioration of Vail's natural environment, which has been sidelined in the larger debate over local economic development and social equity issues. [For more on forest health, water quality, I-70 noise control ...](#)

Business as First Priority May Be Shifting Out from Under the Town: The Town now has ample economic development prospects to sustain its financial stability for the next several years. Even now, these prospects are beginning to show momentum.

However, there is push back, as affected neighborhoods are increasingly resisting having their residential qualities diminished by what some perceive as the overindulgence of Town patronage projects...[Read more...](#)

Imbalanced Representation is Not Healthy: There is the perception that most members of the Town Council are less than sympathetic to the plea of these neighbors, as almost none of them live in the affected neighborhoods... The perception of indifference is further compounded by a "classism characterization" born out of the [national media](#) ...The classism portrayal is applied because the value of homes in these neighborhoods, in the view of those who prompt this perception, are expendable because taxes paid by these property owners do not sufficiently contribute to the economic productivity of certain factions within the local population. [Read on](#)

Redevelopment of the Golf Clubhouse - Conflict with Neighborhood Remains in Play:

The Town Council has taken steps to acknowledge the concerns of neighborhood homeowners after recognizing the extent of the opposition to an overly aggressive redevelopment of the clubhouse and its immediate environs. Expanding the area of the parking lot onto the land now occupied by the 18th hole has been eliminated from the proposal. The Town's [planning](#) and [design](#) studies for the clubhouse and related projects are to some extent being modified to lessen the neighborhood impact. Neighbors have submitted their own version of a design for the clubhouse along with a [bill of particulars](#) laying out their concerns and proposed remedies to the Town Council. [More on this topic...](#)



Planning for Vail Valley Medical Center and Affected Neighborhoods Disjointed, But Progressing: Officials of the VVMC have outlined to the Vail Town Council the components of a [comprehensive facilities plan](#) for their holdings. The Vail Homeowners Association provided the Town Council with several options that should be considered to resolve issues, which have been identified by property owners in the affected neighborhoods. [\(review Town Minutes of VVMC and neighborhood's presentation\)](#) [Read more...](#)

Vail Economy and Development: The Town continues to hold on approving Vail Resorts' Ever Vail project. Some residential neighborhoods bear the brunt of this decision...[More](#)

VHA - Affecting Outcomes for Homeowners: The Vail Homeowners Association is not a traditional regulatory homeowners association. We don't tell you what you can't do; we help you do what you want to do. We provide...[Much more!](#)





Hiking/walking is Vail's most popular summer activity. More is needed to improve the quality and safety of the experience.

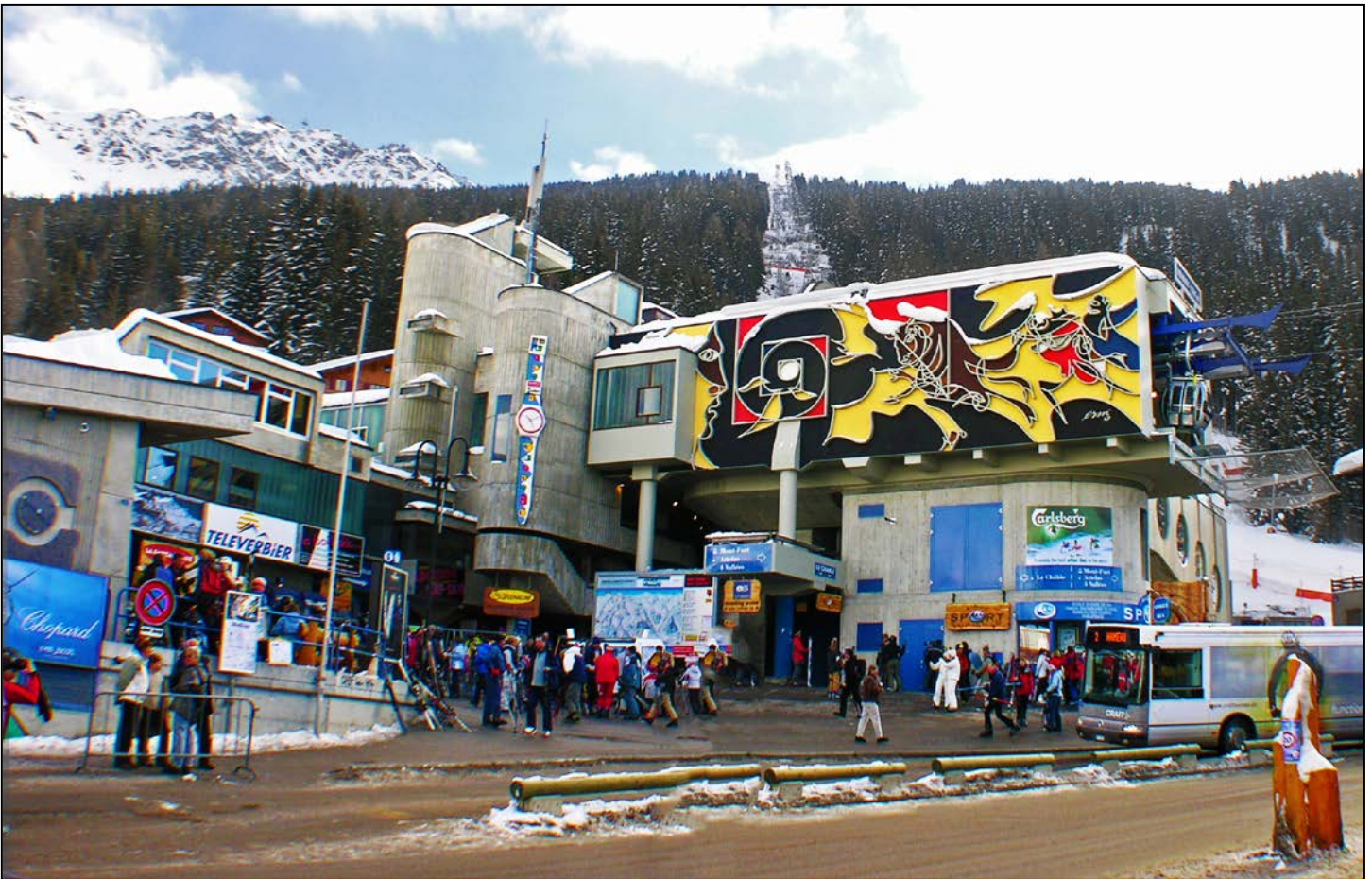
VAIL HOMEOWNERS ASSOCIATION

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Vail came to international prominence because of two unique factors, the romanticized images conjured by skiing trackless powder in the back bowls and strolling its pedestrian villages. The community maintains its dominance because it has sought to keep these images well polished as an ever increasing number of consumers ply its slopes and byways.

During the Vail Renaissance building boom, well over ten to fifteen million dollars was spent on public and private streetscape improvements throughout the pedestrian areas of Vail Village and Lionshead. These improvements have been put to good use as backdrops for large weekend festivals and events staged to attract price sensitive instate visitors during the post recession economic recovery. The Town's efforts have shown success as [sales tax receipts](#) have been on the upswing since July 2010 with the exception of a slight dip in April. [Vail Resorts](#) as well, prospered last year even in the face of one of the most severe snow droughts on record.

This success was achieved in large measure by attracting day-visitors or weekenders. To some strategists, the tactic was a bridge to gain time until the word spread of Vail's high-end makeover. It was hoped that the sheer magnitude of the Vail Renaissance would set off a resurgence in its affluent destination guest market. The image of a revitalized Vail spread through an international promotional strategy. The strategy worked, taking hold particularly in the Latin American market.



Skiing the Swiss Alps from the [Verbier](#) lift terminal is VRI's latest addition to the international appeal of its Epic Pass program designed to attract Europeans to Vail and other of its North American resorts. (photo circa 2005)

Nowadays, the Town of Vail's [marketing advisors](#) are recommending steps to modestly transition the summer season to more extended-stay, out-of-state and international visitors. As a rule of thumb, it takes fewer extended-stay visitors to sustain the local economy. There is the added benefit that fewer visitors put less demand on public facilities.

It has been the desire for decades from factions of business interests and the municipal government to expand the community's seasonal economy to year-round and to significantly increase the financial return from summer tourism. Improved [sales tax revenues](#) during the summer months reflect progress toward that goal. Therefore, the dampening effect from the anticipated marketing transition may never be felt as two new concurrent economic development initiatives will most likely markedly increase both short-term and extended-stay visitations.

Vail Resorts announced this past spring it will expand on-mountain summer activities made possible by a change in Federal policy. It is seeking to optimize the profitability of a projected 100 day summer season. The company estimates that it will generate \$15 million in summer revenues, if it draws [350,000 summer visitors](#) annually. The Town of Vail, for its part as a competing economic developer, has partnered with the Vail Valley Medical Center to incentivize the development of medical facilities that it hopes will increase sales tax revenues resulting from an incremental increase in year round hotel and conference bookings from medical tourism.

Stress Fractures Beginning to Appear: Lately, stresses are beginning to appear caused by unanticipated consequences from the press of new consumers produced by the Vail Renaissance and its associated marketing strategies. These consumers, seeking to achieve the full measure of enjoyment out of their Vail short stay holiday, are noticeably getting in each other's way as they crowd onto the Town Center's streets and recreational paths. The perception of traffic conflicts and congestion is raising public safety concerns in several Town Center neighborhoods ([VHA related correspondence](#)).

Expansionist leadership did not fully assess the consequences of an unprecedented upsurge in boom era growth. The rule of unintended consequences now applies. The community's traffic circulation system needs investment and increased enforcement. A plan as to what needs to be done is now necessary as the next phase of growth is beginning to stir. There are rising voices calling to expand the area of restricted public vehicular access as has been carried out in Vail Village and Lionshead. Officials have yet to study the cumulative effect of a substantial increase in more density upon highly

trafficked neighborhoods. The Homeowners Association is calling for a comprehensive review of traffic congestion management and safety enforcement in affected neighborhoods.

Vail's founders took great care to balance both commercial and residential interests as they considered each as an important contribution to the community's economic growth and sustainability. They did so within the larger context of protecting and preserving Vail's stunning and fragile natural environment.



Vail's Natural Environment - In Need of Serious Repair and Protection: Going largely unnoticed or quietly spoken of, is the deterioration of Vail's natural environment, which has been sidelined in the larger debate over local economic development and social equity issues. Nearly all major tree species have become afflicted with devastating ailments, which many attribute to climatic warming. The fear of wildfire multiplies as the toll of dying trees mounts. Large swaths of national forest lands are being cleared in a purported effort to rebalance the mix of native trees, which will take decades to show results and years to restore the areas' scenic beauty.

The water quality of [Gore Creek](#) in December 2012 was declared "impaired" by State officials because of an abnormal drop in aquatic insect life necessary to sustain a healthy fishery. The Town is moving towards an initiative to restore stream banks to their natural filtering function, which is necessary to reduce the effect of toxic fertilizers and the like.

Interstate 70 traffic noise remains a significant irritant with no official Town strategy being taken up to contain the din. This, despite persistent widespread public support to do so as reported in the Town's 2012 community survey. Where are the majority of respondents who favored taking action? Highway noise is now considered to be a contributing factor to increasing human stress levels. An uncontained Interstate freeway is not a good attribute for a mountain wellness resort to possess. Some are of a mind, that the community's leadership, including the Town of Vail, needs to take on critical long-term "aspiration" projects that move to substantially reduce the Interstate noise problem. Detailed, serious and credible analysis needs to be given to all well-reasoned options. Poison pill political efforts should not be given consideration.

Town officials, for their part, are waiting for the Colorado Department of Transportation (CDOT) to define an appropriate [passenger train technology](#) for the I-70 Intermountain corridor, in an attempt to reduce traffic congestion without relying on adding more travel lanes. There is considerable skepticism that the high-speed train scheme will ever be financially feasible. Thus far, there has been no discussion regarding the high-speed train concept that include corridor improvements to quench both train and highway noise.

Proponents of exotic advanced technology (pictured right) are still attempting to gain access to the CDOT I-70 evaluation process. Such technology will need considerable time and investment to complete its research and development trials.



Business as First Priority May Be Shifting Out from Under the Town: The Town now has ample economic development prospects to sustain its financial stability for the next several years. Even now, these prospects are beginning to show momentum. However, there is push back, as affected neighborhoods are increasingly resisting having their residential qualities diminished by what some perceive as the overindulgence of Town patronage projects, which are being rationalized as economic stimulus.



Vail Business Sees Double “Authority”.

The Town's reactive economic development priorities in response to the great recession, which were set in motion as an outcome of the last Town Council election, may be shifting. Intervening realities appear to some observers to be changing community sentiment far faster than the political institutions are able to adjust course. If course adjustments are not made, the Town of Vail could find itself needlessly entwined in prolonged entanglements akin in consequences to those troubling the [Town of Avon](#), a community west of Vail.

The Town's pro-commercial stance is throwing it out of balance with its obligations to also be the guardian of the community's residential property owners. Complicating the issue is the fact that roughly eighty percent of Vail's residential property owners are non-residents without a vote in Vail elections and therefore have a disproportionate underclass sway in Town Hall politics. By contrast, the Town has institutionalized commercial interests within its administrative structure, giving favor to a special interest business lobby. Critics believe it should rebalance the scale by transitioning the economic development function to a non-governmental Business Association requiring its Board of Directors to be independently elected from business license holders rather than appointed by the Town Council.

There are consistent concerns and objections from neighborhoods that are being affected by the Town of Vail's patronage of commercial projects. They see the Town as having a lack of attentiveness to their emerging quality-of-life concerns. Their complaints are about congestion, public safety and environmental degradation. If adequate remedies are not found, there will be increasing clamor to take up protective measures, like expanding the area where public vehicular access is constrained.

Imbalanced Representation is Not Healthy: There is the perception that most members of the Town Council are less than sympathetic to the plea of these neighbors, as almost none of them live in the affected neighborhoods. They are not personally affected. Most do not experience traffic conflicts and other frustrations on a daily basis.

The perception of indifference is further compounded by a "classism characterization" born out of the [national media](#), which has an advocate on the Town Council. The classism portrayal is applied because the value of homes in these neighborhoods, in the view of those who prompt this perception, are expendable because taxes paid by these property owners do not sufficiently contribute to the economic productivity of certain factions within the local population. Others are of the view that to empower such advocacy is a formula to fracture the community's social fabric and depress the local economy. They point to a pre-recession [government study](#) which documents spending by non-resident property owners as the largest generator of local sales and jobs.

Vail, in the not too distant past, has had experiences with excessive litigation brought on by the contentiousness of public officials. At the time, the potential insurance claims to defend against and resolve an escalation in law suits resulted in transitions within the Town's administration.

As goes a tenet of local political wisdom, the strength of the Vail Town Charter is: every two years the voters can change the majority on the Town Council. In the meantime, critics respond, great damage can be done. The defense for those adversely affected is to initiate delaying litigation with the intent of arriving at less antagonistic methods and personas that will constructively engage in resolving the contentious matters. Four of the seven seats on the Vail Town Council are open for election in the fall of 2013, with political jockeying for position beginning months earlier.

Redevelopment of the Golf Clubhouse - Conflict with Neighborhood Remains in Play: The Town Council has taken steps to acknowledge the concerns of neighborhood homeowners after recognizing the extent of the opposition to an



Town of Vail Golf Clubhouse and environs proposed site plan under consideration by Town Council in September.

overly aggressive redevelopment of the clubhouse and its immediate environs. Expanding the area of the parking lot onto the land now occupied by the 18th hole has been eliminated from the proposal. The Town's [planning](#) and [design](#) studies for the clubhouse and related projects are to some extent being modified to lessen the impact on the privacy and safety of the neighborhood. Neighbors, to this end, have submitted their own version of a design for the clubhouse that would

increase their privacy by moving the location of the proposed party hall to the opposite side of the building that faces their homes. Along with the design, the neighbors' [bill of particulars](#) laying out their concerns and proposed remedies was delivered by a representative of the neighborhood to the Town Council.

The neighbors and some golfers remain dissatisfied with the proposed shortening of the 18th fairway, which is recommended by golf safety experts to reduce the hazards from errant balls coming from the practice driving range. There are golfers saying, keep the 18th as it is and eliminate the source of the problem. To them, the simpler choice is to do away with the driving range and its unsightly netting and high rise supporting poles. They say there are other more technologically advanced methods to improve a golf swing.

Parking is insufficient to simultaneously serve both golf and social/meeting functions but there is no budget to build a parking structure. Neighbors object to the Town sidestepping its own parking standards to allow what the neighborhood fears will be more frequent parking on the adjacent public streets, especially on weekends for events that benefit the Town's tenant, the Vail Recreation District. On-street parking is a practice which is not allowed elsewhere in the community. Critics are saying that authorities are trying to incorporate too many unrelated activities into what should be a golf facility in summer and a Nordic skiing center in winter.

Planning for Vail Valley Medical Center and Affected Neighborhoods Disjointed, But Progressing: Officials of the VVMC have outlined to the Vail Town Council the components of a [comprehensive facilities plan](#) for their holdings. There are four areas that will be focused on:

- 1) Emergency services and the location of emergency services
- 2) Site and community considerations such as traffic and parking studies, minimizing intrusions in the neighborhoods, locating loading docks
- 3) Infrastructure and work flow adjacencies, identifying services that can be done off site
- 4) Space planning for private rooms, redevelopment of surgical services and expanded critical care services, plus others

The Vail Homeowners Association provided the Town Council with several options that should be considered to resolve issues, which have been identified by property owners in the affected neighborhoods. ([review Town Minutes of VVMC and neighborhood's presentation](#))



VVMC/Neighborhood Compatibility Plan: Neighborhood property owners, in concert with the Vail Homeowners Association, have been pressing for the Town of Vail to resolve several public safety and service issues related to the operation of the medical center. The Town and the Medical Center officials were provided with the [neighborhood's list of issues and concerns](#). One of the issues is addressing traffic/pedestrian conflicts on West Meadow Drive and Vail Road by relocating VVMC access to the South Frontage Road. According to Town sources, these concerns are now being addressed as part of the redevelopment proceeding for the Steadman Medical Office Building and the Vail Town Hall.

Planning Commission Public Hearing Criticism: The next Town public hearing on the project is scheduled before the Planning and Environmental Commission (PEC) on October 8th. In a prior PEC public hearing concerns were raised over the inappropriateness of the architectural design, with respect to its character and the lack of compliance with other urbanized areas of the Town Center where building step-downs, setbacks, step-backs and offsets are used to create a harmonious alpine appearance ([See report of PEC meeting](#)). These items are standard requirements for all large buildings in Vail. The question being raised is, why should the Steadman building be given preferential treatment?

Medical Helicopter Service: Federal Aviation Agency [helipad advisory guidelines](#), in the process of adoption by the FAA, were forwarded by the Homeowners Association to the Town of Vail. The guidelines indicate that helicopter landing pads are not to be located in residential neighborhoods, like the neighborhoods that are adjacent or nearby the medical center. The FAA leaves the liability with the local municipality to adopt zoning regulations to implement the public safety guidelines. Neighborhood residential property owners are concerned that their safety is being put at a lesser

priority. A prerequisite for Town approval is that a proposed use is compatible with the neighborhood; neighbors say the heliport is not.

The [current helipad](#), in accordance with FAA advisory guidelines, could be located on the roof of the Steadman medical office building. This location would not require helicopters to fly over residential neighborhoods. According to Town officials, there are no other regulations, of which they have been made aware, that would prohibit this location from using a roof top helipad. The proposed pedestrian bridge over the South Frontage Road connecting the Steadman building with the remainder of the VVMC campus could be designed to contain two separated corridors. One could be designated for privacy, through which the helicopter patients would be transferred within the medical center facilities. This approach retains the same general location, service procedures and transfer time that the medical center now has to qualify for as a level 3 trauma center designation. Cost is not allowed by Colorado statute as a reason to support or deny a development proposal.



The Golden Peak neighborhoods are saying more pedestrian crossing caution signs are need along Vail Valley Drive now.

Vail Valley Drive Traffic Congestion - Near Miss Causes Concerns: A recent [near miss](#) between pedestrians and an automobile has caused neighbors to press their case with the Town of Vail to install more pedestrian crossing signs along the Vail Valley Drive between Ford Park and the South Frontage Road. As a result of a collaborative meeting among the involved parties, the neighborhood is waiting for a TOV/VRI plan that would improve traffic control, enforcement and monitoring for the coming winter ([see meeting notes](#)). It is hoped that VRI's effort to reduce the availability of valet parking will improve traffic flow. The plan is due out for review and comment before the start of the winter season.

Neighborhood property owners say that an assessment of the development potential for the area is warranted to determine how much traffic to plan for as redevelopment occurs. If the management of traffic into the affected neighborhoods continues to deteriorate, it is possible that a case will be made to constrain public vehicular access into the neighborhood, as is done for Vail Village.

The proposal to expand Ski and Snowboard Club Vail, now in the design process, is but one project that will increase the need to distinguish whether there is adequate public and private access to neighborhood properties. The neighborhood has been awaiting the development of the Ever Vail project in West Lionshead as it is designed to provide public access to facilities at the Golden Peak Portal and relieve area traffic congestion. The expansion of on-mountain activities to the summer months furthers the concern of the Golden Peak neighborhood's property owners.



Forest Road Complaint Starts Dialogue about Dangerous Bicycle Traffic: Near-collisions between pedestrians, motorists and bicyclists coming off Vail Mountain at high speeds down Rock Ledge and Forest Roads have reached [hazardous proportions](#) according to some neighborhood residents. Neighbors report that law enforcement officers stationed at a blind corner intersection say they are there to apprehend motorists, not bicyclists, who frequently run the intersection's stop sign. Bicyclists, neighbors perceive, often exceed the speed limit on the Forest Road decline into Vail Village. Similar anecdotal "near miss" complaints have been heard from other Town Center neighborhoods. As well, designated bike and skateboard dismount zones appear to receive marginal enforcement efforts.

According to Town officials, few actual accidents have been reported. Historically, the Town has taken a warning ticket, "consumer friendly" approach to traffic violations. With increasing complaints, traffic enforcement vehicles have become more prominent on certain Vail roadways. In addition to making enforcement officials visually apparent, there is a need for the Town's traffic authorities to regularly provide published summaries of traffic incidents and complaints.

As Vail Resorts' summer program to expand on-mountain facilities matures, there will be, in all likelihood, an increase in the volume of mountain bikers and hikers exiting onto the Town's connecting streets and byways. The Homeowners Association has suggested to VRI officials that a detailed plan be prepared to show how they intend to ensure that their on-mountain customers enter the Town's jurisdiction at controlled locations in accord with appropriate public safety behavior. The Town's residential neighborhood streets were not designed, nor intended to be, the summer time equivalent of a winter season ski run. A method should be put into practice that allows the company and the Town to revoke on-mountain privileges for violators.

The Homeowners Association has requested video monitoring by the Town at key locations so that the type and volume of traffic can be documented and utilized for developing enforcement and other mitigation strategies. It is suggested that concerned private property owners consider monitoring adjacent streets and dismount zones on their personal security

systems. Should conditions not improve, such documentation will become useful evidence if more stringent approaches to ensure enforcement become necessary.

Vail Economy and Development: The Town continues to hold on approving Vail Resorts' Ever Vail project. Their doing so causes some residential neighborhoods to bear the brunt of the increased congestion that the Ever Vail project has long been intended to relieve. Vail Resorts has requested to proceed with the formation of a metropolitan district, which is a necessary step to finance infrastructure improvements to activate the new on-mountain portal. Improvements include straightening the South Frontage Road, the installation of parking lots, and the construction of a gondola.

The Town and VRI have been engaged in negotiations for nearly a year trying to finalize what is called a Developer Improvement Agreement. The principle stumbling block has been the multimillion dollar financing of the construction of 200 parking spaces, the location of which is to be transferred from Ever Vail to the Lionshead parking structure. If this issue is resolved, compliance with all other [conditions of approval](#) should be more readily attainable.

The Town's inaction could have the unintended consequences of holding back private investment for other projects. Historically, when VRI begins to invest in development, as it did with Arrabelle and similar pre-recession projects, financial institutions are more likely to invest in projects by other developers elsewhere in the community. Concerns are being raised that, because of changing conditions, Ever Vail facilities may not be adequate to handle increases in services like drop-off traffic and the like.

A [steadily shrinking inventory](#) in Vail of residential real estate is exciting the prospect for new construction. There are indications that some Vail developers are beginning to make preparation for a resumption of new construction should [local real estate sales trends](#) remain positive. Some analysts speculate that Vail's high-end sales are taking place because the square foot sales value continues to outpace the cost of replacement.

There are those questioning if the signs of recovery are an indication of a positive business cycle or something different because of massive Federal stimulus programs. Eagle County indicators report that the available work force has decreased by 848 and [unemployment levels](#) are remaining steady; foreclosures are down roughly 15% in number of transactions and 33% in dollar amount from this time last year.

Some demographers are suggesting that expectations for a [resurgent development boom](#) should be tempered because American's aging boomers are at a downsizing stage in their lives. With boomers reducing expenditures, it is predicted that the replacement investment by follow-on generations will not be matched because of their lesser numbers and affluence. Without both financial investment and expanded work force attracted into the United States from emerging economies there are those who expect a prolonged deflationary cycle to set in.

Zoning Reforms - Streamlining or Undercutting? The Town has shortened the time it takes to gain approval for certain types of development permits. There are Planning Commission public hearings underway to reorganize the zoning ordinance. The Homeowners Association is insisting that public notice be given to adjacent property owners by mail earlier in the review processes; not doing so has resulted in numerous complaints, particularly about the Design Review Board (DRB). Public participation is necessary to give the Board an opportunity to receive other viewpoints so that it's members can arrive at a balanced evaluative recommendation; when no notice is given, this is lacking. Consequently, the DRB process with its vaguely defined review criteria is often maligned for being arbitrary, overly subjective and inconsistent. Likewise, the Town itself, with its own projects is coming under public scrutiny to make sure that it complies with the same regulatory standards it enforces on the private sector, particularly for required on-site affordable housing, parking and traffic circulation as well as development standards like height, setbacks, landscape and the like.

VHA - Affecting Outcomes for Homeowners: The Vail Homeowners Association is not a traditional regulatory homeowners association. We don't tell you what you can't do; we help you do what you want to do. We provide representation where it counts, when it counts. We inform and empower our members to affect change in their neighborhoods. We give voice to those members, including non-residents who cannot vote on community issues. And that voice is heard. When we helped oppose the proposition to turn the Vail Golf Course's 18th green into a parking lot, that proposal was dropped; and we continue to work for an acceptable final development proposal there. In the Vail Valley Medical Center neighborhood, we have successfully established a collaborative neighborhood planning effort among the affected residents regarding the VVMC and Town of Vail redevelopment proposals. VHA is also working with those concerned over the Ever Vail, Ski Club Vail and Vail Village Gondola redevelopment projects and their impact on traffic, safety and quality-of-life. In addition, we address environmental issues such as Interstate 70 noise, Gore Creek water quality impairment, wildfire threat and forest health issues. What concerns you, concerns us – and we effectively address those concerns. We keep our constituents apprised of the latest developments on issues important to them with targeted advisory notices and in depth newsletters. Our members make the extensive work we do possible. If Vail is important to you; we invite you to consider [joining us](#). You *can* make a difference!



Golden Peak in autumn glory awaits the first snow of winter.

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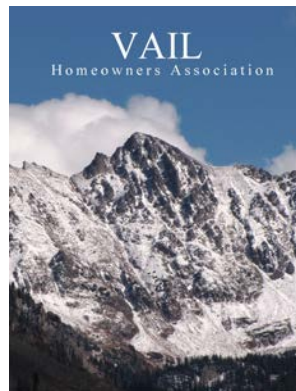
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