



NEWSLETTER

October 2004

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FINANCIALS
As of July 2004

OPERATING
\$6,495

RESERVES
\$6.831

DELINQUENTS
\$1,072

PREPAIDS
\$6,845.32



Architectural Review Procedure

Purchasing a home in a community association offers many advantages to the homeowner, but at the same time imposes some restrictions.

These restrictions are not meant as an inconvenience or an invasion of your freedom, but rather as a means of maintaining harmony and property values in your community. The Declaration of Covenants, Conditions and Restrictions (CC&R's) for the Monterra Ridge HOA provides for an Architectural Committee appointed by the Board of Directors to review additions, modifications and alterations to all Lots, including landscaping. In addition, the CC&R's of the community also states that all improvements, alterations, etc. which alters the exterior appearance of any of the property shall require *PRIOR* written approval of the Architectural Committee to be certain that the modifications are in harmony with the overall scheme of the community. The approval process includes submitting a written application (before the work begins) to the Association via your Association Manager, Kim Lax at Cadden Community Management. Complete the form in its entirety with as much detail as possible so as not to delay the review process.

ANNUAL MEETING

Time flies—it's almost time for the Annual Meeting again—

The final date and location will be forthcoming.

Anyone interested in running for the Board of Directors, please contact Kim Lax at Cadden Community Management.

Halloween Fun Fact

The tradition of dressing in costume for Halloween has both European and Celtic roots. Hundreds of years ago, winter was an uncertain and frightening time. Food supplies often ran low and, for the many people afraid of the dark, the short days of winter were full of constant worry. On Halloween, when it was believed that ghosts came back to the earthly world, people thought that they would encounter ghosts if they left their homes. To avoid being recognized by these ghosts, people would wear masks when they left their homes after dark so that the ghosts would mistake them for fellow spirits. On Halloween, to keep ghosts away from their houses, people would place bowls of food outside their homes to appease the ghosts and prevent them from attempting to enter.



Summary of new statutes that apply to Planned Communities:

A host of new laws will take effect on August 25, 2004 pertaining to homeowners' associations in Arizona. These laws will change the way associations do business. What follows is a summary of some of the most important new laws, arranged by general topic.

Financial Reporting

HB2379 - requires associations to perform either an audit, a review or a compilation within 180 days after the end of the fiscal year. If governing documents already provide for an annual audit, that language will prevail.

HB2250 - affects the process by which associations must apply for excess proceeds from a Trustee's Sale, in order to collect a delinquent account.

HB2402 - prohibits associations from foreclosing a lien for fines and penalties. A lien cannot be filed without first filing a Suit for Judgment. If the Judgment is awarded, it can be collected by garnishment or other collection methods, or it can be recorded and collected upon conveyance of the property to another party. Associations may be restricted from including late charges, as well as the costs of collection, for fines, penalties and any other fees or charges, that are not assessments.

Board Meetings & Access to Records

HB2177 - requires associations to allow members, or their designated representatives, to attend board meetings and speak during the meeting. To accomplish this, it is suggested that agendas be distributed at all board meetings and discussion time on any agenda item be permitted, during a homeowner input segment preceding the meeting. Members are also allowed to speak for or against a measure before the board takes formal action on the measure. The Board may set time limits for members to speak.

The right of associations to conduct closed meetings (*executive sessions*) and to restrict access to association records has been changed. The four categories under which a board can go into executive session are:

- 1) consideration of legal advice from an attorney
- 2) pending or contemplated litigation
- 3) personal or financial information about a member
- 4) matters relating to job performance of employees and/or contractors

Access to records by members should, therefore, *exclude* any information in these four categories. In addition, members should not be permitted to see any unapproved or "draft" minutes of meetings, or any executive session meeting minutes that include information in these four categories. Lot file information containing personal or financial information about a member should also be excluded from access to member requests.

Disclosure

HB2380 - requires associations to add a statement to resale disclosure packets informing prospective buyers that purchasing property in a community association constitutes a contract. Members must sign the statement agreeing to the contractual obligation, and acknowledging that some of their property rights may be affected as a result of their purchase.

HB2381 - requires any board member to disclose whether a board decision would have a financial benefit for either him or a member of his family. Such disclosure must be made in an open meeting session, before the board takes any formal action on the matter.

Political Signs

HB2478 - limits an association's ability to prohibit the indoor or outdoor display of political signs on an association member's property. The number and size of the signs may only be regulated by local ordinances. Associations may prohibit the display of political signs earlier than 45 days before and election and 7 days after an election.

Parking of Public Service Vehicles

HB2492 - This Bill, regardless of any provision in the Community's Declaration prohibiting or limiting vehicle parking, an Association may not prohibit driveway or on-street parking if:

- Ø The resident is employed by a public safety agency, such as, police, fire service for a federal, state, local or tribal agency; or a registered private fire or ambulance service
- Ø The vehicle weighs less than 10,000
- Ø Bears an official emblem, seal or design of the agency.

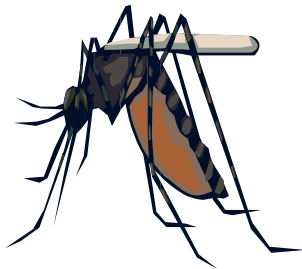
If the resident does not meet the above requirements, the Association may prohibit the resident from parking his/her work-related vehicle in his/her driveway or on the street, in accordance with its governing documents.

BULLETIN BOARD



- **Parking on the street:** Parking on the street is prohibited except on a temporary basis by guests and invitees of residents.
- **Automobiles blocking sidewalks:** Homeowners continue to violate the governing documents and are continuously blocking the sidewalks with their vehicles. Homeowners are reminded that this is a safety issue as well as being in violation of the governing documents and Oro Valley ordinance. Any homeowner found in violation will be held responsible for any and all damages incurred.
- **Trim Trees**—Please make sure all to trim branches that hang over the sidewalk are trimmed.
- **Weeds**—Please pull your weeds immediately.
- **NEW PICKUP DAYS FOR WASTE MANAGEMENT** -The regular schedule for trash pickup is on Tuesday and Friday with recycle on Friday. Please be certain that your trash carts/ recycle bins are stored in your garage or out of site except for the evening before pick-up days.

Are Mosquitoes Bugging You?



If you're seeing mosquitoes around your home, they're almost certainly "locally born and bred." Mosquitoes breed in standing water so eliminating places where water sits is the key to preventing new generations of mosquitoes. In just a couple of days, eggs laid in standing water will hatch into noticeable mosquito larvae that "wiggle" when disturbed and are easy to identify.

Rainfall creates standing water, but hoes, water sprinklers, swamp coolers and anything that allows water to accumulate does the same thing. Watch bird baths, pet watering dishes, saucers under potted plants, wheelbarrows, buckets, non circulating swimming pools (look in skimmers), plastic wading pools, tin cans, old tires, clogged rain gutters, watering cans and plants rotting in water. Even cup holders on exercise equipment may hold enough water to breed mosquitoes. Decorative ponds may also be the culprits. Look for standing water conditions indoors also. A change of water every few days will eliminate the problem. Keep items that hold water inverted when not in use, cover them, or eliminate them. Get rid of your standing water and you'll see fewer mosquitoes.



**MONTERRA RIDGE HOA
YOUR BOARD OF
DIRECTORS**

Jeff Grant, President
Ruffin Moore, Vice President
Kevin McCue, Treasurer
Susan Mears, Secretary
Steve Musante, Director

*Kim Lax, Community Association
Manager*

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**The next Board meeting will be held
on October 13, 2004 starting at
6:00 pm at the El Conquistador Ten-
nis & Golf Club - 10555 La Canada
Drive**

ARCHITECTURAL REVIEW COMMITTEE

Any alteration to the exterior of a home including land-
scaping requires the prior written approval of the Ar-
chitectural Review Committee. Please do not place
yourself in a position of having to remove an expensive
change.

Monterra Ridge Homeowners
Association
C/o Cadden Community Management
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