

# Pawnee Hills Community Association

August 2006

## Clubhouse Voice Mail/ Address/Website

(303) 646-0126

35644 Cheyenne Trail Elizabeth, CO 80107

[www.pawneehillshoa.org](http://www.pawneehillshoa.org)

## PHCA Board Members

President – Tina O'Bryan

Vice President - Pam Schultz

Board Member & Secretary – Walt Day

Board Members – Susan Laessig & Patty Sward

Treasurer – Sandy Perry

Facility Coordinator – Darren Jones

Assistant Facility Coordinator - Cynthia Cregger

## Board of Director's Meeting

The next Board of Director's meeting will be held on **Thursday, August 10, 2006 at 7:00 p.m.** at the clubhouse located at 35644 Cheyenne Trail.

## Website

PHCA website is now online. Please let us know if you have any additional information you would like to see on this website.

## Community Garage Sale

The community garage sale will be held on August 4<sup>th</sup> and 5<sup>th</sup>. The Elizabeth Chamber of Commerce garage sale will be at the same time and Pawnee Hills will be included on the map handed out to everyone. The Activities Committee will post signs at the entrances, but homeowner's should also put up signs at their driveways.

## Newsletter and Calendar of Events (Website)

Items for the newsletter and for the website – calendar of events must be submitted by the 15<sup>th</sup> of the month.

## Pool

Just a reminder - pool hours are from 9:00 am until 9:00 pm. Pool opens Memorial weekend and closes after Labor Day weekend. We will keep the pool open longer than Labor Day weekend if weather permits. We want to warn those swimmers who are swimming after hours and after the pool cover is on that we do shock the pool with chemicals after closing and swimming after the pool is closed could be hazardous to your health.

## Let Us Know

Please call the clubhouse at above number and leave a message if you notice anything that might need attention either at the clubhouse, barn, arena, mailbox shelter...this will help us to keep up with maintenance issues. Thank you.

## Road Condition Complaints

Please contact the Elbert County Road and Bridge Department to report any complaints regarding our roads here in Pawnee Hills. You can call, mail or fax your complaints to: Elbert County Road and Bridge Department, 218 Cheyenne Street, PO Box 116, Kiowa, Colorado 80017, Attention: Rick Manyik, Superintendent – (303) 243-0403 cell, (303) 621-3157 office or (303) 621-3159 fax. The more complaints filed, the better our roads will become.

## Easements

Please check to make sure that all bridal/utility easements are set back correctly and you are not encroaching into any easement. We are a horse community and we take our bridal paths seriously.

## **Collection Chart**

Listed below is a chart of fees that homeowners will incur for any unpaid monies due to Pawnee Hills Community Association. Please note these fees are subject to change.

<b>ADDITIONAL SERVICES PERFORMED (includes postage):</b>	<b>**FEES**</b>
BILL LATE FEE & INTEREST, MAIL LETTER #1 FROM PHCA PRESIDENT	\$25.39
BILL LATE FEE & INTEREST, MAIL LETTER #2 FROM PHCA- REMINDER	\$25.39
BILL LATE FEE & INTEREST, MAIL w/LIEN COPY TO OWNER, PREP LIEN & MAIL w/\$6 FEE TO ELBERT COUNTY CLERK	\$46.78
AFTER LIEN IS RECORDED, BILL LATE FEES & MAIL TO OWNER, MAIL ALL COLLECTION DOCUMENTS TO ATTORNEY	\$20.78
AFTER DOCUMENTS SENT TO LAWYER, BILL LATE FEES & MAIL TO OWNER, MAIL ATTORNEY DETAIL ACCT LEDGER	\$15.78
BILL COVENANT VIOLATIONS, LEGAL FEES & OTHER NON-DUES AMOUNTS	\$10.39
PREP RELEASE OF LIEN & MAIL w/\$6 FEE TO ELBERT COUNTY CLERK, MAIL RECORDED RELEASE TO OWNER	\$46.78
ATTORNEY SENDS DEMAND LETTER	\$54.58
ATTORNEY FILES LAWSUIT	\$364.68
ATTORNEY HAS LAWSUIT PAPERWORK HAND DELIVERED TO OWNER	\$50 - \$150

**\*\*FEES SUBJECT TO CHANGE\*\***

**Covenant/ACC Violation Expenses – Current Expenses as of June 2006 (\$11,338.23)**

The amount listed above regarding expenses reflects only the **current** amounts and not the total covenant violation legal expenses incurred throughout this year. We will continue to show the running totals until the case is closed and are no longer incurring legal fees.

The Board would like to encourage all homeowners with covenant violations to come into compliance so the association can avoid expenses like those reported below.

**Linda Lee**

\$ 4.42 1st mailing  
\$ 4.42 2nd mailing  
\$ 138.33 lawyer meeting  
\$ 51.54 demand letter  
\$ 300.00 enforcement lawsuit  
\$ 20.80 copies  
\$ 1.48 postage  
\$ 75.00 notice of lis pendens  
\$ 136.00 filing fee  
\$ 34.00 process by Sheriff  
\$ 10.05 copies, postage, letter to court to forward return of service  
\$ 185.00 motion for default & order  
\$ 46.25 e-file pleading  
\$ 8.00 e-filing fee  
\$ 9.07 filing fee, copies, postage  
\$ 34.48 notice to set trial  
\$ 46.25 phone conference w/Lee  
\$ 34.05 notice of setting  
\$ 34.48 copies, postage, notice, cover letter  
\$ 46.25 court case research  
\$ 370.00 disclosure, certificate of compliance; review of all documents  
\$ 27.75 e-file disclosure certs  
\$ 38.16 photocopies, postage  
\$ 8.30 e-filing fee  
\$ 46.25 telephone conference  
\$ 30.52 letter  
\$ 92.50 draft response motion  
\$ 61.05 draft trial mgmt order; telephone conference w/court  
\$ 61.05 letter re order  
\$ 8.22 e filing  
\$ 34.56 notice of setting  
\$ 1.78 postage/copies  
\$ 30.83 telephone conference  
\$ 370.00 trial mgmt order  
\$ 231.25 prepare for trial  
\$ 185.00 prep exhibit books  
\$ 878.75 attend trial  
\$ 138.75 update exhibits  
\$ 462.50 attend trial  
\$ 8.33 e-filing fee  
\$ 138.75 brief for atty fee  
\$ 84.75 postage, copies, cert of compliance, cover letter  
**\$4,528.92 Total**

**Greg and Holly Haan**

\$ 4.42 1st mailing  
\$ 4.42 2nd mailing  
\$138.33 lawyer meeting  
\$ 51.54 demand letter  
\$300.00 enforcement lawsuit  
\$ 22.00 copies  
\$ 1.48 postage  
\$ 75.00 notice of lis pendens  
\$136.00 filing fee  
\$ 64.00 process by Sheriff  
\$ 10.39 copies, postage, letter to court with return of service  
\$185.00 motion for default & order  
\$ 46.25 e-file pleading  
\$ 13.97 copies, postage, filing fee  
\$ 9.67 filing fee, copies, postage  
\$ 7.54 copies, postage, letter  
\$ 46.25 court case research  
\$370.00 disclosure, certificate of compliance; review of all documents  
\$ 27.75 e-file disclosure certs  
\$ 38.16 photocopies, postage  
\$185.00 draft response motion todismis and order  
\$ 8.90 e-filing  
\$ 10.05 copies, postage & cover letter  
\$ 46.25 telephone conference  
\$ 30.53 letter  
\$ 34.82 postage, copies, notice, letter  
\$508.75 upcoming litigation mtg.  
\$185.00 telephone hearing  
\$370.00 prep of exhibits/conf.call  
\$185.00 mtg. prep. trial  
\$1,480.00 mtg. witnesses/attend trial  
\$ 30.84 telephone conference  
\$ 138.75 research atty fees  
\$ 323.75 draft brief & order  
\$ 8.96 e-filing fee  
\$ 84.55 copies, postage, cover letter, cert of compliance

**\$5,267.87 Total**

**Larry Beireis/Alta Jackson**

\$ 555.00 phone conversation, draft verified complaint, motion for temp restraining order, motion for preliminary injunction/temporary restraining order  
\$ 370.00 attend hearing, arrange service  
\$ 370.00 attend preliminary injunction, prep for hearing  
\$ 136.00 filing fee  
\$ 68.57 filing fee, copies, postage, service of process, service and summons to court  
\$ 41.57 copies, postage, service of process, service and summons to court (Alta)

**\$1,541.44 Total**

John & Susan MacArthur are in compliance therefore the Board of Director's consider this matter closed.  
(Total cost to homeowners - \$ 203.52).

Greg and Holly Haan Order Regarding Attorney's Fees and Costs - Order from Douglas County District Court on June 16, 2006 copy is attached.

Linda Lee Order dated June 16, 2006:

"The Court Orders That:

1. The approval which the Haans received from the old Board is personal to them and did not extend to any other homeowners.
2. In light of the Board's delay in enforcing the covenant it appears that the poultry is not causing a significant problem for the Association. Therefore Ms. Lee shall have until October 31, 2006 (4 ½ months) to remove the poultry from her property in the subdivision.
3. During that time Ms. Lee may not increase the number of birds she now has, nor may she acquire any new poultry through purchase, gift, reproduction or otherwise.
4. The issue of attorney's fees and costs will be determined upon briefing by the Association and any response filed by Ms. Lee.