



Bringing the neighborhood together.

Southmoor Park East Winter Newsletter December 21, 2012

Annual Meeting Announcement:

The 2013 Annual Meeting of Homeowners will be held on **Wednesday, January 16, 2013** at 6:45 p.m. This year's meeting is being held in the cafeteria at Southmoor Elementary, 3755 South Magnolia Way, Denver, CO 80237. As always we will provide a state of the neighborhood report and reports from the committee members of the Board. Peggy Lehmann will update us on City matters. We will have other community speakers and refreshments. We will also elect Board members.

Please attend or send in your proxy—see page 4.

Homeowners Dues Notices:

The notices for homeowners' association dues will be mailed to all SPEHA homeowners in January. Dues for 2013 are still \$25.00 per Lot. The dues fund various activities of the Homeowners Association including the annual picnic, summer concerts, and the garage sale. The funds are also accumulated for property manager fees and legal services as needed.

Monthly SPEHA Board Meetings:

All SPEHA homeowners have an open invitation to attend monthly Board meetings on the 2nd Wednesday of every month at 7:00 p.m. on the 3rd floor Board Room of Citywide Bank building at Hampden and Monaco next to the Fire Station. At these meetings, the Board normally will review and act upon covenant and neighborhood issues. It is a great way to get to know your neighbors and neighborhood.

Farewell to Blair:

After eight years of service, Blair Perron resigned from the Board. Blair was in charge of the social activities for the neighborhood including the garage sale and the annual picnic. We will miss Blair's leadership, enthusiasm and commitment to the neighborhood.

Board Members Wanted:

We have openings for any homeowner to serve on the Board. While the pay could be better, the benefits are great. Please consider serving your neighborhood. If you have any interest, please contact Casey Funk.

Covenant Reminders:

The SPEHA covenants require all homes in the neighborhood to have a roof made of *cedar or wood shake shingles, clay or cement tile shingles*. To use any other material, you must ask the SPEHA Board for approval. If the Board has previously approved a particular roof material (e.g., stone coated steel) for one house, the same material is not necessarily approved for all homeowners. As it is now, Board approval is required every time any material not listed in the covenants is to be used. The

covenants include provisions relating to setback from the street and the plot line, roof slope and other details of construction that must be satisfied in addition to any applicable Denver ordinances and public and private easements.

The covenants require prior approval by the SPEHA Board of all plans and specifications before any "building, wall or fence * * * or addition thereto or change or alterations therein" can be made to a home in the neighborhood.

The covenants require Board approval of all "principal exterior materials" of "any residence or outbuilding." Generally, that means if you are going to change the appearance or shape of your house or any other structure on your property, you need Board approval before beginning the work. We encourage you to run your plans by your neighbors. We value the opinions of your neighbors when we consider your plans.

The covenants also give the Board broad general powers, including the power to enforce the covenants, help maintain and beautify parks, open spaces and roadways in the neighborhood if and to the extent the City falls short on its obligations to do so, and to generally seek to protect property values. The Board is also authorized to undertake, in its discretion, "[t]he mowing and removal of weeds and grass and the removal of loose material, trash and rubbish of all kinds from Lots that, in the judgment of the Board are not being maintained to the minimum standards expected of Owners." The Board thinks that this expansion of its authority is necessary for the Board to meet its general obligation to protect neighborhood property values in the neighborhood generally.

The Covenant Includes:

Sheds. Any type of shed is considered an out building under our covenants and requires Board approval. We require neighbor approval before we take action. Before you install an out building make sure you meet any setback or easement requirements.

Roof. We continue to get requests to approve asphalt composite roofing material. The Board will not approve asphalt composite roofing material. The covenants permit cedar and tile materials. Some homeowners believe that cedar shake materials are contrary to building code. This is not true. However, some insurance companies assess a surcharge to cedar wood shake. There are other materials acceptable to the Board such as stone coated steel. But for any materials other than cedar wood shake or tile, you must get Board approval.

Boats, campers, trailers, motorized homes or trucks. No boats, campers, trailers, motorized homes or trucks may

be stored on any part of a Lot in front of the front building line. In addition, for corner Lots, no boats, campers, trailers, motorized homes or trucks may be stored on any part of the Lot between the residence and the side street property line.

Denver Property City Regulations:

As a reminder Denver requires that yard or property maintenance is important to our Southmoor Park East residents and non-compliance is subject to a fine. The following are regulated and not allowed by the city:

- Unattended vegetation over 6" in height (grass or weeds)
- Accumulations of rubbish in yards or along alleys
- Appliances or furniture, intended for inside use, in yards or on porches
- Accumulations of cut branches in yard
- Accumulations of dog manure in yard
- Defective or illegal fences, proper height (4' in front, 6' on sides and back for residential zones)
- Fences must be in good repair with approved materials (no barbed wire, corrugated metal or salvage materials)
- **NOTE:** Trashcans and recycling containers must not be stored in the front of the house or on the street or driveway.

For the safety of pedestrians/motorists, the following regulations apply to your trees/tree limbs:

- Tree limbs extending over the street must be at least 13'6" above the street surface
- Plant growth cannot extend over the sidewalk
- Low limbs over the sidewalk must be a minimum of 8' above the sidewalk
- Trees with dead or broken limbs over 2" in diameter must be pruned or removed

- Dead, diseased or dangerous trees must be removed
- Licensed tree companies must perform tree work in the right-of-way

Report problems to Denver 311: *Connecting Citizens with Services* or visit <http://www.denvergov.org/>.

Snow Season is Upon Us. Although global warming is

reducing our need to shovel

snow, just in case: The city

requires that once snow has

stopped falling, residents

have twenty-four hours to re-

move snow and ice from pub-

lic sidewalks adjacent to their

property. The City relies upon citizen complaints and 311

calls to identify the addresses of un-shoveled sidewalks.

Slow Down:

You have heard it many, many times, "*slow down*"! With

winter upon us, plus it is getting dark earlier, slow down.

We have too many drivers, including some of us, who

are going too fast through the neighborhood in the early

morning and evening. **All speed limits in Southmoor**

Park East are 25 MPH.



**Please mail your annual dues payment to
Southmoor Park East Homeowners' to:**

First American State Bank
Southmoor Park East HOA
8390 East Crescent Parkway
Greenwood Village, CO 80111-1247



Patrick Morgan, CRS

Realtor with over 17 years experience

Southmoor Park Home Owner since 1999

I can help you, your friends or family members just call me.

Or for a free evaluation of your home, Call.

303-523-6207

*** FREE Notary Service to Southmoor Park residents***

Paid Sponsors

**Wednesday
January 16, 2013
6:45 p.m.**

Nominees for the 2013 SPEHA Board of Directors

<p>Casey Funk (President) 3806 S. Magnolia Way 303-691-2448 Cfunk@speha.org</p>	<p>Reese Jameson (Secretary) 4015 S. Oneida 303-753-1295 Rjameson@speha.org</p>
<p>Fred Jorgensen (Vice President) 3818 S. Newport 303-758-4604 Fjorgensen@speha.org</p>	<p>Paul Bottone (Community Affairs) 7104 E. Jarvis 303-758-9106 Pbottone@speha.org</p>
<p>Jack Green (Treasurer) 7064 E. Jarvis 303-782-0140 Jgreen@speha.org</p>	<p>Brent Bowman (Community Affairs/Special Events) 3964 S. Niagara Way (h) 303-722-7152 (c) 303-524-2108 bbowman@speha.org</p>
<p>Robert Finkelmeier (Website/Newsletter) 3972 S. Olive 303-756-5829 Rfinkelmeier@speha.org</p>	<p>Jay Simonson (Legal Committee) 3904 S. Oneida Street (h) 303-832-2558 (o) 303-866-5162 jsimonson@speha.org</p>
	<p>Patrick Morgan (Community affairs) 3635 S. Newport Way (h) 303-639-5950 (c) 303-523-6207 pmorgan@speha.org</p>

**SOUTHMOOR PARK EAST HOMEOWNERS ASSOCIATION, INC.
PROXY OF THE 2013 ANNUAL MEETING OF HOMEOWNERS**

The undersigned, as the owner(s) of a home situated within Southmoor Park, Filings Two, Three, Four or Five in Denver, Colorado 80237 ("Southmoor Park East"), hereby appoints Casey Funk, Fred Jorgensen, Jack Green, Reese Jameson, Robert Finkelmeier, Brent Bowman, Jay Simonson, Patrick Morgan and Paul Bottone, or any one of them present at the annual meeting, as the undersigned's proxies and attorneys at the Annual Meeting of Homeowners of Southmoor Park East Homeowners Association, Inc. ("SPEHA") to be held on January 16, 2013 at 6:45 pm at Southmoor Elementary, 3755 S Magnolia Way, Denver CO 80237 and at any adjournment thereof, and hereby authorizes them to represent and to vote on my behalf as follows:

Election of Directors

The election of the following members of SPEHA to serve as directors of SPEHA, each for a term of one year, or until their successors are duly qualified and elected: *Paul Bottone, Robert Finkelmeier, Jack Green, Reese Jameson, Fred Jorgensen, Brent Bowman, Patrick Morgan, Jay Simonson, and Casey Funk.*

For: _____ Against: _____

THE PROXIES WILL VOTE IN THE MANNER DIRECTED ABOVE. IF NO DIRECTION IS MADE, THIS PROXY WILL BE VOTED IN FAVOR OF ALL NOMINEES FOR THE BOARD OF DIRECTORS. To vote for less than all of the nominees for director, vote "For" but then strike the name of any director(s) opposed. Write in candidates will be accepted so long as the candidate is an owner of Southmoor Park East.

Amendment of the Amended, Restated and Consolidated Declarations and Agreement Establishing Protective Covenants in Southmoor Park East

The Board has determined that the Amended and Restated Covenants contain a few omissions and deletions from the original covenants that should be corrected. The Owners of 60% of the Lots in the community may modify, change or amend the covenants by written consent or by voting, at a regular or special meeting of the Owners of SPEHA, in favor of the modification, change or amendment. The Board requests the approval of the amendment of the Covenants in the manner and for the reasons provided below:

Article 3. Approval of Plans

Proposed Amendment: In so passing upon such plans, specifications and other requirements, the Association may take into consideration the suitability of the proposed building, fence, wall or other structure and the materials of which it is to be built ~~to the site upon which it is to be built~~ to the site upon which it is proposed to erect the same, and the harmony thereof with the surroundings.

Reason for amendment: Language struck out was not in the original covenants but was inadvertently included in the Amended and Restated covenants.

For: _____ Against: _____

Proposed Amendment: In the event the Association or ITS DULY AUTHORIZED REPRESENTATIVE fails to approve or disapprove such design and plans within thirty (30) days after said plans and specifications have been submitted to it, such approval will not be required and this covenant will be deemed to have been fully complied with.

Reason for amendment: Language in CAPS was in the original covenants but was inadvertently omitted from the Amended and Restated covenants.

For: _____ Against: _____

Article 5. Setback of Residence from Street Line.

Proposed Amendment: No residence or any part thereof OR FENCE shall be erected or maintained on any Lot nearer than twenty (20) feet from the front Lot line or nearer than ten (10) feet from any side street Lot line.

Reason for amendment: Language in CAPS was in the original covenants but was inadvertently omitted from the Amended and Restated covenants. Definition of fence in the Amended and Restated covenants also includes walls and hedges.

For: _____ Against: _____

Article 10. Homeowners Association

Amendment: The amount of such assessment shall be fixed annually by the Association, and shall be charged or assessed in equal proportions against each Lot of the land above described, provided however, that said assessment shall ~~not~~ NOT exceed the sum of twenty-five dollars (\$25.00) per Lot for any one year unless such amount is increased by a vote of the Owners in accordance with this Article 10.

Reason for amendment: Correction of a typographic error.

For: _____ Against: _____

THE PROXIES WILL VOTE IN THE MANNER DIRECTED ABOVE. IF NO DIRECTION IS MADE, THIS PROXY WILL BE VOTED IN FAVOR OF ALL AMENDMENTS TO THE AMENDED AND RESTATED COVENANTS.

THIS PROXY ALSO CONFERS DISCRETIONARY AUTHORITY ON THE PROXIES NAMED ABOVE TO VOTE ON ANY OTHER MATTERS NOT KNOWN OR DETERMINED AT THE TIME THE NOTICE OF THE MEETING WAS DELIVERED.

Print Name(s)

Print Address

Signature(s) (Only one owner needs to sign)

Date signed

PLEASE SIGN AND DELIVER THIS PROXY TO CASEY FUNK (3806 S. MAGNOLIA WAY), FRED JORGENSEN (3818 S. NEWPORT), ROBERT FINKELMEIER (3972 S. OLIVE), OR TO ANY OTHER BOARD MEMBER NO LATER THAN JANUARY 16, 2013.

***OR MAIL TO:
SOUTHMOOR PARK EAST HOA
PO BOX 371021
DENVER. CO 80237-5021***

EVEN IF YOU GIVE A PROXY, YOU CAN STILL COME TO THE MEETING. IF YOU DO ATTEND; YOU CAN CHANGE YOUR VOTE AT THE MEETING.