

The Cherrywood Homeowners Association met for a special meeting on February 27th, 2018, at 1830 hours. Those present were, William Bayer, Rutledge Davis, & William Spicer, and 52 residents.

The meeting was called to order by Mr. Bayer at 1834.

- A) Phil Feigel was invited to talk about traffic control, he also spoke as a candidate for sheriff.
- B) Bills payable were presented to the association to reimburse board members for items purchased. Motion to pay all bills were made and seconded, with a unanimous vote of yes.
- C) A discussion on parking was had with a consensus made on creating a rule about parking, currently the HOA only forbids parking on the grass. City ordinance currently governs parking in the subdivision. City ordinance reads that vehicles should be parked in a driveway, not blocking any sidewalks. If a vehicle is parked on the street it should be parked with the flow of traffic within 6" of the curb.
- D) A discussion was held on above ground pools. Currently amendment IV dictates that inflatable temporary type pools are allowed during certain parts of the year. It was discussed to have a vote on above ground pools. No motion was made to vote on above ground pools, and the issue died.
- E) A discussion was held on dead trees in the green spaces of the association. Any homeowner with concerns over dead trees need to contact Mr. Bayer, so they can be included in the project. Motion was made, seconded, and majority vote of yes to obtain bids to fall dead trees in the green spaces.
- F) A discussion on the 2018 budget was held, costs were up 10.5% and the assessment was raised 9.5%. Questions were had on services bid. The landscaping contract was bid out and greenscapes was the lowest bidder, the board feels greenscapes does an excellent job. The new website was created for \$20 and will cost approx. \$170 to maintain annually. Any content suggestions should be directed to Mr. Spicer. The contract with OMNI was discussed and we negotiated a lower price of \$5,222, but to get this price we had to maintain the \$25 design review board fee. Speed control was discussed as the board had budgeted \$2,000 for this. Speed bumps on Cherry Creek Road were discussed but the group decided this was not the best solution. The board proposes adding stop signs at Cherry Creek Road and Fruitwood court, and Cherry Creek Road and Cherry Hollow Rd. This would turn these two intersections into three way stops. The cost for a study is \$1,000 and would not guarantee that we would get the stop signs. Using off duty police patrol was also discussed and was the preferred solution of the group. Prices and a proposal of the time usage would be obtained and presented at the annual meeting in April.
- G) Nuisance wildlife was discussed, homeowners are directed to contact the KY Dept of Fish and Wildlife for more information. The board would like to remind all homeowners that the entire neighborhood is in the City of LaGrange and discharging firearms in the city limits is against ordinance.

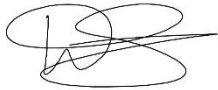
- H) Lighting on the south entrance (Cherry Creek Road) was discussed, the current light pole in the island is owned by KU, and not an available resource for power. Bids will be obtained to bring power into the island and increase the available power on the north side of the entrance. We will attempt to work with the city and KU to add another street lamp to the end of the island for more lighting.
- I) The board approved for signs to be upgraded/replaced and a street sign to added at Cherry Hollow and Cherry Hollow. Six posts will also be painted, this has already been approved and we are just waiting on the vendor to complete the work. The cost to the association was \$2,545.
- J) A block party was discussed, and we hope to form a committee to hold a party this season.
- K) A discussion of violations was held. Any changes to the outside of a lot with approval with a DRB application is a violation. Any changes to the outside of the lot that is against the covenants, conditions, restrictions, schedules, or amendments is a violation. The board does not go out and look for violations, any homeowner can report a suspected violation and it will be investigated by the management company. The management company inspects the subdivision periodically and reports a list of violations to the board. The board then decides if the violation will be enforced or monitored. Enforced violations result in letter than eventually lead to fines. The board does not like to levy fines due to the fine money goes to OMNI and not the association. The problem that the board has ran into is Pulte did not consistently enforce violations, and now violations are appearing that have been looked over by OMNI for long periods of time. Basketball goal locations were discussed, and the board's position is that all basketball goals need to be located on the house side of the sidewalk, when not in use. A motion was made and seconded to vote on an outside storage amendment, specifically the location of basketball goals. Discussion on moldy vinyl siding was held and the board explained that letters were sent out last season, and they would be sent out again this season.
- L) A discussion was held on fencing on trash screens. Currently all fencing must not exceed 48" from the ground. All fencing and trash screens require DRB approval before the are constructed and must be erected to the specifications of the approval. The board has granted two variances to the locations of fences. A motion was made and seconded to vote on the height restriction of fences from 48" to 54". Currently trash screens may not be over 48" tall and no longer than 8 lineal feet, with no more than one side longer than 5 feet.
- M) A rather lengthy discussion was had on voting, currently bylaws dictate that 2/3 vote is required to change a deed restriction. Any votes that are not turned back in are counted as a no.
- N) A discussion was had on purchasing the greenspace that runs from hwy 53 to Cherry Hollow Rd, approx. 13.5 acres. The market price is \$1,000,000, and the land owner is actively seeking to have the zoning changed from R2 to R4. The purchase could be financed over 20 years, each lot would be responsible for a \$4,000 lump sum payment, or annual payments of \$320. Any land payment would

be in addition to the annual association assessment. The PVA states if the land is undeveloped or used as a park or walking trail the value would be assessed at \$1,000 per acre for tax purposes. The land if purchased would belong to the collective HOA and would be treated as a greenspace like we currently own. Taxes and insurance would have to be incorporated into the association budget, taxes would be roughly \$80 a year, and insurance would have to be determined if the land is purchased. A motion was made and seconded to vote to purchase the 13.5-acre greenspace.

- O) The annual meeting April was discussed were two new board members will be nominated and voted into office. Several homeowners stood declaring their candidacy for the board.

With no other business to come before the group the meeting was adjourned at 2055 hours.

Respectfully submitted;

A handwritten signature in black ink, appearing to be 'W. Spicer', written over a horizontal line.

William Spicer



## Welcome!

- ▶ Cherrywood Place HOA Meeting
- ▶ 2/27/2018 @ 1830
- ▶ Board Members:
  - ▶ Adam Bayer
  - ▶ Rutledge Davis
  - ▶ Bill Spicer
- ▶ Website!
  - ▶ <http://www.cherrywoodplace.com>

## Parking Vehicles on Roadway

- ▶ HOA restricts vehicles parked on grass
- ▶ HOA restricts types of vehicles that can be parked on property
- ▶ Deed restrictions Section 10.11
- ▶ Amendment 4
  - ▶ Section (a) Continuous parking of an un-driven vehicle on a lot for more than fourteen (14) consecutive days is prohibited unless prior arrangements have been made and permission granted by the managing agent. Vehicles parked in violation of this rule will be considered "stored" vehicles. Stored vehicles must be parked out of the sight in the owner's garage or they must be removed from and stored off the property.





## Parking Vehicles on Roadway

### ►City of LaGrange Ordinances

#### ►72.01 OBSTRUCTIONAL PARKING.

- (A) It shall be unlawful for any person to leave any commercial or industrial vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any public way within the city either during the day or night, except while the vehicle is being loaded or unloaded and such loading or unloading operation is actually taking place or while the cab of the vehicle is occupied by the driver thereof.

►(Ord. 3-98, passed 7-6-98)



## Parking Vehicles on Roadway

#### ►72.02 MANNER OF PARKING.

- (A) It shall be unlawful for the operator of any vehicle to stop or park the vehicle in a manner other than with its right-hand side toward and parallel with the curb, except that where parking is permitted on the left side of a one-way street, the left-hand side shall be so parked, and except for commercial loading and unloading on one-way streets.

- (B) All persons shall park the vehicles which they drive or are in control of on their own property or in their own driveways or on pull off areas on the right-of-way. Visitors of residents shall park their vehicle in the driveways of their host(s) or on pull off areas on the right-of-way, unless if no such space is available. If no such space is available, visitors of residents may park their vehicles on the street so long as its two right wheels are off the pavement or are within six inches of and parallel with the curb, and the vehicle is facing the flow of traffic. No vehicle may remain parked on the street for more than 24 hours.

►(Ord. 9-90, passed 9-4-90)





## Parking Vehicles on Roadway

### ►2.03 LIMITATIONS OF STOPPING AND PARKING.

►It shall be unlawful for the operator of any vehicle to stop or park such vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

- (A) On the mainly-traveled portion of any roadway or on any other place in the roadway where vehicles stand in any manner other than as specified in § 72.02.
- (B) On a sidewalk.
- (C) In front of sidewalk ramps provided for persons with disabilities.
- (D) In front of a public or private driveway.
- (E) Within an intersection or crosswalk.
- (F) At any place where official signs prohibit stopping or parking. This does not apply to police officers when operating properly identified vehicles during the performance of their official duties.
- (G) Within thirty (30) feet of any flashing beacon, traffic sign, or traffic-control device.
- (H) No person shall move a vehicle not lawfully under his control into any such prohibited area.



## Parking Vehicles on Roadway

- (I) On any controlled access highway.
- (J) Within a highway tunnel.
- (K) Within fifteen (15) feet of a fire hydrant.
- (L) In an area between the roadways of a divided highway.
  - (KRS 189.450(5), (6))
- (M) No eighteen (18) wheel tractors and/or trailers shall be parked on any city street more than two hours.
- (Ord. 9-90, passed 9-4-90) Penalty, see § 72.99

### ►72.06 ALL NIGHT PARKING.

- (A) "All night parking". It shall be unlawful for anyone to park in any one place any vehicle on any of the public ways or streets of the city for a period of twenty-four (24) hours or longer.
- (B) "Abandoned vehicles". Any vehicle parked in one place upon a public way for a period of twenty-four (24) hours or longer shall be deemed abandoned, and shall be subject to all existing regulations of the city pertaining to abandoned motor vehicles.





## Above Ground Pools

### ►Amendment 4

- From ground to top of pool not to exceed 30"
- Allowed from May 1<sup>st</sup> through September 31<sup>st</sup>
- Located in the back portion of the lot behind the house, not visible from the main street

5. Swimming Pools. 10.20 of the Declaration is hereby amended and restated in its entirety as follows:

#### 10.20 Swimming Pools, Hot Tubs, and Exterior Saunas

(a) Inflatable, Temporary Above Ground Swimming Pools. Inflatable and/or temporary above ground swimming pools of a depth not to exceed two (2) feet six (6) inches feet (30 inches total) measured from the ground to the top edge of the pool side, are allowed between the dates of May 1 through September 31 of the calendar year. These swimming pools must be located in the back portion of the Lot, behind the house structure, out of visible sight from the main street facing the front of the house. Inflatable pools not surrounded by an approved fence must be removed upon receipt of a violation notice and the Board may begin assessing fines within five days after issuing a violation notice either via regular U.S. Postal Service or hand delivery. Outside of the permitted calendar period, the above ground pool must be dismantled and stored out of sight. Outside of the permitted calendar period, the Board may begin assessing fines within five days after issuing a violation notice either via regular U.S. Postal Service or hand delivery. Any type of permanent or semi-permanent above ground pools other than the above are not allowed. All fences must be submitted with an architectural application for approval prior to installation.

(b) Hot Tubs and Exterior Saunas. Installation of hot tubs and exterior saunas is allowed provided they are located in the back portion of the Lot, behind the house structure, out of visible sight from the main street facing the front of the house and in a location no more than 20 feet away from the rear of the house structure. Hot tubs and exterior saunas installed on corner Lots that are visible from a side street need to be screened from the street with landscape plantings. All hot tub and sauna enclosure structures require an approved Architectural variance that must be submitted and approved prior to construction and installation.



## Removal of Dead Trees

- Pulte removed one
- Trees have been identified, please notify if you know of more
- Bids will be obtained to procure service by most cost effective means

CHERRYWOOD PLACE

## Budget

- ▶ Calendar Year Budget Jan 1 – Dec 31
- ▶ 2017 - \$35,960
- ▶ 2018 - \$40,160
- ▶ 10.5% increase in costs (utilities/grounds maintenance)
- ▶ 9.5% Assessment Increase
- ▶ Added costs
  - ▶ Speed Control \$2,000
  - ▶ Website \$500

### CHERRYWOOD PLACE

## Budget

### 2017 PROJECTED OPERATING BUDGET CHERRYWOOD PLACE 251 Lots at Buildout

#### PROJECTED INCOME

RESIDENT COLLECTIONS (248 Sold Lots at \$145 per Year)	
4100 Allocated to Operations	\$ 35,960.00
<b>TOTAL RESIDENT COLLECTIONS</b>	<b>\$ 35,960.00</b>
<b>TOTAL PROJECTED INCOME</b>	<b>\$ 35,960.00</b>

#### PROJECTED EXPENSES

SITE MAINTENANCE	
5210 Landscape Contract	\$ 14,205.00
5225 Grounds Miscellaneous	\$ 1,000.00
5226 Lighting Maintenance	\$ 1,250.00
5228 Irrigation Contract	\$ 250.00
5236 Annuals	\$ 1,000.00
<b>TOTAL SITE MAINTENANCE EXPENSE</b>	<b>\$ 17,705.00</b>
UTILITIES	
5110 Electricity	\$ 1,600.00
5120 Water & Sewer	\$ 2,000.00
<b>TOTAL UTILITY EXPENSES</b>	<b>\$ 3,600.00</b>
ADMINISTRATIVE EXPENSES	
5020 Administrative & Postage	\$ 1,004.00
5031 Accounting Fees	\$ 280.00
5037 Attorney Fee General Services	\$ 200.00
5040 Management Contract	\$ 9,711.00
5050 Insurance Expense	\$ 1,200.00
5060 Bad Debt Bankruptcy/Foreclosures	\$ 2,260.00
<b>TOTAL ADMINISTRATIVE EXPENSES</b>	<b>\$ 14,655.00</b>

<b>TOTAL PROJECTED EXPENSES AND RESERVE ALLOCATIONS</b>	<b>\$ 35,960.00</b>
<b>Projected Surplus/Shortfall</b>	<b>\$ -</b>



## Budget

2018 PROJECTED OPERATING BUDGET CHERRYWOOD PLACE 201 Lots at Buckhorn		
<b>PROJECTED INCOME</b>		
RESIDENT COLLECTIONS (201 Lots at \$160 per Year)		
4100 Allocated to Operations	\$ 95,580.00	
4110 Allocated to Reserves	<u>\$ 3,571.00</u>	
TOTAL RESIDENT COLLECTIONS		<u>\$ 40,160.00</u>
TOTAL PROJECTED INCOME		<u>\$ 40,160.00</u>
<b>PROJECTED EXPENSES AND RESERVE ALLOCATIONS</b>		
<b>SITE MAINTENANCE</b>		
5210 Landscape Contract	\$ 15,805.00	
5220 Grounds Miscellaneous	\$ 1,000.00	
5225 Lighting Maintenance	\$ 250.00	
5228 Irrigation Control	\$ 500.00	
5228A Backflow Inspection	\$ 125.00	
5235 Annuals	\$ 2,400.00	
5261 Holiday Decorations	<u>\$ 750.00</u>	
TOTAL SITE MAINTENANCE EXPENSE		<u>\$ 20,830.00</u>
<b>UTILITIES</b>		
5110 Electricity	\$ 1,800.00	
5120 Water & Sewer	<u>\$ 2,400.00</u>	
TOTAL UTILITY EXPENSES		<u>\$ 4,200.00</u>
<b>ADMINISTRATIVE EXPENSES</b>		
5020 Administrative & Postage	\$ 1,004.00	
5031 Accounting Fees	\$ 280.00	
5033 Real Estate Taxes	\$ 63.00	
5037 Attorney Fee General Services	\$ 200.00	
5040 Management Contract	\$ 6,522.00	
5042 Speed Control	\$ 2,000.00	
5050 Insurance Expense	\$ 1,400.00	
5060 Bad Debt Bankruptcy/Foreclosures	\$ 1,000.00	
5070 Website	<u>\$ 500.00</u>	
TOTAL ADMINISTRATIVE EXPENSES		<u>\$ 11,969.00</u>
<b>RESERVE ALLOCATIONS</b>		
9511 Plant Removal and Replacement	\$ 500.00	
9524 Sign Maintenance and Replacement	\$ 1,000.00	
9532 Lighting Maintenance	\$ 250.00	
9533 Irrigation Maintenance	\$ 1,000.00	
9559 General Operating Reserve	<u>\$ 821.00</u>	
TOTAL RESERVE ALLOCATIONS		<u>\$ 3,571.00</u>
TOTAL PROJECTED EXPENSES AND RESERVE ALLOCATIONS		<u>\$ 40,160.00</u>
Projected Surplus/Shortfall		<u>\$ -</u>

## Wildlife Control

- ▶ Contact Animal Control
- ▶ KY Dept of Wildlife
- ▶ <https://fw.ky.gov/Wildlife/Pages/Nuisance-Wildlife.aspx>



The background image shows a brick wall with a dark sign that reads "CHERRYWOOD PLACE". To the left of the wall is a large green tree and some red-leafed plants in the foreground. The sky is blue.

## Lighting at Cherry Creek Road Entrance

- ▶ Will work with city/county to offset costs prior to paying full costs
- ▶ Discussion with KU to put in another street lamp
  - ▶ Current street lamp owned by KU, very expensive to add new meter
- ▶ Bid to bring electric under road into center island
- ▶ Sign lighting has been upgraded to LED

The background image is identical to the one above, showing a brick wall with a "CHERRYWOOD PLACE" sign, a large tree, and landscaping.

## Signage

- ▶ Contractor: U.S. Post Company
- ▶ Signs have been ordered and will be installed
- ▶ Cost of \$2545
- ▶ 10 street signs in older section to be replaced
- ▶ Double arm with stop sign at Cherry Hollow & Cherry Hollow to be placed
- ▶ Paint 6 posts





## Block Party

- ▶ Location
- ▶ Date & Time



## Violations

- ▶ What is a violation?
  - ▶ Anything that is not allowed by the deed restrictions, including schedules and amendments
- ▶ The board does not look for violations
- ▶ Homeowners can report suspected violations to OMNI
- ▶ Community Manager makes a list during inspections and presents the list to the board
- ▶ Board discusses actions
  - ▶ Enforce (issue violation letter), Monitor
- ▶ First letter, warning
- ▶ Second letter, warning
- ▶ Third letter, \$175 fine, once violation corrected \$100 may be refunded
- ▶ Money from fines go to OMNI not the association



## Fencing & Trash Screens

### ► Fencing

- Schedule "F"
- Covenants, Conditions, & Restrictions section 10.19
  - 48" tall
  - Wood, vinyl, or metal
  - All fencing must be approved through a DRB application
  - Installation must comply with approval of the DRB

### ► Trash Screens

- Schedule "N"
  - No more than 48" tall, no more than 8 lineal feet, with no more than one side any longer than 5 feet
  - Materials consistent with fencing materials
  - Must be approved by the DRB

### ► Vote to change fencing

- Last vote failed



## Fines

- Fines are levied after two warning letters have been sent out, third letter includes fine. Fines can continue until the violation is corrected, HOA can also take action to have the violation corrected.





## Land Purchase

- ▶ 13.5 acres that run from Hwy 53 through the subdivision
- ▶ On the market for \$1 million dollars
- ▶ Owner actively seeking to get the land rezoned to R-4
- ▶ Purchase could be financed over 20 years
- ▶ \$4,000 per lot lump sum payment
- ▶ \$320/year over 20 years
- ▶ Land payment would be in addition to annual association assessment
- ▶ PVA would assess the land value at 1K per acre as long as the land would remain undeveloped, or used for park/walking trail
- ▶ Vote required



## Annual Meeting

- ▶ Meeting will be in April date and location to be announced
- ▶ Board member candidates

# Proposal

Proposal Date: 11/10/2017  
Proposal #: 279

<b>Customer</b>
CHERRYWOOD HOA

Item	Description	Qty.	Rate	Total
STREET SIGN		10	145.00	1,450.00
STREET SIGN W/ STOP SI...	DOUBLE ARM WITH STOP	1	585.00	585.00
MISC	PAINT POST	6	85.00	510.00
	WE ASK FOR DEPOSIT OF 50% FIRST ROUND I WILL GET QUOTE FOR REST OF SIGNS TO YOU BY TUESDAY.			
	Approved by all board members <i>[Signature]</i> 11-29-17			
Total				\$2,545.00

U.S. POST COMPANY 2301 S. ENGLISH STATION RD. LOUISVILLE, KY 40299 502.245.0087 FAX 502.245.1279