



Colonia Encantada News

<http://www.coloniaencantada.net>

July/August 2007

Message from the Board

While things seem to slow down a bit during the hot summer period, the Board has been working on a few issues of importance to our community. Two deserve comment in this letter—the Bell Tower and our Clubhouse.

The Bell Tower near the entrance to Colonia Encantada is in need of repairs to prevent more serious safety issues. Some repairs are related to out-of-code construction, water damage, and termites. This project has proven to be more complex than originally envisioned. We are now in the final phase of engineering to address the problems properly.

Our Clubhouse is “showing its age,” and residents who have used it for gatherings have expressed concerns with the kitchen and bathrooms. These relate to appearance and functionality. A committee was formed to provide options for Board review in September. Any thoughts from our homeowners would be appreciated as we move toward an action plan. In addition to a benefit to our current homeowners, our clubhouse is an amenity which has an impact on prospective buyers, and in turn our property values.

Finally, I would urge all homeowners who are planning any landscape or architectural changes with their unit to be sure to obtain proper review and timely approval from the respective committees. Changes not handled in the proper way can result in fines or a redoing of the work so that it is in concert with our CC&Rs. The Board has little leeway in these matters, as part of our responsibility is to insure conformity with the CC&Rs.

Cordially, Ron Cox ■



The Return of the Roof Rats

It's not a movie sequel, but it is the summer block buster. Evidence of roof rats has been discovered within Colonia Encantada again. Residents who are diligent about removing citrus from the trees and ground, and placing bait stations on their property experience a higher degree of success in ridding their immediate area of the roof rat problem. The rodents prefer routine and will stay within a residential backyard unless driven from it. If you have citrus trees in your yard, please be a responsible neighbor by:

1. Removing all fruit from citrus trees; you may contact Dan Kelly, who is in charge of landscaping, about picking and discarding the citrus;
2. Disposing of all fallen fruit immediately;
3. Bagging citrus and debris, as well as dead rodents before disposing in refuse containers.

Also remember:

- Keep all points of home entry closed, including windows, doors, and pet-entry doors;
- Position traps in high places like fence tops and eaves;
- Repair leaky faucets to prevent any standing water.



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Board of Directors Meeting June 18, 2007

The meeting was called to order at 4:37 p.m. Members present were: Susan Back, Ron Cox, Lisa Eaton - via telephone, Mick Ferrari - via telephone and Donna Kent. Larry Heywood represented management. Joanne Daley was also present.

Joanne mentioned that there are probably roof rats still present within the community. In addition, there is a ficus tree on the west end of McCormick Parkway that has frost damage and needs to be trimmed.

Donna Kent made a motion to approve the minutes of the May 25, 2007 board of directors meeting. The motion was seconded by Susan Back and was approved.

The Architectural Committee reported that Villa 66 will be submitting an application(s) for several projects they are contemplating.

The Landscaping Committee had nothing to report.

The Social Committee will report in the fall.

The next Newsletter will be published in August.

The ad hoc Clubhouse Renovation Committee will submit their report in September.

The financial report for May was reviewed. Susan Back made a motion to approve the report. The motion was seconded by Donna Kent and was approved.

The block at the front entrance was installed by Dan Kelly.

The board approved the pedestrian pool gate rendering, and Larry will let the contractor know that they can proceed.

Larry indicated that we are waiting on the specifications from the Engineer to bid out the tower repairs that are needed. Once the specifications and drawings are obtained the project will be bid out. Once it is determined what the expense will be, then we will better

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Guest or Tenant?

The comfortable and orderly environment in Colonia Encantada is insured by the regulations set down in both our Covenants, Conditions and Restrictions (CC&R) documents, and HOA Rules & Regulations. Homeowners generally familiarize themselves with these documents when moving in, but occasionally particular aspects are forgotten over time.

In an effort to refresh our recollection of certain regulations, we will be addressing various sections of the CC&Rs in forthcoming issues of the Colonia Encantada newsletter. The differentiation between “guests” and “tenants” will be reviewed in this edition. If you have suggestions for future topic areas that could be helpful, please submit them to our newsletter editor at lisa.eaton@cox.net.

Most homeowners will occasionally have guests. Guest parking is permitted on streets from 6 AM - midnight. Overnight guests may park in the homeowner’s driveway, or in the spaces reserved for Guest Parking only. These spaces may not be used by the same guest for more than 2 weeks of a 6-week period. Owners may invite their guests to use common areas or recreational facilities, however they must be accompanied by the owner or a resident member of the owner’s family who will be responsible for their conduct while on the property.

Homeowners are allowed to lease their homes under the conditions outlined in Article III, Sec. U of the CC&Rs:

1. Leasing or renting your property can be done twice a year for no less than 3 months or no more than 12 months. Any lease less than 3 months is considered “transient or hotel purposes” and is not permitted.

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know what other projects can be accomplished.

The contract for installation of the dual drain and the resurfacing of the spa has been approved and the contractor will be providing us the schedule of the work shortly.

It was suggested that the temperature in the spa be set at 98 degrees in the warmer months.

There was discussion on the issue of Guests and Tenants that reside within the community and that there have been occasions where guests are living in a unit for extended periods of time without the owner of the home being in residence. A Non-Rental Agreement has been prepared by the association’s legal counsel to address the issue. Susan Back made a motion to approve the form and inform the home that is currently in violation of the CC&Rs that they must fill out and return the form. The motion was seconded by Donna Kent and was approved.

Larry mentioned that the new statute that was approved will allow "for sale" signs on individual lots, even though the CC&Rs prohibit sale signs. The statutes take precedence over the CC&Rs.

There being no further business, the meeting adjourned at 6:24 PM. The next meeting will be held on September 17th at 4:30 p.m. in the clubhouse. ■

Committees

Social

Donna Kent, Co-chair 480-596-1169
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Lisa Eaton, Co-chair 480-564-5967
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Architecture

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Landscape (for Christi Moore)

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2. No lease shall be to more than 2 unrelated persons and no more than 2 unrelated persons shall be permitted to reside in a leased unit.
3. Prior written approval from the Board of Directors is required. You must submit an Application for Consent to lease to the Board with the appropriate transfer fee and the Board will respond within 15 days.
4. Payment of either rent, utilities or bartered services are considered remuneration, and qualify the homeowner under this section.
5. Homeowners must deliver to tenant all copies of documents pertaining to being a resident in Colonia Encantada, and to the HOA, a fully executed tenant registration form, a copy of the lease, an acknowledgement form that the tenant has the applicable documents.
6. An owner may delegate his/her right to use the common areas to a tenant or lessee, but is not compelled to do so.

The Association has a rule mandating that an owner, whose home is not currently being occupied by the owner but is being occupied by another individual, to show that the owner is not receiving rent, utility payments or any other consideration in exchange for persons occupying the Lot. This puts occupants clearly in the “Guest” or “Tenant” category and makes clear their approved use of the common area and facilities on our property. ■

Future Board Meeting Dates

Unless stated otherwise, all board meetings will be held in the Clubhouse at 4:30 p.m. Please make note of these meeting dates.

Monday, September 17th

Monday, October 15th

Monday, November 19th ■

Cast your ballot!

Lori Starkel is currently collecting votes for book selections for the Fall 2007 – Spring 2008 Book Club season. She is asking for your responses by the end of August so that she can compile the final reading list. If you have not received the initial list from Lori, you may contact her at: lori@starkel.com. The first book club meeting this Fall is scheduled for Tuesday, November 20th.

Please note: Jan Ferrari will be taking Lisa Eaton's place as co-chair for the Book Club. Jan may be contacted at: jan.ferrari@comcast.net. ■



Bill to Allow "For Sale" Signs

A new bill, SB 1062, will take effect on September 19th that will permit Arizona property owners living in HOA communities to display an industry-standard "for sale" sign and sign rider to market their property.

The bill states that, notwithstanding any provision in the community documents, an association shall not prohibit the indoor or outdoor display of a "for sale" sign and a sign rider by an association member on that member's property, including a sign that indicates the member is offering the property for sale by owner. The size of a sign offering a property for sale shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches. ■

WMBC

**** Important Notice ****

Tom Kent has called an emergency meeting of the Winter Men's Beverage Club to take place on Chappaquiddick Island. Senator Ted Kennedy will be the keynote speaker. The good Senator has also volunteered to be the designated driver to and from the Chappy Ferry. All members are invited...wear your swim suits! ■

Dual Main Drain Installed in Spa

One of the factors contributing to drowning deaths is the suction of the main drain in pools and spas. To eliminate this cause of drowning death, dual main drains may be installed. Dual drains are now required by the Maricopa County Department of Health and must be installed in all pools and spas no later than January 1, 2014.

Due to the possible safety concerns a single main drain may pose, the Board decided to move forward with the installation of a dual main drain in the community spa. At the same time the work was completed, the spa was also resurfaced. ■

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