



HIGHLAND PARK NEIGHBORHOOD ASSOCIATION, INC.

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September 12, 2005

Greetings!

NOTICE OF ANNUAL MEMBERSHIP MEETING: 7:00 p.m. on September 29, 2005 at the Black Forest Community Club log building on Black Forest Road just north of Shoup Road. A proxy is included, so that your lot can be represented in case you cannot attend the meeting. We hope to see everyone there!

2005 DUES BILLING: Your dues bill is on the bottom of your proxy statement.

This has been a very busy year in Highland Park. All 119 lots comprising Filings 1 and 2 are either under contract or are sold. As of this writing there are 71 completed homes, 30 vacant lots, and 18 homes in various stages of construction. Several more owners plan to break ground prior to our meeting.

GROWTH: We have a new neighbor to the north of Filing 1. Eagle Wing is building out rapidly. They extended two lanes of Briargate Parkway east of Black Forest Road for access to the area.

Wolf Ranch continues its march to the east from Powers Boulevard. This coupled with annexation of lands south of Silver Ponds, down to Woodmen Road, virtually guarantees that the Research Parkway-to-Marksheffel Road connection will become a priority; some feel it will be built within 4-5 years. Briargate Parkway, while making headway, is still not expected to get to Black Forest Road for longer than that.

Little London, LLC, the developer of Highland Park is working on Filing 3, which will be north of lots 73 and 119. Lochwinnoch Lane will be extended north to connect with Poco Road, and there will be some 39 lots in this last portion of Highland Park. Lot sales are expected in the Spring of 2006. No information on pricing is available at this time.

TRASH: We are presently exploring having one company provide trash removal service for all of Highland Park. This was an item brought up from the floor at the last membership meeting. The benefits would be that we get a better rate per household, and all trash goes out the same day each week, so there are fewer trucks running around the roads (safety and noise). Also, the contractors offer recycling service for those who wish to participate.

We will discuss at the membership meeting, and may take a vote as to whether or not the Association should contract with one company, as a dues-paid service. We do not yet know

whether this would result in a dues increase, but hope to have that in a projected budget by meeting time.

MORE TRASH: Let's face it, the wind sometimes blows in Highland Park, so if trash is not properly contained it will wind up on someone else's property. Builders are required to have dumpsters at their sites immediately after excavation, and lot owners who are having homes built are responsible for ensuring their builders' compliance. If you are a builder, please have your crew take a few moments before quitting time to police the lot and pick up any debris that may have blown away. This is common courtesy to your neighbors.

MOWING: As we come to the end of the summer, we remind you that the Para. 16 of the covenants requires all owners to mow their lots in the Fall to maintain a park-like appearance throughout the fall, winter and spring, reduce the spread of noxious weeds, and reduce danger of wildfire. The Association has the right to have the mowing done at an owner's expense (plus an administrative fee), but prefers that owners handle this on their own. A few names of people who mow are Lynn Christensen (719) 488-2894/520-4211, Mark Bradley 495-4311, and Zach Hoffman 495-9299. If you want the HPA to arrange for mowing your lot, please send an email or letter requesting that service. Last year, it was \$60-70 per lot.

LANDSCAPING: Just a reminder that the total irrigable area (gardens, sod and trees/shrubs) of any landscape project may not exceed 5000 square feet. Also, water features, such as ponds, water rocks and fountains are not permitted due to the water decree for the community. Violators can expect a visit from the State Water Commissioner to abate the use. Owners should sketch out their proposed landscape plan and submit it to the architectural control committee (ACC) for review prior to starting work. We will be checking irrigable area of each home this Fall, in compliance with the water decree, and anyone who has exceeded the maximum will be required to remove some. Save yourself the aggravation by getting your plan approved in advance.

COVENANT VIOLATIONS: During a recent tour of Highland Park, we noted a number of covenant violations. If you are one of the violators, you will find a separate note from the HPA in this mailout package. We have no fine structure in place for covenant violations, and, hopefully, we will not need to create one, but that is an option. We trust that you will voluntarily cooperate in abating the violation, so that you are both a good neighbor and one who upholds and protects the value of property in your community.

1. Vehicles: We did not write violation letters to owners who have cars parked outside of their homes, because there were so many. Rather, we are noting here that the covenants require inside parking of all vehicles. This includes trailers, mowers, RV's, and cars/trucks. If you do not have room, then you will have to either build a garage, or move the vehicles to off-site storage. The new storage yard on Vollmer Road, just north of Lochwinnoch, has spaces available. Also, you can try the yard behind the Spirit Keeper bar on Black Forest Road, just north of Burgess, across the street from the Subway Restaurant. If you have a neighbor with space available, perhaps you can work out a deal with them for use of that space. If you elect to build an accessory building, please remember that the covenants detail what may be built (min. 400 sq ft, max. 1000 sq ft, and must complement the house), and *ACC approval as to location and appearance is required prior to construction.*

In previous newsletters, we have encouraged your cooperation with the covenant regarding keeping all vehicles inside a garage. While we have been lenient on enforcement

during the "move-in" period, when many are getting settled in their new homes and the garages are filled with boxes, many owners have been in for quite some time now, and are abusing the "grace period." Accordingly, the HPA will have to take appropriate action to enforce this covenant if voluntary compliance fails.

One owner asked about a variance for her car. The HPA cannot grant a variance to something that is expressly prohibited by covenants. Also, several owners have suggested that an accessory building larger than 1000 sq ft be permitted. A previous attempt to change the covenants to a 1200 sq ft maximum size failed, so the ACC cannot approve anything larger than 1000 sq ft.

If interested in changing the covenants in this regard, you may wish to petition the membership to see if there is enough support to bring the matter for a vote; 3/4 of the lots must vote for a change in the covenants. Any covenant change would need to be properly drawn, executed and recorded to be valid.

2. Dogs: One area that we have received violation calls on is dogs that are not being kept on the owner's property, allowed to run loose, get in neighbors' trash, etc. This is both an annoyance, and an area of potential liability. Many insurance companies will no longer provide liability or medical coverage for bites by some breeds of dog. You may wish to check with your insurance company if you have one of those designated as a "vicious breed." But, whether a danger or not, nobody wants to feel threatened by a barking/snarling dog, and it is rude to allow your pet to intrude in such ways. If the animal cannot be contained, then it should be fenced in an ACC-approved yard fence, or tied up.

We had contacted the Humane Society regarding the process for getting Highland Park included in the leash law area of the County. Our intent was to bring the petition to the membership meeting to see if a majority of owners wanted to sign it requesting inclusion. The petition would then go the County government for final decision. Unfortunately, the Humane Society recently lost its contract with the County, so it is back to the drawing board as to the process, if any, for getting included in the County's pet control service area. We will have a petition at the annual meeting that those who wish to may sign requesting inclusion.

3. Covenant Enforcement: While the architectural control committee (ACC) has a specific role in reviewing architectural submittals, its job does not include covenant enforcement. We have received a number of calls and emails from owners asking about covenant enforcement. We may have reached the point where we need a covenant enforcement committee comprised of people who actually live in Highland Park, and are therefore able to keep an eye on things. This could include talking to violators, and sending them notices, if necessary. If unable to obtain compliance, the Committee would recommend action to the Directors (fines, etc.). If you would be willing to participate on such a group, please let us know.

SENATE BILL 100: This year the Governor signed S.B. 100 into law. It has a number of ramifications for homeowner associations, and your Board of Directors will be taking action to comply with the provisions of that law. For details, go to www.ortenhindman.com.

WATER METERS: This year we will make a visit to each home to verify that a meter is installed and that it is functioning properly. Meter readings are due on October 31, which is a Monday. We will be making our home visits on the weekend prior (29th and 30th). The visit

should last only a few minutes. This is an important part of compliance with the State-approved water augmentation plan for Highland Park. If we do not maintain the plan, it can adversely affect the ability of all owners to use their wells. Your cooperation is appreciated.

OPEN SPACE TRACTS/TRAILS: Tracts B and C, which lie in the Cottonwood Creek drainage and include the pond, are designed as open space for the Association. The County has the right to use up to thirty feet in those Tracts for the establishment of a future north-south public Cottonwood Creek trail, which is envisioned to eventually tie into the County's regional trail system. By the time of the meeting, these tracts will have been transferred to the HPA by Little London, LLC. Access to the open space is available at two locations: 1) Briargate Parkway right-of-way at the north end of Loch Linneh Lane, and 2) via an easement across the north end of Lot 55, just south of the bridge.

The trail was recently completed and opened. We have received numerous compliments on this amenity. We note that there may still be some spots where we have to go back and rework to get it right, but by and large the trail seems to be a hit. We are working on signage for the trails and open space tracts. As a reminder, the trails and open space tracts are for non-motorized use only. Tract A (Filing 1) and Tract D (Filing 2) are not owned by the HPA.

WEBSITE: We are making revisions to our Highland Park Neighborhood Association website (www.rawhide.net/highlandpark.html). You will find most all of the Association documents, including newsletters, posted there in downloadable .pdf format (look in the document archives). The recorded plats have way too much detail to be scanned at letter size, so we do not have those posted. You can buy a 24x36 copy at The Rawhide Company, or at the El Paso County Clerk & Recorder's office, if you wish. If you cannot open a document, please go to www.adobe.com and download the free Acrobat Reader.

Please pass along recommendations for how to improve the website. We would like to thank The Rawhide Company, REALTORS® for providing the website free to the HPA. Have a great Autumn!

Sincerely,
Highland Park Neighborhood Association, Inc.



Doug Barber-President