



www.theparkshoa.org

COMMUNITY HAPPENINGS

Newsletter March/April 2008

All Homeowners are invited to attend and participate in the bi-monthly HOA meetings!

Bi-monthly meetings are held on the first Monday of the month. Please watch for the announcement of the location and time which is posted prior to the meeting at various mailbox locations.

Meetings cover topics such as The Parks financial statement and expenditures, open Homeowner forum for questions and suggestions, discussion of recommendations for improvements, Central Oregon Community Management (COCM) reports and current and upcoming events and issues happening in The Parks.

Projects Discussed @ March 3rd Meeting:

- ✓ Replenishment of existing and additional Doggie Bag Stations to be added along upper Cultus Lake Ct. (Please contact COCM if your area needs a Doggie Bag Station)
- ✓ Painting of all street signs and mailbox sites will commence soon.
- ✓ Estimates for installation of street lights are being obtained. These lights will be installed in areas that lack sufficient lighting.
- ✓ New landscaping and snow removal contracts are being reviewed by your HOA Board.
- ✓ Upcoming Board Elections are just around the corner. Please refer to article below.

Several Homeowners have volunteered to help with these projects! If you would like to volunteer in any way to support our community, please contact COCM!

Please come and participate in our bi-monthly meetings to represent your property and to provide community support.

Spring is in the Air and I'm sure many of you are starting to think about spring projects such as landscaping, exterior painting, and other remodeling projects!

With Spring just around the corner, remember that homeowners are required to obtain Architectural Review Committee (ARC) approval for projects that you might be planning this year. All improvements **MUST** be approved prior to beginning your project. Please see the overview below:

Prior to the commencement of any exterior alteration or addition to an existing structure, or a significant landscape alteration, Homeowner shall submit the plans on an ARC application form which can be downloaded from The Parks Web Site @ www.theparkshoa.org and submitted to the COCM for ARC Committee review and approval. An example of items requiring ARC review are ponds, paint color, roofing materials, retaining walls, sheds, fences, pergolas, trees which will mature to a large size and other significant exterior features which would be visible to other Homeowners when driving or walking through the community. For additional clarification, please refer to the Architectural Review Guidelines which are located in the Parks CC&Rs. If you still question whether your proposed project requires approval, please contact the COCM for clarification.

Snow, Snow Please Go Away....

Over the past several weeks many Homeowners have contacted the management office regarding the snow removal service on the streets in The Parks. COCM would like to take a moment to explain to the community what occurred with our service and what steps the Board is taking to ensure that future service improves.

For many years now the community has contracted with Green Planet Landscaping Inc. to provide both landscaping service and snow removal in the winter months. Over the course of the first three snow storms for 2008 we began to encounter concerns with the level of service. The crews were often late in getting to the community and frequently overlooked areas of the community. On January 25, in the midst of a major snowstorm, we received phone calls that the streets in the community had not been cleared. When COCM contacted Green Planet, COCM was informed that Green Planet was over-extended and it would be 24 hours before crews could clear the streets in The Parks.

This information was relayed to the Board President and, at his direction, Green Planet was terminated and a new contract was obtained. Given that the new contractor picked up the account in the middle of the storm, there were a few kinks to be addressed. We appreciate the community's patience with this process and can assure you that the Board of Directors is reviewing this contract to ensure excellent service in the future.

What it Means To Live In a "Planned Community"

The "Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions" (CC&Rs) filed in Deschutes County on February 10, 2005, govern The Parks. Here are Webster's definitions of the underlined words:

Covenant: a binding and solemn agreement made by two or more individuals, parties, etc., to do or keep from doing a specified thing....

Conditions: anything called for as a requirement before the performance or completion of something else; provision; stipulation [to impose conditions by contract]....

Restrictions: to keep within certain limits; put certain limitations on; confine....

Homeowners who purchase a home in our community are provided a copy of The Parks CC&Rs at the financial closing of their mortgage. If you haven't to date, please read and become familiar with the CC&Rs. You may also locate a copy of the CC&Rs at The Parks website @ www.theparkshoa.org.

We as your Board would like to take a few minutes and clarify our position as your Representatives. The Board of Directors for The Parks is a group of five homeowners charged with maintaining conformance with the CC&Rs and overseeing the maintenance, repair, and improvement of community property.

Should a Homeowner find that provisions of the CC&Rs are onerous and inconvenient, there is no requirement that the Board of Directors put aside the offending provisions and allow restricted activity...such as parking vehicles on the street on a regular basis because the Homeowners cannot fit their vehicles into their garage; or, that fences be built in non-designated areas to suit the lifestyle needs of the Homeowner.

This community was envisioned as an open and park-like setting, not broken into many small parcels surrounded by fences. Our streets are intentionally narrow to promote slower driving conditions and parking vehicles in garages. Not only do vehicles parked on the streets obstruct views, they are an unsightly nuisance for neighbors, limit visual notice of the many small children in our neighborhood, and in some cases limit the movement of vehicles passing in opposite directions.

What Is This Thing Called Fiduciary Duty?

From time to time you may hear that the Board of Directors operates in a fiduciary capacity for the Homeowners, or you may read about the Board's fiduciary responsibility in the governing documents. Just exactly what does this mean?

Fiduciary duty simply means the Board has an ethical and legal obligation to make decisions in the best interests of the entire community. That's a small explanation for a very big responsibility.

Fiduciary duty includes a duty of loyalty to the Homeowners' Association, which means that Board members should never use their position to take advantage of the Association. They should never make decisions for the Association that benefit themselves at the expense of the Association and its members.

Fiduciary duty also includes the duty to exercise ordinary care. This means that Board members must perform their duties in good faith and in a manner they believe to be in the best interests of the Association, with such care as an ordinary prudent person in a similar position under similar circumstances would use.

In short, Boards must act in the best interests of the Association and act reasonably.

Board members fulfill their fiduciary duty by:

- Developing and using a formal budgeting process.
- Establishing and adhering to budgetary guidelines.
- Making sure the budgeting process reflects the wishes of the Association members.
- Promoting understanding and acceptance of the reserve accounts among the members.
- Collecting sufficient fees to adequately operate the Association.
- Soliciting bids and negotiating appropriate contracts.
- Authorizing expenditures.

Community Reminders

- **Holiday Decorations.** For those of you still enjoying a festive holiday spirit, just a reminder that seasonal holiday lighting and decorations should be removed 30 days after the celebrated holiday!
- **Street Parking.** As of January 31, street parking for regular use is discouraged. If you must park on the street please keep in mind that parking your vehicle 4 out of 7 consecutive days constitutes a violation of the Parking Resolution and will result in appropriate enforcement action. Please refer to the Parking Resolution dated November 2007.
- **Annual Meeting.** The Parks Homeowners Association will be holding the Annual Membership Meeting in April. Please watch your mail for more information.
- **Board of Director Elections.** Three Board member positions are up for election this year. If you are interested in volunteering for the Board of Directors please complete the nomination form that will be enclosed in the Annual Meeting notice. If you have questions regarding the Board positions, please contact Katie Anderson of COCM @ 541-318-0704 or katie.anderson@nwcommunity.com.
- **Pets.** Please remember that pets must be kept on leash when you are strolling in The Parks. This is for their safety as well as for others around you. Also, please remember to pick up after your pets.

Thank you!

Newsletter

If you have information that you would like to contribute to the newsletter please send your input to: katie.anderson@nwcommunity.com

If Homeowners have any questions about The Parks Homeowners Association, please contact Central Oregon Community Management at 541-318-0704. Katie, Allison and Kathy are eager to hear from you.

HAPPENINGS AROUND BEND

April 01

High Desert Museum - Totally Touchable Tuesdays

Where: High Desert Museum, Bend

When: Every Tuesday, 10:30 am

Free with museum admission

April 02

High Desert Museum - Wild Wednesdays

Where: High Desert Museum, Bend

When: Every Wednesday, 3pm-5pm

Free with museum admission

April 03

Arlo Guthrie's "Solo Reunion Tour - Together at La

Where: Bend High School Auditorium, Bend

When: Thursday, April 3rd, 8pm

Tickets will go on sale in February.

For more information call 541-322-0863

April 04

First Friday Gallery Hop

The streets of Bend fill with art patrons on the first Friday of every month as Downtown Bend and Old Mill District art galleries stay open late with receptions for guest artists and special presentations of new exhibits.

April 04

Bonfire on the Snow by Wanderlust

Where: Cascades

When: April 4th, 7-11pm

Cost: \$75 per person

April 05

Straight No Chaser

Where: Summit High School Auditorium

When: April 5, 1:30PM and 7:30PM

Cost: 1:30PM - \$15 general admission. 7:30PM - \$20 (\$22 at the door) Free to students with Student ID Card

April 06

Footzone ~ Horse Butte 10 miler

Where: Bend, Oregon

When: Sunday, April 6th, 2008

Contact: 541-317-3568

April 07

Hold 'em for Habitat

Where: Jake's Diner

When: Every Monday Night

Cost: \$5

Texas Hold 'em Tourney with all proceeds going to Habitat for Humanity.

April 08

The Seven Dancing Princesses

Where: Tower Theatre

When: April 8, 7:00PM

Cost: \$7 youth; \$9

April 10 - 13

2nd Street Theater presents "Garden Politics"

Where: 2nd Street Theater, 220 NE Lafayette, Bend

When: April 10th - 13th

Show starts at 8pm, Sunday matinee 3pm

Cost: Adults \$18, Senior/Students \$16

April 18 - 20

3rd Annual Fly-Fishing & Golf Derby

Where: Aspen Lakes GC, Sisters Oregon

When: Friday, April 18th - Sunday, April 20th

For more information, call Ali King at 541-322-9355.

April 18

A Vision For Families, A Fine Photography Auction

Where: Riverhouse Convention Center

When: April 18, 6:00PM

Cost: \$95

April 18 - 19

Moonlight Snowshoe Tours by Wanderlust

Where: Cascades

When: April 18th -19th, 7-11pm

Cost: \$55 per person

Looking for more information on these and other events please visit <http://www.visitbend.com> and click on the Calendar of Events.

Other great resources:

- <http://www.bendnights.com>
- www.visitbend.com/
- www.highdesertmuseum.org
- <http://www.downtownbend.org>