

A BIT OF HISTORY FOR OUR NEWER RESIDENTS: (You old-timers can go on to the next topic) When Cherry Creek III was built in 1965, we had no patio covers, window well covers, or complete patio concrete floors. Except for the small slab of concrete under the gas meter and air conditioning unit, the patios were unfinished. Several residents planted lawns and trees in their patio areas. Most owners chose to have concrete patio floors installed. Some residents, at their own expense, erected patio covers. The sprinklers were located next to the buildings, and grass grew right up to the foundations. Soon, our problems with the expansive clay soil (bentonite) became known. Many units developed cracks, both inside and on the exterior. Basement water leaks occurred in several units, requiring the installation of sump pumps in a few. Some of the new concrete patio floor installations cracked.

The builder, Hallcraft Homes, Inc., built our townhouses on caissons to the bedrock, but spaced them too close together to allow for movement of the bentonite soil. Bentonite swells tremendously when wet, and dries slowly. When the soil was soaked from heavy rains, and/or our sprinkler system, the bentonite had no where to go but upward, between the caissons, cracking the building foundations and structure. In 1972, after conducting comprehensive engineering tests, a financial settlement was reached with Hallcraft to repair some of the structural damage and to take steps to prevent future damage, by keeping as much moisture as possible away from the building foundations. Part of that settlement included: 1) Installation of patio covers on all units. (In order to allow for expansion, the patio covers were not attached to the buildings. Rain and snow could still enter the patio areas by blowing in under the flashing.) 2) Installation of window well covers at the front of each unit. 3) Relocate the sprinklers a minimum of 3 feet from the foundations. This step created many large expanses of dirt and weeds, since grass could no longer grow next to the buildings, except in shady areas. 4) Improve the gutter and downspout system to carry water farther away from the buildings. All unit owners were asked to sign releases of liability to both Hallcraft and the Association, before any repairs were made to the structures. All unit owners signed such releases, and agreed to the settlement terms.

The bentonite problems continue to this day. Units which suffered foundation cracks 27 years ago still have leaky basements. It is important to note that no new material structural movement or damage has become evident in recent years. Steps have been taken by our Association to minimize future damage. Certain rules have been adopted to reduce the possibility of more water damage to the structures. First, and foremost, is not allowing plantings of shrubs, trees or flowers within 3 feet of the foundations. Since some minor seepage problems have surfaced recently, we will be vigorously enforcing this rule. We encourage every resident who is planning to plant flowers or vegetables this year to use container gardening. Oak whiskey barrel tubs are inexpensive and make ideal planters. Those residents who insist on planting closer than 3 feet from the foundations, will be required to sign statements assuming total responsibility for any structural damage which may occur. We are sorry that we can no longer allow plantings of flowers or vegetables against the ends of the buildings, although containers which can be moved may be placed in these areas, so long as you do not excessively water them. Please, don't ask for an exception to this policy!