

Pawnee Hills Community Association

October 2006

Clubhouse Voice Mail/ Address/Website

(303) 646-0126
 35644 Cheyenne Trail Elizabeth, CO 80107
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, October 12, 2006 at 7:00 p.m.** at the clubhouse located at 35644 Cheyenne Trail. We will be discussing the revisions and additions to our policies and procedures.

Reminder – Special Meeting

Don't forget to attend the **Special Meeting Monday, October 2, at 7:00 p.m. at the clubhouse.** We will be voting on the proposed covenant revisions and additions. You should have already received your packet of information in the mail. It is also available on the website at www.pawneehillshoa.org. If you have any questions, please contact a member of the board.

Auto Bill Payment of Dues

For those homeowners who are using auto bill pay through their bank for payment of their monthly dues, please make sure that the funds get to ABC Solutions by the 15th of the month.

Website

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

Newsletter and Calendar of Events (Website)

Items for the newsletter and for the website calendar of events must be submitted by the 15th of the month.

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.

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.

| ADDITIONAL SERVICES PERFORMED (includes postage): | **FEES** |
|--|-----------------|
| 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 August 2006 (\$11,596.46)

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 the association is 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
\$ 92.50 response to motion for atty fees
\$ 16.44 e filing
\$4,637.86 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 todismiss 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
\$ 8.74 e filing
\$5,276.61 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)
\$ 140.85 e filing
\$1,681.99 Total

Declaratory Judgment – Legal Costs (does not include voting/ballot costs)

Current legal costs incurred for the Declaratory Judgment as of August 2006 are as follows:

(Cheryl Mulvihill represents Plaintiff - PHCA BOD and David Rolfe represents Defendants (Class Action – homeowners)).

\$ 370.00 revise lawsuit to class action/research (Mulvihill)
\$ 647.50 research and draft declaratory complaint (Mulvihill)
\$.78 postage (Mulvihill)
\$ 1.60 photocopies (Mulvihill)
\$ 61.05 confer with Rolfe, letter to PH board (Mulvihill)
\$ 46.25 telephone conference (Mulvihill)
\$ 416.25 revise judgment; conference with opposing counsel; telephone conference (Mulvihill)
\$ 136.00 filing fee (Mulvihill)
\$ 140.85 e filing (Mulvihill)
\$ 510.00 meeting re: class action suit (Rolfe)
\$ 20.00 initial review of file and establish docket (Rolfe)
\$ 60.00 review and revise draft advisement letter to class members (Rolfe)
\$ 30.00 prepare Entry of Appearance for class action suit (Rolfe)
\$ 180.00 work on draft Answer to Complaint (Rolfe)
\$ 330.00 research class action statute; work on Certification of Class pleading (Rolfe)
\$ 60.00 review and revise Draft Motion (Rolfe)
\$ 60.00 review and revise draft letter (Rolfe)
\$ 20.00 work on motion and proposed form of order (Rolfe)
\$ 30.00 conference with secretary re: advisement letter (Rolfe)
\$ 30.00 review memo re: advisement letter (Rolfe)
\$ 1.00 photocopy charge (Rolfe)
\$.39 postage (Rolfe)
\$ 27.75 telephone conference with Rolfe (Mulvihill)
\$3,179.42 Total