

# SOMERSET ESTATES HOMEOWNERS ASSOCIATION

Maximizing Home Values, Quality of Life, Positioning as Premier Community

## What's Up #81: December 5, 2022

### December 20th Board Meeting

All homeowners are invited to attend the Board meeting on December 20 at 6:30 PM at the Mountain View Fire Station at 8500 Niwot Rd or by Zoom. **The agenda and meeting information will be posted on the SEHOA website (somersetstates-hoa.com) at least a day before the meeting.**

### Updated Lot Easement Policy

As reported in recent issues of What's Up, the Board is reviewing all the governing documents for changes required by new laws, as well as changes informed by our experience using the documents since SEHOA was incorporated in 2018.

At the November 15th meeting, **a revised version of the Lot Easement Policy was approved by the Board.** This policy addresses maintenance responsibilities for various improvements within the subdivision, including street monuments, fences, rock and stone walls, pathways, and ponds. The updated policy can be found on the website on by **clicking here**.

**The general rule is that all improvements on the common properties (owned by SEHOA) are the responsibility of the Association, and all improvements on lots are the responsibility of the lot owner.** There are exceptions to the second part of this rule. When Somerset Estates was developed, the developer included in the plats (legal maps of the subdivision) a number of easements on lots described as for specific purposes (signage, landscape, pedestrian pathways, utilities, drainage, etc.). Such improvements subsequently installed by the developer in easements for the general benefit of the community are the responsibility of the Association as specified in the

policy.

Other improvements were included in various lots sold by the developer that give a certain "look and feel" to the community, but which are not in an easement or otherwise described as Association responsibility in the Declaration or plats. In making revisions to the policy, the Board concluded that **improvements not in an easement or otherwise identified in the Declaration as Association responsibility are properly the owner's responsibility.** This doesn't mean that the Association will allow such improvements to fall into disrepair. **Owners must maintain all improvements on lots in accordance with the Architectural and Landscaping Standards, managed by the ACC.**

## **Proposed Revised Collection Policy and Fines and Enforcement Policy**

The biggest changes to CCIOA passed by the Colorado legislature as HB22-1137 involve how Associations may collect assessments and other fees, fines, etc. and the rules for imposing fines and taking other actions to enforce the governing documents. To comply with the new law, the Board is proposing revised versions of these required policies. The changes are so extensive that the SEHOA policies have been completely rewritten, so there is not a "redlined" version to compare the current and proposed policies.

**The proposed version of the Collection Policy is available by clicking here. The proposed version of the Fines and Enforcement Policy is available by clicking here.** Both policies will be on the agenda for approval at the December 20th board meeting. Homeowners may send comments prior to the meeting to [info@somersetstates-hoa.com](mailto:info@somersetstates-hoa.com) or may attend the meeting to offer comments.

## **Ownership of Common Areas Resolved**

One of the difficulties that arose from the split of SEHOA and Somerset Homeowners Association (SHOA) in 2017-2018 was unclear ownership of the common areas within Somerset Estates (not previously deeded to Boulder County or to the Somerset Swim and Tennis Club), identified as various outlots

on the plats. In fact, the obligation of the developer to transfer title of several outlots to any Association was never completed so that technically the developer still held title to the common areas. To complicate matters, following the separation of the two HOAs, SHOA claimed ownership to these outlots when it amended its Declaration, with the caveat that SEHOA might have a claim to ownership. Fortunately, in subsequent discussions SHOA agreed with SEHOA's claim to the outlots in Somerset Estates and did not object to SEHOA acquiring title to them. Because the developers had not transferred title, **resolution of the matter required SEHOA to file a quiet title action in District Court.** For that action, SHOA agreed to a disclaimer that it did not object to the quiet title action, and **a decree (available by clicking here) was issued by the Court on November 5, 2022 stating that SEHOA is the owner of the outlots within Somerset Estates.**

## Favorite Things Party - January 12th

All ladies in Somerset Estates are invited to a Favorite Things party on Thursday, January 12th at 6 PM at the home of Paula Hemenway, 8428 Strawberry Lane. **This is a chance to socialize with neighbors after the holiday rush is over!**

The idea of the party is that **each person brings three gifts that are a favorite thing**, all the same and new. Each gift should cost approximately \$20, so \$60 total. Everyone will go home with three favorites brought by someone else. This isn't a stealing or white elephant game, just a chance to learn something new about your neighbors and have fun. Guests are also asked to bring either a favorite appetizer, dessert, or bottle of wine or another beverage.

**Please let Paula know if you can attend at [p.hemenway@comcast.net](mailto:p.hemenway@comcast.net).**

## Upcoming Events at a Glance

Please monitor the SEHOA website for any schedule changes  
**-somersetstates-hoa.com.**

**Executive Board Meeting --December 20 at 6:30 PM**, 8500 Niwot Road or by Zoom. Please check [somersetstates-hoa.com](http://somersetstates-hoa.com) for meeting information.

**Somerset Estates Book Club** -- Next meeting will be held on December 13 at 4 PM at the home of Shari Kalm. The book is *The Marriage Portrait* by Maggie

O'Farrell. Please let Paula Hemenway know at [p.hemenway@comcast.net](mailto:p.hemenway@comcast.net) if you want to be added to the Book Club distribution list.

**Favorite Things Party** -- January 12 at 6 PM at the home of Paula Hemenway.  
All ladies are invited!

**Monday Mahjong** -- Mondays at 3 PM. Contact Melissa Koller at [mzkoller@gmail.com](mailto:mzkoller@gmail.com) for more information.

## Contact SEHOA

### Association General Information

Somerset Estates Homeowners Association  
P.O. Box 621  
Niwot CO 80544

Website: [SomersetEstates-HOA.com](http://SomersetEstates-HOA.com)  
Email Inquiries: [Info@SomersetEstates-HOA.com](mailto:Info@SomersetEstates-HOA.com)

### Property Management

Allan Orendorff  
[TrioProperty@comcast.net](mailto:TrioProperty@comcast.net)

### Executive Board

Scott Abrahamson, President  
[ScottA@SomersetEstates-HOA.com](mailto:ScottA@SomersetEstates-HOA.com)

### Architectural Control Committee

Larry Becker, Chairman  
[LarryB@SomersetEstates-HOA.com](mailto:LarryB@SomersetEstates-HOA.com)

### Social and Welcome Committee

Pea Lawson, Board Representative  
[PeaL@SomersetEstates-HOA.com](mailto:PeaL@SomersetEstates-HOA.com)

©2022 Somerset Estates HOA | PO Box 621, Niwot CO 80544

[Web Version](#)

[Preferences](#)

[Forward](#)

[Unsubscribe](#)

Powered by  
**GoDaddy Email Marketing**®