



HIGHLAND PARK NEIGHBORHOOD ASSOCIATION, INC.

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March 8, 2006

Greetings!

2006 DUES: This letter constitutes your 2006 dues billing. There is a separate sheet of paper enclosed that states the amount you owe. Please remit your dues immediately. Thank you!

ELECTION RESULTS: The voting has been concluded for the covenant revision to allow limited outside parking, and trash collection as a dues paid service. A total of 94 of 119 possible votes were received. The trash proposal passed, and the parking proposal went down to defeat. The Board of Directors reviewed the voting and confirmed the results at their February 10, 2006 meeting, and noted that at least one HPA member requested voting by secret ballot, so the voting (who voted which way) will remain secret, in accordance with S.B. 100.

In answer to the several owners who asked, the Highland Park developer, Little London, LLC., did not cast any votes. They have sold all of their lots in Filings 1 and 2, and since filing 3 has not yet been platted, those lots do not exist. Accordingly, there are presently 119 lots in Highland Park, and the voting applies only to them. When filing 3 is platted, those 39 lots will be included in all voting (158 total lots in Highland Park).

TRASH: 60 votes were required for this measure to pass. 68 votes in favor were received (about 72% of the votes received), and 26 opposed. As a number of owners noted in their communications, we had originally hoped (as stated in the last newsletter) to start trash service in March, but it took much longer to get the voting ballots back than was expected. Also, neighbors who had already contracted with other providers for service for the first quarter of 2006 will not be paying twice for March under the present schedule.



The new trash service will commence Monday, April 3, 2006. If you presently use someone other than Waste Management, please notify them of the termination date of their service. If you are a Waste Management customer now, they will already have you on the HPA list and should not double bill you. If they do, just call them and they will square it away. If issues continue, email Doug Barber who will deal with their representative on behalf of the HPA.

Because of the delay until Q2 in implementation, the Board of Directors has amended the budget, and reduced the 2006 dues from the previously announced \$300 to the \$275 per improved, occupied lot which being billed with this letter.

Owners of vacant lots, and lots which are under construction, or on which the home has been completed, but not yet been sold [so it does not need trash service] are being billed \$200 per

lot (paying for a service not used was the only reason some voters opposed the trash service idea, and the Board has implemented their ideas). Those who have homes under construction should have dumpsters for their trash now. Accordingly, they will not be included in the initial list of owners provided to Waste Management. When the homes sell, and the new owner is ready for trash service, they can contact the HPA to get added to the trash service, and we will assess them at that time for the required dues for the rest of the year.

At least one owner has asked for two of the 96 gallon trash totes. We are told that the additional cost will be \$5 per month, and will be billed directly to the owner (not the HPA). Also, for those who wish to use it, recycling is available twice a month at no additional charge. They do not require the use of colored containers to separate materials. Let them know if you want recycling and they will get you the containers. Owners are responsible for their totes, and will be billed for them if they are lost/damaged.

We have asked Waste Management to do our pickup first thing on Monday mornings before dogs and wind can create a mess. They have asked owners to have the trash at the street by 7:00 a.m., but say they cannot guarantee what time the truck will be there.

PARKING: The parking amendment required 90 votes in favor to pass. The vote was 43 in favor and 51 opposed, so even if all 119 lot owners voted there would not be enough votes to pass it. Accordingly, the covenants stand as published, and outside parking of vehicles (trailers, cars, trucks, etc.) is not permitted. The Board is asking for owners to please comply.

While the version of a parking amendment that was voted on did not pass, there was significant interest, so it is likely that another version of a covenant change will be proposed from the membership in the future. If so, it will be subject to vote in a similar fashion, and must obtain the 90 votes required (119 votes after filing 3 gets platted).

INFORMATION: Your Board of Directors has been busy working to implement the requirements of Senate Bill 100 which was passed last year.

* The Board is in the process of establishing a policy manual for the Association.

* We have installed a bulletin board by the mailbox at the Forestgate/Cairngorm roundabout. All required Highland Park notices and information are and will be posted there. We will still send out written and email notices of membership meetings. Please do not tape personal ads and notes on the board, as it is only for HPA-approved documents; thank you.

* We have established a requirement for multiple signatures on checks over a certain amount to protect HPA funds from being improperly spent.

* All meeting minutes, newsletters, most recent financial statements, educational material (in the form of an FAQ section), and other HPA documents are now posted in .pdf format on the website, so that all owners have access to them at any time. This saves us paper, time and postage by not having to mail such documents to those requesting them. To access the site, go to www.rawhide.net and click on Highland Park. You will find everything in the document archives. We want to thank The Rawhide Company, REALTORS® for providing the HPA website at no cost to us.

* We believe we now have a working email address for all owners. We will send official notices by email, as well as regular mail, but may send out interrim messages only by email (most cost effective way to communicate for the HPA). We have had some trouble with people receiving email from the Association, and we suspect that spam filters may be blocking or deleting the messages. If you use a spam filter, please make sure that the address "highparkassoc@aol.com" is whitelisted. The most effective way for owners to communicate with the Board is by email. If you change email, please let us know.

SPEED IN HIGHLAND PARK: The speed limit on Highland Park streets is 30 MPH. Please keep it slow so that all stay safe. Also, it is both illegal and dangerous to shortcut the roundabouts by going the wrong way on them; please don't do it (children are watching the behavior modeled by adults, too).

PETS: We continue to receive complaints about pets. Most common is dogs in the trash, or running loose, and poop on the trail system. Owners are supposed to keep their pets under control at all times, and not permit them to run loose. If your containment system does not work, please tether your pet. Also, please clean up after your pets, especially on the trail system. If the problems continue, a system of fines will have to be implemented to compel compliance. We hope this will not be necessary.



COVENANTS: The Board seeks your constructive input on how to better enforce the covenants (we already receive plenty of objections without useful ideas ☺). Please send us your ideas on how to obtain compliance without becoming too legalistic.

WATER: We continue to get questions about water meter readings, so here is a little FAQ?

Q: When do meters have to be read?

A: Oct. 31, Dec. 1, and Feb. 28/29 of each year.



Q: Does it really matter if we read them on the exact day?

A: As a legal matter, yes; it is a condition of the water rights decree for Highland Park. Also, the timing reflects water used during irrigation season and non-irrigation season.

Q: What does the HPA do with the readings?

A: Completes an annual report to the State.

Q: What if we use more than we withdraw more water than we are permitted to?

A: The State has the authority to, and will curtail your well usage. The State looks at the Highland Park subdivision cumulatively. If the subdivision exceeds its allotment, action will be taken to bring it back in line with our decree. Such action could include having to buy additional water to make replacements to the stream systems our wells affect, resulting in a special assessment to pay for it.

Q: How do we read the meter?

A: Most meters have a seven digit display, and they are read left to right. The seventh digit is typically a fixed or painted zero. We ask that owners provide all seven digits, rather than trying to interpret the number of gallons they have used. Our reporting form requires the actual reading, and it then calculates use. If someone sends us gallons used, or omits the fixed/painted zero, we will have inaccurate records, and must then visit the house for a new reading.

Q: What is the best way to handle reporting?

A: By email to the HPA (HighParkAssoc@aol.com). Water records are kept and reported to the State by lot number, not by address. It would be helpful if owners could state their lot number when reporting. If we only have your name or address, we have to look it up in the HPA records to get the lot number. A cross-reference table is enclosed to assist you.

IS YOUR REAL ESTATE BROKER UP TO SPEED ON HIGHLAND PARK?

[A brief, but very important, (and shamelessly commercial) last-minute addition to the newsletter by The Rawhide Company, REALTORS[®], which affects all owners in Highland Park].

Many sellers rely on their real estate brokers to take care of the myriad details involved in the sale of a home or lot. If the broker is knowledgeable and diligent, the details are usually covered. If, however, the broker does not treat them seriously, or does not know about them, the seller can be damaged by the broker's failure to take care of business. Since the seller, not the broker, is the party to the sales contract, it is the seller who risks being in default for the broker's failure.

The current Colorado Commission-approved real estate contract places some significant duties on sellers of homes in communities with homeowner associations (HOAs). There is a *Document Request Deadline* by which the seller is responsible for delivering to the buyer copies of all of the HOA governing documents, which typically include Bylaws, Articles of Incorporation, covenants, rules and regulations established by the HOA, most recent balance sheet, income and expense statement, budget, minutes of the Board of Directors for the previous six months, and minutes of the last annual membership meeting. The buyer has the right to review these materials, and to terminate the contract by the *Governing Documents Objection Deadline* if anything therein is unsatisfactory to him.

Starting in 2006, there is another new form cooked up by the Real Estate Commission to assist sellers in complying with last year's law §38-35.7-102 C.R.S. This form is entitled *Common Interest Community Documents Receipt and Disclosure to Buyer*. The seller (typically handled by the broker) must get the buyer to sign this form wherein he acknowledges 1) receipt of the above-mentioned documents, 2) that he has read them, 3) that he understands that they constitute a contract with the HOA, 4) that failure to pay the HOA's dues and assessments can result in liens and/or foreclosure to satisfy the amounts due, and 5) that architectural control committee approval is required before he can change the exterior of the property.

The seller is responsible for obtaining this signed acknowledgment from the buyer and providing it to the HOA. Failure to do so gives buyer a legal claim for relief against the seller for all damages, plus court costs and attorney fees resulting from such failure.

The HPA makes it easy for you to obtain the documents you need from the website. The rest is up to you and your broker. Good selling!

Sincerely,
Highland Park Neighborhood Association, Inc.
Board of Directors

HIGHLAND PARK

ADDRESS & LOT NUMBER CROSS-REFERENCE TABLE
(WATER METER READINGS ARE DONE BY LOT NUMBER)

LOT	ADDRESS
1	9728 Loch Linneh Lane
2	9832 Cairngorm Way
3	9802 Cairngorm Way
4	9768 Cairngorm Way
5	9736 Cairngorm Way
6	9704 Cairngorm Way
7	9672 Cairngorm Way
8	9640 Cairngorm Way
9	9608 Cairngorm Way
10	9576 Cairngorm Way
11	9544 Cairngorm Way
12	9512 Cairngorm Way
13	9480 Cairngorm Way
14	9448 Cairngorm Way
15	9416 Cairngorm Way
16	6817 Forestgate Drive
17	6853 Forestgate Drive
18	6889 Forestgate Drive
19	6925 Forestgate Drive
20	9290 Braemar Lane
21	9289 Braemar Lane
22	6997 Forestgate Drive
23	7033 Forestgate Drive
24	7212 Forestgate Drive
25	7176 Forestgate Drive
26	7104 Forestgate Drive
27	7032 Forestgate Drive
28	6996 Forestgate Drive

29	6960 Forestgate Drive
30	6917 Lakenheath Lane
31	6971 Lakenheath Lane
32	7007 Lakenheath Lane
33	7061 Lakenheath Lane
34	7115 Lakenheath Lane
35	7169 Lakenheath Lane
36	9588 Loch Linneh Place
37	7168 Lakenheath Lane
38	7114 Lakenheath Lane
39	7060 Lakenheath Lane
40	7006 Lakenheath Lane
41	6970 Lakenheath Lane
42	6916 Lakenheath Lane
43	9639 Cairngorm Way
44	9671 Cairngorm Way
45	9703 Cairngorm Way
46	9735 Cairngorm Way
47	9767 Cairngorm Way
48	9831 Cairngorm Way
49	9658 Loch Linneh Place
50	9799 Loch Linneh Place
51	Loch Linneh Place
52	9659 Loch Linneh
53	9589 Loch Linneh Place
54	9519 Loch Linneh Place
55	7249 Forestgate Drive
56	7213 Forestgate Drive
57	7177 Forestgate Drive

LOT	ADDRESS
58	7141 Forestgate Drive
59	7105 Forestgate Drive
60	9512 Kilninver Court
61	9536 Kilninver Court
62	9560 Kilninver Court
63	7285 Forestgate Drive
64	9608 Kilninver Court
65	9632 Kilninver Court
66	9680 Kilninver Court
67	9704 Kilninver Court
68	9728 Kilninver Court
69	9727 Kilninver Court
70	9703 Kilninver Court
71	9679 Kilninver Court
72	9655 Kilninver Court
73	9684 Lochwinnoch Lane
74	9648 Lochwinnoch Lane
75	9631 Kilninver Court
76	9607 Kilninver Court
77	9612 Lochwinnoch Lane
78	7321 Forestgate Drive
79	7357 Forestgate Drive
80	9576 Lochwinnoch Lane
81	7294 Killearn Way or 9540 Lochwinnoch Lane
82	7264 Killearn Way
83	9535 Kilninver Court
84	7234 Killearn Way
85	7204 Killearn Way
86	7295 Killearn Way or 9468 Lochwinnoch Lane
87	7265 Killearn Way
88	7235 Killearn Way
89	7406 Loch Fyne Lane

90	7430 Loch Fyne Lane
91	7454 Loch Fyne Lane
92	9432 Lochwinnoch Lane
93	7477 Loch Fyne Lane
94	9266 Ben Tirran Court
95	9246 Ben Tirran Court
96	9226 Ben Tirran Court
97	9205 Ben Tirran Court
98	9225 Ben Tirran Court
99	9245 Ben Tirran Court
100	9265 Ben Tirran Court
101	9285 Ben Tirran Court or 9324 Lochwinnoch Lane
102	9325 Lochwinnoch Lane
103	9361 Lochwinnoch Lane
104	7501 Loch Fyne Lane or 9397 Lochwinnoch Lane
105	7525 Loch Fyne Lane
106	7550 Loch Fyne Lane
107	7526 Loch Fyne Lane
108	7502 Loch Fyne Lane or 9433 Lochwinnoch Lane
109	9469 Lochwinnoch Lane
110	9505 Lochwinnoch Lane
111	9541 Lochwinnoch Lane
112	9577 Lochwinnoch Lane
113	7447 Forestgate Drive
114	7465 Forestgate Drive
115	7501 Forestgate Drive
116	7464 Forestgate Drive
117	7428 Forestgate Drive or 9613 Lochwinnoch Lane
118	9649 Lochwinnoch Lane
119	9685 Lochwinnoch Lane



Waste Management is the Exclusive Waste Removal Company for Highland Park HOA!

- Waste Management will be the exclusive hauler for all of Highland Park HOA.
- All homes that are part of Highland Park HOA as of March 31, 2006 will be set up from a master list provided by the HOA. If you need service after April 1, 2006, please call 632-8877 to establish your trash and optional recycling service today. Make sure you mention you live in **Highland Park HOA!**
- You will not receive a bill! The bill will be sent to the HOA directly.
- Waste Management will provide 96-gallon polycarts on wheels as well as recycling bins (for those who want to recycle.)
 - The service plan is for your household trash. Please call for special/bulk items.
- Curbside recycling service is picked up every other week. Commodities accepted include: plastics 1&2, tin and aluminum, and newspapers/magazines. The color of bins is not relevant to the sorting of commodities.
- Equipment is provided for you to use and is your responsibility. Should your polycart be lost or stolen, an \$85 replacement charge will apply.
- Same ownership and consistent, excellent management in the greater Colorado Springs area since 1983.

***From everyday collection to environmental protection, Think Green.
Think Waste Management.***