

**RINN VALLEY RANCH
HOME OWNERS ASSOCIATION
MEETING MINUTES
5/25/2009**

Location: 3405 Cottonwood Circle

Minutes: Meeting begins at 7:13 PM. April 2009 Meeting Minutes approved

Attendees: Chris Cholas, Jeff Nieuwma, Rhonda Seitz and Steven Carlson

Absent: Robert Trent, Brad Schneider

Agenda

- 1) Electronic conversion:
 - No update

- 2) Park Status
 - No update
 - Todd Tucker to be contacted by Jeff Nieuwma again to determine who is responsible for providing, watering and maintaining the proposed park and to have the Rinn Valley Park placed on the Town of Frederick Council meeting agenda
 - It has been proposed that our community should show up to Council meetings in force to get the Town of Frederick to realize we are serious in wanting resolution regarding the park

- 3) Landscaping
 - Rhonda Seitz to contact Lennar regarding maintenance for their 34 undeveloped lots.
Contact is: Gary Butler
Lennar LLC
9990 Park Meadows Drive
Lone Tree CO 80139
303-754-0703
 - All lots must be mowed every 30 days
 - Bubblers for trees in NW corner need to be turned off – need to contact David Ward
 - Thank you to Ward Landscaping for mowing the site of the future Rinn Valley Park

- 4) BBQ/ Clean Up Day
 - All persons who need reimbursement for expenses related to the Community BBQ/ Clean Up should submit their receipts to Chris Cholas

- 5) Financial Report
 - The current HOA balance is approximately \$ 46000.00
 - 3 homes remain outstanding in paying their HOA dues. Fines are being assessed to all who continue to remain delinquent.

- 6) Design Committee Update
May 7, 2009

1. Re: 3480 Cottonwood Lane Feature Homes is landscaping the front of their spec home.

2. Re: 9380 Cottonwood Circle
homeowner is adding a grill and fireplace to their existing patio

3. Re: 3500 Willow Rd
homeowner enlarging rear deck

4. Re: 3498 Cottonwood Lane
homeowner submitted plans for landscaping their two lots at 3498 Cottonwood Lane and 3435 Red Hawk Lane. There were a few questions from the DRC sent to the homeowner for clarification.

1. Re: 9385 Birch Road
homeowner is building an RV garage on the back left corner of their lot

2. Re: 3498 Cottonwood Lane homeowner submitted plans to combine their two lots (3498 Cottonwood Lane and 3435 Red Hawk Lane). As was discovered and pointed out by several DRC committee members, the FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF RINN VALLEY RANCH defines the community as having 148 lots. Therefore, the HOA will have to oppose the homeowner's request to combine the lots into one. That being said, the second lot must be used for residential purposes, which includes lawns, gardens, and play sets. No "accessory" buildings can be placed on the second lot unless a conforming single family home is also placed on the lot.

7) Enforcement

- 3560 Rinn Valley Drive continues to disregard requests to complete their landscaping. Robert Trent to provide any and all documentation pertaining to fines and landscaping requests to Chris Cholas, who will refer the matter to our attorney

8) Open Floor

- Butlers from 3498 Cottonwood Lane were in attendance to explain their intentions in attempting to combine the two lots (3498 Cottonwood Lane and 3435 Red Hawk Lane.) They explained they want to combine the lots for the betterment of the community to provide a play space open to area children. A majority of the board has expressed a variety of concerns: 1) the community was set up to have a maximum of 148 lots used for residential purposes. Many believe this implies the land use is intended solely for single family dwellings only and that the number 148 is the exact number of lots intended for use in the sub-division. 2) The potential exists that combining the two lots could adversely affect property values. 3) There is a potential of raising all HOA dues for remaining lots if the lots are combined and permitted to pay a single HOA fee, The budget for the HOA is based on dues received from 148 lots. 4) This could set a precedent for others to purchase and combine lots that had been previously intended for single family dwellings, further creating the opportunity to depreciate property values. 5) If the second lot is used for a common play area, the possibility exists that the lot could be considered for public use, as opposed to residential use as described in the covenants. 6) A community vote is required to change any covenants that would provide for the combining of the two lots. This requires a general vote and 60 days notice to execute. The Rinn Valley HOA covenants have a mechanism to change bylaws, and the board requires proper procedure be followed before the matter can move forward. 7) The HOA was never informed prior to the lot ownership change, as required in the

covenants. 8) All costs associated in updating covenants must be absorbed by the petitioner.

- It was also determined there is not a mechanism in the current covenants prohibiting a landowner from landscaping a vacant lot. Though this may only be done as prescribed by the Design Guidelines.
- This matter is currently under advisement with the Rinn Valley attorneys and shall be further discussed at the next HOA meeting.

9) Next HOA meeting discussion

- .New officer elections
- Budget
- Retaining a management company
- 3498 Cottonwood Lane update
- Update from attorneys

10) Reminder

- Currently the position of Board President will be made available, as Chris Cholas has formally announced his resignation from the HOA Board immediately following the August Elections.

Next Meeting: Thursday, June 25, 2009 – 7:00 PM
3396 Homestead Drive
Meeting adjourned at 9:07 PM