



### **Annual Report**

TO: Wild Pointe Ranch HOA

FROM: T.R. Rice

DATE: March 6, 2023

RE: Annual Report - President

A. Legal Issues

We are happy to report there are no legal issues of which we are aware.

B. Metro District Issues

Wild Pointe is part of a metropolitan district which provides infrastructure and services typically associated with a municipality. Metropolitan districts are quasi-governmental entities. In the case of Wild Pointe, the Metro District owns and/or is responsible for most of the common areas or land dedicated as easements. This includes the pond, the mailbox kiosks, landscaping, the Gazebo and the equestrian trails. Costs associated with maintaining the same are expenses incurred by the Metro District that are passed on to the homeowners as part of your property tax bill. Roughly 40% of your annual property tax bill has its genesis in Metro District expenses, including most notably bond repayment.

While ongoing maintenance costs are nominal when compared to the bond obligation, a reduction in ongoing costs associated with Metro District operations nevertheless acts to impact your property tax liability in a positive fashion. As was discussed in last year's report and at the annual meeting, the HOA Board, with permission of the Metro District, elected to undertake certain maintenance responsibilities on the account and for the benefit of the homeowners. This effort was and is essentially a two-year program with the goal of restoring the common areas to a level consistent with the quality of the neighborhood. Toward this end, examples of inroads we made this past year include: snow removal and lighting in and around the mailbox kiosks, mowing, weed control and general maintenance of the common areas, parking improvements and security at the gazebo, restoration of surface areas disturbed by the developer, and street sign replacement and repair. Similar efforts will be undertaken in 2023

with the goal of making maintenance moving forward a self-sustaining and cost-effective proposition. Costs associated with these efforts are reflected in the budget earlier circulated.

C. Design Guideline Compliance

The vast majority (+/- 90%) of the homeowners make every effort to bring and keep their property in compliance with the CC&Rs (covenants, conditions and restrictions) associated with Wild Pointe. All the CC&Rs associated with Wild Pointe were either recorded documents at the time of purchase or are documents to which reference was made in the recorded materials. The CC&Rs are, and have been, posted on the website for quite some time and include the declarations, the bylaws, and design guidelines. An additional document that bears upon the use of property within Wild Pointe is the amended development agreement recorded on February 24, 2005 at Reception No. 459158.

The HOA Board has tried very hard to enforce the CC&Rs within reason, and in this regard, we are reliant upon common sense and common courtesy. From time to time, almost everyone is in violation, and not every violation warrants notice because those violations tend to correct themselves. Some violations are, however, blatant, generally offensive and in many instances, cumulative in nature. And it is the cumulative nature of these violations that poses the biggest problem. By way of example, trash cans are supposed to be kept inside. This is a rule that is often violated, and in many instances, overlooked in terms of enforcement if the location of the trash cans is generally unobtrusive. That said, trash cans left outside, in a location obvious from the street, next to a tractor, all at a house with multiple dead trees is an altogether different proposition.

The HOA Board, by virtue of the CC&Rs, is granted significant discretion in the enforcement of the rules. Certain rules will always be strictly enforced. A good example is RV storage. Many people with RVs have undertaken significant expense in constructing outbuildings to house their RVs to assure compliance with some clear rules. As a board, we feel it is proper to strictly enforce the RV storage policy in deference to those who have undertaken the expense to respect their neighbors. Trailers are a slightly different proposition; storage of trailers is size and location restricted, and the location and configuration of some lots is not particularly conducive to complete compliance with the rules. In those instances, the HOA Board will exercise its discretion. If, for example, you have a boat and a trailer that is uniformly stored on your driveway during summer months for roughly four days a week so it can be used for a three day weekend, that is one thing. On the other hand, if you have a construction trailer routinely left on your property at whatever location you find handy at the time, and that storage is accompanied with trash cans routinely left outside and a lawn tractor placed wherever it last ran out of gas, that is an entirely different proposition.

Here is the bottom line on CC&R enforcement – there is an easy way and hard way to accomplish the purposes of the covenants. The easy way is for people to understand the rules and their purpose, to consider their neighbor's sensitivities as well as their investment and use a little common courtesy. If you plan to do something on your property that might be out of

the ordinary, or if you have a problem with something your neighbor is doing, talk to he or she first and attempt to come to a common understanding. And involve the HOA Board on an informal basis before things get blown out of proportion. The hard way is for the HOA Board to conclude that all of the rules must be strictly followed, send out numerous notices of violation, and from that, assess fines. Nobody on the HOA Board wants to do that, and we have resisted doing so for quite some time. In this regard, if you get a notice of violation from the HOA Board, it is something we have decided to issue after considerable thought. And while the HOA Board is not allowed to be capricious in its enforcement policies, we are permitted significant discretion and that discretion will be exercised. Not all the lots in Wild Pointe are the same, and if your lot is more open and obvious than others, it is the view of the HOA Board that the owner of that lot has a heightened level of responsibility trending toward strict rule compliance.

D. Dead Trees

Over the last several summers, we have seen a trend of not timely removing dead trees. It is tough to give up on an expensive piece of landscaping, but the loss of a tree or series of trees happens to just about everyone. Please make sure that all dead trees are removed by June 1, 2023. If the removal of those trees results in you having less than the requisite number of trees on your lot, you will need to replace those trees at the same time.

E. Annual Meeting

The annual meeting is on March 13, 2023 at Legacy Academy. Start time is 7 pm. The 2023 budget has already been circulated. By becoming self-managed, we have saved substantial monies, i.e., +/- \$18,000-\$20,000 per year, which we will continue to use for some of the improvements addressed above. If there are issues you would like to see addressed at that meeting, please send us an email in advance so we can completely consider the same and be prepared to answer any questions or concerns.

F. Website and Misc.

Please also consult the website on a periodic basis for valuable information, including links to the Town, Elbert County and the Metro District. Please also consider providing us with your email for ease of timely communication on any number of issues.