

Southview News

November 2007

Southview Christmas Party
Hosted by
Larry and Linda Gray
2979 Southpark
On December 8, 2007
Time and details to follow
RSVP: Mary Richardson (442-1380)
Jan Gould (717-0710)

The President's Comments

(Ron Gould)

These comments are an attempt to clear up some misconceptions and/or misunderstandings within the Southview community regarding the areas designated as Common Area. These areas are just that...common areas...and are for the use and enjoyment of all Southview lot owners, their guests, etc. What is not permitted is any "improvements" of any kind on any Common Area by any lot owner. Improvements are defined as any change whatsoever be it an addition, a modification or a removal.

Any improvements on a Common Area by a lot owner can be construed as an exclusive use of that portion of Common Area and this constitutes an encroachment and trespass that is specifically not permitted. The reasons for not allowing improvements are liability if someone is injured, a breach of fiduciary responsibility by the Board if it is ignored, setting an undesirable precedence, and/or potential arguments in the future regarding adverse

possession statutes. Some of you may recall that a set of wooden stairs was constructed a few years ago and placed to permit easier access to a trail leading to a route within Southview up to Indian Hill. After a period of time and on some serious reflection, these stairs were removed for some of the reasons so stated above.

Also, Willow Creek runs through one of the Common Areas within Southview. That portion of Willow Creek is, in fact, part of the Common Area it is passing through and, therefore, is subject to all the same restrictions that would be or are applicable to any other Common Area. Therefore, for example, the taking of material from the stream bed and/or the clearing of vegetation constitutes an encroachment and trespass that is specifically not permitted.

More Prez's comments.....

A couple of excellent storms bringing greater than 1.5 inches of rain each to the area were recorded this past summer. That's the good news. The bad news is that these rains have caused the erosion repair done on the North side of Southview Drive at the East end near La Questa to be essentially destroyed. The damage consists of undercutting the sidewalk as well as filling in the drainage ditch with debris. This area was repaired last year at the cost of approximately \$3000 and, in our infinite wisdom, I'm sure we all thought that the repair would be sufficient. However, that was not the case.

The total amount of the funds taken from the Reserve Account for the maintenance and repair of erosion related problems last year was \$17,095. While the Reserve Account was never meant to effect large scale repairs such as this, forecasting of the need to have some funds (\$5K every three years) available for such a contingency was included. The purpose of the Reserve Account is to provide the necessary funding for future long-term projects such as repaving the paved private drives or replacing all or portions of the landscape irrigation systems as needed.

In the past, whenever a dispute between lot owners over drainage issues whereby material from one lot was being deposited onto another, the Board's position has been that the dispute must be resolved between the lot owners themselves. The CC&Rs addresses this issue in Paragraphs 9.2, 9.3, and 9.4 which covers maintenance, damage or destruction, and non-performance by lot owners. In essence, these paragraphs state that lot owners have a responsibility to not cause any damage or destructions to any adjacent property and, therefore, must take any and/or all reasonable action to prevent such damage or destruction from occurring.

Southview is going to fund the repair this time again. But this is the last time. This note along with others that will be forthcoming is the initial notification that lot owners who have not taken adequate steps to prevent large amounts of material displacement from their lot during heavy rain storms onto any other lot, roadway or drainage ditch will be expected to do so. The Board of Directors and Architectural Control Committees, both past and present, have not been diligent enough in setting the correct expectations in these cases. This must change since it is not fair or reasonable for all of the lot owners within Southview to have to pay to correct damage that occurs through no fault of their own.

**From Sarah Crawford
Your Community Association
Manager/HOAMCO**

Greetings Southview,

As many of you may know, I recently stepped in as your Community Association Manager. It has been great getting to know your Board of Directors and committee members, and I am looking forward to meeting more of you in the near future.

I have been amazed at the number of committees and volunteers there are in your community – and there is always room for more! If you are interested in getting involved on an existing committee or have an idea for a new committee please let us know, the Board is always open to suggestions.

If you ever have any comments, questions or concerns regarding any Association related issue, please feel free to contact me at (928) 776-4479 ext. 15 or via e-mail at sarah@hoamco.com.

Board Elections

Two Board positions will be opening on March 15, 2008. Linda Roegge is chairing a nominating committee this year and a letter/form is attached seeking the names of candidates who would like to run for the Board. The Board meets once a month for approximately 2 hours to handle the business affairs of the Association. It is not a time consuming job, but is important in shaping the future of Southview. Your participation and contribution will make a difference. Please consider joining us by filling out the application attached or give Linda Roegge a call at 928-443-7567 or e-mail her at 36tucker@cableone.net.

Fire Safety/Property Maintenance

The response to our initiation of landscape inspections this year has been fabulous. Thank you to the homeowners who followed the

January 14: "A Thread of Grace"
by Mary Doria Russell
February 11: "Moloka'i" by Alan Brennert

Bridge

Third Wednesday of the month, 1:30 pm
Susan Madsen 445-8840

Dominos (Mexican Train)

Third Friday of the month, 2:00 pm
Johanna Eierhoff 708-0350



Ladies' Coffees

The last Thursday of each month, 2:00pm.
Contact Linda Roegge, 443-7567.

Nov 29th: Jan Gould
(717-0710)

Ladies' Luncheons

First Wednesday of each month, 11:30am.
Contact Linda Roegge, 443-7567.

Nov 7th: "Fujiyama"
Jan Gould (717-0710)

Dec 5th: "Hassayampa"
Judith Kritz (771-2255)

Call hostess if you plan to attend!

Men's Activities

Men's Breakfast

The first Monday of each month at 8am.
Pete's Restaurant on Iron Springs Rd.
Bruce Gebhardt, 443-1548

Men's Golf

Every other Wednesday (weather permitting)
Bruce Gebhardt, 443-1548

Poker Group

Nels Jansen, 445-0920

New Residents

John & Jenna Clark
1493 CreekTrail
Lot 99

Peter & Wallie Hartleb
1392 Pinion Shadow
Lot 57
443-7511

Jeff & Janet Lara
1478 CreekTrail
Lot 104

Bill & Dana Vollair
2987 LaQuesta
Lot 83
237-1567

Welcome to Southview

Beware of door-to-door salespersons who claim they are earning money for a trip abroad by selling magazines.

Please call the police concerning 'any' suspicious activity in the neighborhood.

**Police: 445-3131
Or in an emergency: 911**