

Clearview HOA Newsletter

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May 2009

The Board of Directors of the Clearview HOA have been meeting on a monthly basis to develop a decision making body that will evaluate the needs of the association and promote solutions that are in keeping with the covenants and bylaws of the association. This is a work in progress as there has not been an operating board before that has taken on this responsibility.

The issues that have been discussed have dealt with the Rules and Regulations for the Association, review of the budget and contracts, the park application to GOCO, and other issues that are pertinent to the operation of the Association.

This newsletter will look at the aforementioned items and the decisions that have been made. If you have any questions or comments you may either contact the individual board members or the office of PB Roche Real Estate Solutions.

Rules and Regulations

In 2005 SB100 was passed that required that Colorado Homeowners Associations should adopt particular rules and regulations to assist them in the operation of the HOA. The previous property manager had prepared the rules and regulations but they had not been executed by the Board of Directors. Over the past few months the Board has reviewed the documents and after several revisions have adopted and executed the documents.

The policies are:

Responsible Governance Policies

Policy for conducting association meetings
Policy for handling conflicts of interest of executive board members
Policy regarding inspection and copying of Association records
Policy for investment of reserves
Policy for collection of unpaid assessments
Policy for enforcement of covenants and rules (including notice and hearing procedures and schedule of fines)
Procedures for the adoption and amendment of policies, procedures and rules

Architectural Control Guidelines

Architectural guidelines

Miscellaneous policies, procedures and resolutions

Resolution for collection of delinquent assessments
Miscellaneous Policies

These policies will be reviewed in detail in future newsletters.

The Miscellaneous Policies deals with the day to day operation of the Association.

The main points of this policy are listed below:

2. Policy Purposes.

The purpose of these Policies is to set forth rules and guidelines within the community.

A. Lot Maintenance.

In addition to any requirements in the Association Documents, each Owner is responsible for the following on any lot that is vacant, or has a home on it but the landscaping is not yet completed:

1. Keeping lots free of trash and other debris;
2. Keeping lots free of any weeds over 10 inches high, including but not limited to weeds around any utility box on the lot;
3. Keeping all weeds or grasses trimmed and edged so they do not grow onto or over any sidewalk adjacent to the lots;
4. Keeping all weeds between the street and sidewalk adjacent to the Owner's lot maintained as set forth above.
5. No Owner shall allow any dumping of any materials (other than piles of dirt), trash or debris of any kind on any empty lot.
6. It is recommended that each lot shall be sprayed with weed-control to avoid further growth of weeds on the lot.
7. Each lot may be inspected on the first day of each month year round. If the lot is not in compliance with any one of these conditions set forth above, the Association will contract the work to be done on that lot to bring it into compliance. The association will not be required to send a warning letter or notice to the offending lot owners.
8. The first offense, the owner of the lot will be responsible for paying the cost to the association of the work that was completed. The second offense will be a fine of \$200 plus the cost of the work. The third and subsequent offenses will be a fine of \$300 plus the cost of the work. All charges will be due and payable to the association within 30 days from the time the invoice is mailed to the owner.

B. Late Fees.

The association charges late fees of \$100 for all past due amounts.

C. Pet Control.

In addition to any requirements in the Association Documents, each Owner is responsible for:

1. Using a leash to restrain and control pets when not on the Owner's property;

2. Removing pet waste or excrement from all lots, sidewalks, common areas or other property not owned by Owner.

D. Signs.

The association does not allow signs of any kind to be placed on Common Areas that belong to the association without the express written permission of the association.



E. Sheds.

Sheds, outbuildings, and other structures will be reviewed on a case by case basis, and must be approved by the Architectural Review Committee before being allowed. In the event there is not an Architectural Review Committee the Board of Directors shall serve in that capacity.

The criteria for review are as follows:

1. Maximum height will be 8 feet 0 inches, measured from base to the highest point of the shed.
2. Maximum area of shed, measured outside wall to outside wall will not exceed 100 square feet.
3. The sides of the shed must match the house as closely as possible. Paint samples of the house and shed must be provided to the Architectural Review Committee.
4. If there are shingles on the shed, the color must match the house shingles as closely as possible. Paint samples must for the shed shingles and house shingles must be provided to the Architectural Review Committee.
5. The Architectural Review Committee must approve the location of the shed.
6. If a building permit is required, the owner is responsible for obtaining it before commencing the construction of the shed.
7. Approval must be given to owners of existing sheds and the sheds must meet the criteria stated above. A request for approval must be submitted to the Architectural Review Committee; otherwise, the shed will be in violation of the covenants.

3. Enforcement.

If any Owner fails to follow the policies set forth above, the Association may seek any or all remedies under the Association Documents, Colorado law and the Policy for Enforcement of Covenants and Rules (Including Notice and Hearing Procedures and Schedule of Fines) for the Association.

Boats, Trailers, RV's

The Board of Directors reviewed the existing verbiage in the covenants regarding boats, trailers, etc. in the subdivision. Clearview Covenants Article IX Section 5: Permitted Uses states the following:

No campers, trailers, motor homes, buses, tractors/trailers, "RV's" (recreational vehicles) or boats shall be stored or parked on the Property in excess of forty-eight (48) consecutive hours during any month, except if stored in an enclosed garage. No motor vehicles of any kind, including cars, trucks, trailers, motorcycles, or the like, may be stored, junked, or otherwise maintained anywhere on any Lot or any other portion of the Clearview P.U.D. in any idle or unworkable condition. No motor vehicle or machine will be overhauled or rebuilt on any portion of the

Property, unless entirely enclosed in a garage or other improvement approved by the Architectural Review Committee in its sole discretion. Except as otherwise provided herein, only those vehicles and machines in good running condition which are currently licensed and registered are permitted on any portion of the Property.

After a lengthy discussion it was decided that the Board will enforce Article IX, Section 5 of the covenants. None of the vehicles listed above will be allowed to be parked or stored on the Property unless stored in an enclosed garage. Vehicles and buses will not be allowed to be parked in the back yard of any residence.

Park

The GOCO grant application was submitted to Great Outdoors Colorado on March 12. There were 45 grant applications submitted in the Local Government category this grant cycle. The grants will be awarded on June 18, 2009. If the Clearview park project is selected the funds will be forwarded to the Town of Johnstown. The town will then have two years to develop the project with the awarded funds.

Oil/Gas Lease

The Association executed the Oil/Gas lease with NLB Investments. Originally the Association did not know that the mineral rights had been transferred to the Association but upon review it was determined that the Association has the mineral rights for 6.25509 acres.



Speed Limit

The Speed Limit in the subdivision is 25 miles per hour. Use caution when driving through the neighborhood as children or animals may dart out into the street. We want to create a safe environment for everyone.

Community Party or Barbecue

Are you interested in a Community Party or Barbecue this summer? If so, please contact the Board with any ideas you may have.

Clearview Homeowners Association

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Please submit any questions regarding the covenants, policies or restrictions to Verniece Thomas at PB Roche Solutions. She will review and submit to the Board at their regularly scheduled meetings.

The next board meeting will be Wednesday, May 13, 2009 at 345 Hickory at 6:30 pm. Due to the size of venue if you plan on coming please call PB Roche prior to the meeting to insure that there is enough seating available.