



Armory Park del Sol

ANNOUNCEMENT

Pursuant to the Bylaws of the Armory Park Del Sol Homeowners Association, Article II, Section 2.1, Annual Meetings, the Board of Directors announces:

Armory Park del Sol Annual Membership Meeting Notice

February 27, 2012 5:30 to 7:30 p.m.
St. Andrew's Episcopal Church Parish Hall
545 South 5th Avenue

AGENDA

- 1. Sign In 5:30 p.m.**
- 2. Call to order (6:00pm)**
 - a. Establish Quorum
- 3. Introductions**
- 4. Approval of minutes of 2011 Annual Meeting** (distributed prior to meeting)
- 5. Reports**
 - a. President: Michael Katz
 - b. Treasurer/Finance: Matt Fischler
 - c. CC&R Compliance: Tom Skinner
 - d. Architectural Review: Matt Fischler
 - e. Landscaping: Kathy Heyl
 - f. Clean and Safe: Paul Gohdes
- 6. Issues for the future: Discussion**
- 7. Election of 2012 Board of Directors** (Nominations Committee report and statements of Board Candidates distributed prior to meeting)
- 8. Recognition of outgoing Board members**
- 9. Announcement of new Board; Call to participate in committees**
- 10. Homeowners' Questions and Comments**
- 11. Adjournment of Members' meeting**
- 12. Brief Meeting of the Incoming Board to Elect Officers**

Light refreshments will be served, courtesy of several generous members.

PRESIDENT'S REPORT

Armory Park del Sol has completed another successful year. We live in a great neighborhood with great neighbors. I feel fortunate to live in APdS and to be a small part of our success.

The year started with the completion of our legal transition from developer to homeowner control of the HOA. This process began in 2008 with the efforts of a small group of homeowners, and we now fully control our HOA because of the efforts of those forward-thinking individuals. Our developer, John Wesley Miller was very cooperative during the transition, and his support of the HOA must be recognized.

Finances

One of the most important tasks of the Board is to assure financial stability of the organization. This past year, as in the previous 2 years, we have sought ways to reduce expenses and improve our financial efficiencies. Overall we have significantly reduced water costs, have moved to electronic communication to reduce printing and mailing costs, and have been very conservative in the expenditure of your funds. The Board is acutely aware that we have raised assessments over the past several years by a significant percentage. Because of the Board's fiscal responsibility along with the increased revenue, we were able to keep the assessment increase this year to a modest 1%. As we all know, the cost of doing business increases (water, electricity, labor, etc.), and there always are unforeseen expenses. The infrastructure of our common areas, particularly our irrigation system is ageing and will need replacement at some point. The Board already is allocating funds for such a replacement since this will be a significant expense. Also, many of the front yard lamp posts are rusting at the bottom, and we are replacing those with proper installation on an as needed basis.

Management Services

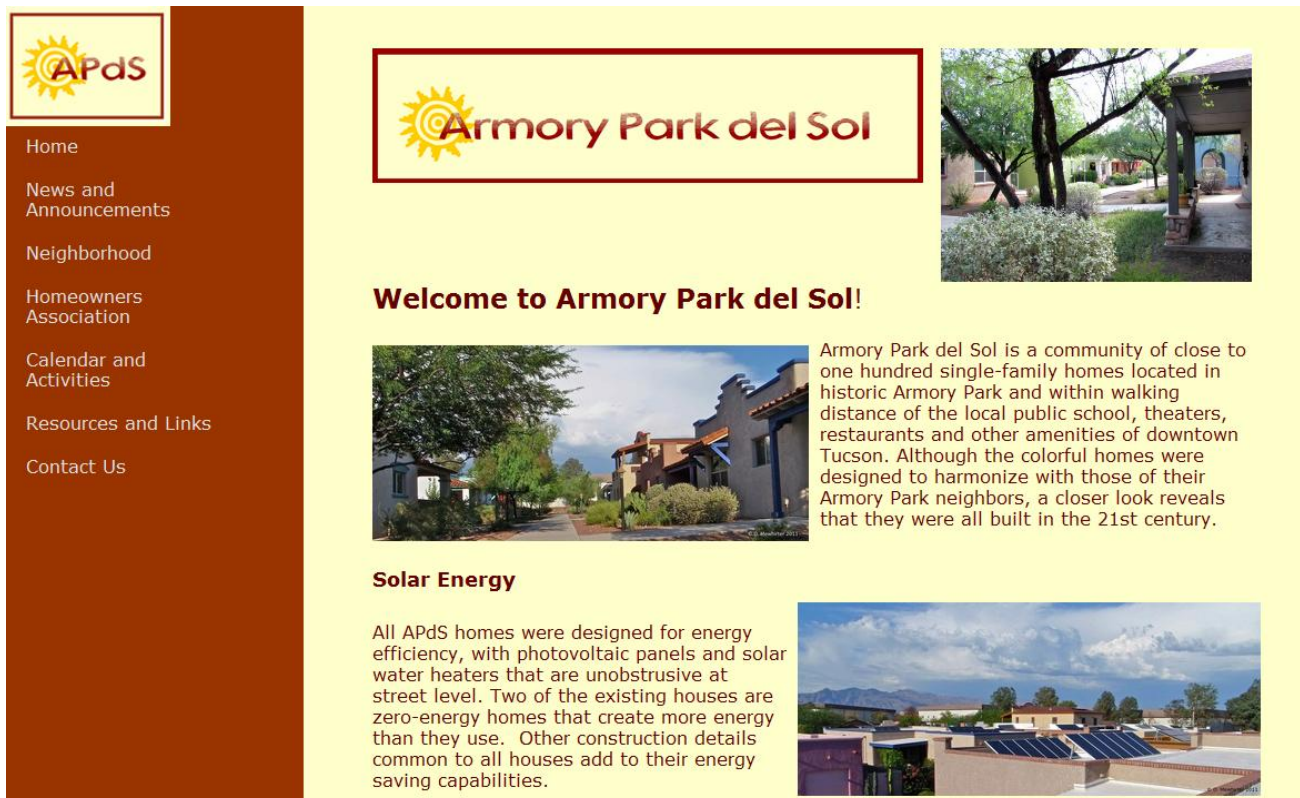
Perhaps the most important decision made by the Board in 2011 was the decision to seek proposals for management services. This decision was made primarily because the Board felt we were in a stable situation financially, and we wanted to see what other services were available. With Board approval, I appointed a committee comprised of Matt Fischler, Ken Shackman, Tom Skinner and myself. The Committee developed and distributed a Request For Proposals (RFP) to a variety of vendors, rated the proposals using a formal assessment tool, interviewed and rated the finalists and made a recommendation to the Board. Based on the Committee's recommendation, the Board approved seeking a management contract with Y Cross Management. The contract has been fully executed with the assistance of our attorney, Tanis Duncan, and Y Cross will formally begin as our management company on March 1, 2012. This change in management services did not increase our expenses. Our Y Cross account manager will be Dee Borendame, and she can be reached at manager@armoryparkdelsol.org or (520) 219-4520. Dee and Y Cross owner Andrew Way have years of HOA management experience, and the Board believes you will enjoy working with them. We expect a very

smooth transition, and you will receive a letter shortly from Dee with some of the transition information, including methods for future payment of assessments.

Lewis Management has provided APdS management services since the HOA's inception. This Board, and previous Boards have appreciated the time and effort of Lewis' management and staff given to our needs. I particularly want to recognize Pam Lakey who has been our account manager for the past 2 years. Pam is committed, professional and always helpful, and I personally have appreciated her help and advice.

Web Site

Another significant advance this year was the development and launch of the APdS web site, www.armoryparkdelsol.org. A small group of volunteer homeowners (Matt Fischler, Susan Klement, Dave Mewhirter and myself) did all the design and programming. While none of us had any significant website development experience, we have a professional-looking site that will grow and develop over time. The entire cost for launching the site was less than \$300, and our annual cost will be around \$200. We want this site to be more than just for HOA business...we want the site to be a communication link for the neighborhood. We are open to adding content and functionality. This is your web site, so please use it and make suggestions for improvement.



APdS

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Neighborhood

Homeowners Association


Calendar and Activities

Resources and Links

Contact Us




Welcome to Armory Park del Sol!



Armory Park del Sol is a community of close to one hundred single-family homes located in historic Armory Park and within walking distance of the local public school, theaters, restaurants and other amenities of downtown Tucson. Although the colorful homes were designed to harmonize with those of their Armory Park neighbors, a closer look reveals that they were all built in the 21st century.

Solar Energy

All APdS homes were designed for energy efficiency, with photovoltaic panels and solar water heaters that are unobtrusive at street level. Two of the existing houses are zero-energy homes that create more energy than they use. Other construction details common to all houses add to their energy saving capabilities.



With the web domain, we are able to create an unlimited number of email addresses, and we would like you to get accustomed to communicating with the HOA via @armoryparkdelsol.org addresses. The email addresses we have to date are:

apds@armoryparkdelsol.org	Board members and account manager
archrevcomm@armoryparkdelsol.org	ARC Chair, President, account manager
board@armoryparkdelsol.org	Board members only
ccrcomm@armoryparkdelsol.org	CC&R committee Chair, President, acct. manager
cleansafecomm@armoryparkdelsol.org	Clean and Safe committee chair, Pres., acct. mgr.
landscaping@armoryparkdelsol.org	Landscape committee chair, Pres., acct. mgr
manager@armoryparkdelsol.org	Account manager only
president@armoryparkdelsol.org	President only
staff@armoryparkdelsol.org	Account manager and assistant
webmaster@armoryparkdelsol.org	Webmaster

Governing Document Compliance

Perhaps the most difficult task for an HOA Board member is the enforcement of the CC&Rs and associated governing documents. The Board is legally obligated to enforce the governing documents in a fair, consistent and reasonable manner, and each of us as homeowners is legally obligated to abide by the rules set forth by these documents. The vast majority of APdS homeowners abide by these rules and in cases where violations are noticed, most homeowners quickly resolve the issue. Such compliance by homeowners is why our neighborhood looks so great. The APdS CC&Rs have not been altered since written by the Developer. While the CC&Rs can be changed, any change requires approval of a minimum of 67% of all homeowners.

Landscaping

The cost of landscaping (including our landscaping contractor, maintenance and repairs) comprises about 75% of our annual expenses. While we have been able to reduce water costs overall, our ageing irrigation system sometimes springs leaks, with resultant excess water use. Over the next year we will be assessing the cost of replacing our irrigation system, probably in a staged manner over several years. Several homeowners have commented that the decomposed granite (DG) in many front yards is in need of "refreshing". We will not embark on DG work until we make a decision on the irrigation system. There always are unexpected landscaping expenses. Typically these are irrigation system repairs and monsoon-related tree damage. This past winter we had several days of extreme cold, and many of our trees and plants either died or suffered significant damage. This past year was the second in our multi-year effort to prune and trim all 200+ trees in common area in our neighborhood. Such tree maintenance had never been done, so this was a significant expense specifically budgeted for by the Board. These trees are a tremendous asset to APdS, both aesthetically and financially, so such maintenance is clearly a worthwhile investment. We have an arborist, Mr. Juan Barba

who serves as our expert consultant, and Mr. Timothy Holmes has done the pruning and trimming.

Downtown Issues

APdS is, of course, affected by the surrounding Armory Park neighborhood, downtown development and the industrial zone on our eastern perimeter. APdS residents are increasingly involved with the Armory Park Neighborhood Association (APNA), a very important connection since APNA serves as our advocate for downtown development issues. Last year, Jerry Swatez and George Mairs served on the APNA Board. In 2012, Jerry Swatez and Fred Eisle will serve as Board members, and I will serve as an alternate. APdS also has been at the table in negotiations regarding the proposed student housing and other development issues on the eastern side of downtown. I am on the small APNA committee that has been meeting with the developers of the proposed projects and city officials in an effort to mitigate neighborhood concerns such as traffic, noise and parking. We have also met several times to share neighborhood concerns with the owners of Thunder Canyon Brewery which will open a bar/restaurant on 5th/Broadway this June or July.

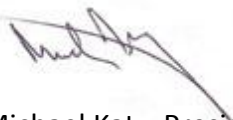
APdS residents on the eastern edge of the neighborhood are acutely aware of the large satellite dish. WE have made many efforts over the past year to contact the owners of the facility and to work with our City Councilman's office and City agencies to seek mitigation for the visual impact, noise and light, but as yet we have been unsuccessful.

Volunteers

As with any organization, our success is due to the efforts of many. Each Board member, Committee Chair and Committee member volunteers their time on behalf of us all. I hope each and every homeowner shows their appreciation to these volunteers. As with many volunteer

organizations, the work of APdS is accomplished by a small group. We cannot depend on this same small group to work on our behalf forever. As a member organization, the work of APdS is the responsibility of each and every homeowner. We need more people involved--as committee members and Chairs and, in the future, as Board members. Everyone is busy, but if we all pitch in and do our fair share, the work will be more evenly distributed. Please sign up for a committee! If you cannot attend the Annual Meeting, let me know how you can help.

Respectfully Submitted,



Michael Katz, President

Financial Summary Report for 2011

We have completed the year with our budget in the black. With our expenses budgeted at \$63,250 for 2011, we spent an actual \$57,828.40, for a surplus of \$5421.60. Most of this surplus (\$5246, or about 97% of the amount) can be attributed to four specific line items in the budget: Legal Fees, Professional Fees, Tree Pruning, and General Maintenance and Repair. In addition, income exceeded projections by \$2824.26.

The budget for the upcoming year has been adjusted to reflect what we have seen in this past year wherever possible, although some items, such as legal fees, cannot necessarily be expected to track previous years' levels, and so remain where they were, even if we did not need the entire amount this past year. The end result is that the 2012 budget is only 1% (\$709) higher than 2011, despite a 5% (\$1260) increase in the cost of our landscape maintenance contract. We have also managed within this budget to increase the reserve allocation by 50% from \$50 to \$75 per month. Given the current state of return on investments in general (or lack thereof), we believe this to be a prudent move for the association.

Matt Fischler, Treasurer

CC&R Compliance Committee

During the past year, the CC&R Compliance Committee worked with our management company to identify and resolve problems related to landscaping, home maintenance, and other CC&R issues. Homeowners are to be complimented on their efforts to maintain their properties and the unique quality of our neighborhood. Such cooperation lessens the compliance burden, creating less work and a pleasant environment for everyone.

In the coming year, the APdS HOA board will be relying more heavily on our new management company, whose contract will be in place effective March 1. The CC&R committee will be principally responsible for oversight and policy for compliance issues, while the management company takes over the inspection, in addition to the notification and resolution efforts.

Tom Skinner, Chair

Architecture Committee Report for 2011

2011 was a fairly quiet year for requests to the Architecture Committee. 24 requests (which averages to 2 per month) were processed, with most of the requests involving either security (doors, gates, walls) or re-painting.

As regards painting, I would like to add the following information, which may be helpful in the future for homeowners who are wanting or planning to repaint their house in the same colors they are now:

Our Architecture Guidelines state that re-painting in the original colors is "Pre-Approved". What this means is that the homeowner does not need to wait for approval from the Committee to proceed. However, we would appreciate having the re-paint documented by submitting the form to our management company. By doing this we have a record of both when the house was re-painted, and the identity of the colors used. We (the board and the management company) do not have historical data from John Wesley Miller Co. on the names of the colors used when the houses were built. Also, the paint company (Pioneer Paint) used by JWM Co. is no longer in business, which means that any homeowner repainting their house will have to find a replacement for the original. The following procedures are all viable methods for getting around this problem and will not interfere with the pre-approval:

- 1) If the original color chips are available, they can be used to have custom colors mixed in another brand of paint, and the formula submitted for the records.
- 2) Actual paint fragments from the least exposed parts of the house can be used to have custom colors mixed as in #1, above.
- 3) Find existing color samples from another brand that closely match the originals and use them instead, and submit the names and brand for the records.

The committee is not, I repeat, not going to go to the bother of performing a spectral analysis on the new paint to verify that it is IDENTICAL to the original. If you took reasonable steps to keep everything looking as it was, you are good to go.

Thank you for your cooperation.

Matt, Fischler, ARC Chair

2011 APdS LANDSCAPE COMMITTEE

HIGHLIGHTS

- **Spring Planting**
- **Fall Planting**
- **Tree Trimming**
- **Detention Basin Buffelgrass Removal**

Kathy Heyl, Landscape Committee Chair

Clean and Safe Annual Report-2011

Committee members: Tura Eisele, Paul Gohdes, Kathy Gordon, Margaret Kearns, Susan Klement, Joy Swatez, Judy Tracy, Mary Wells, Norma Zuniga

ACTIVITIES

Surveyed and updated Neighborhood Watch; submitted it to Tucson Police Department (needs to be repeated with many new residents moving in during 2011)

Weekly light checks (garage and lamppost) and bulb replacement by committee members and Proscapes (48 total lights)

Susan Klement and Allen Veaner also replaced missing hardware on multiple lampposts

Weekly trash pickup

Performed dead animal pick-up; filled in animal digging in east wall near "the dish."

Informed APdS community of security and maintenance issues (graffiti, suspicious activity, break-ins, water leaks, etc).

Carole Baumgarten returned to the committee and assumed the chair position in 2012.

Respectfully submitted, Paul Gohdes, Chair

APDS GOVERNING DOCUMENTS POTENTIAL ISSUES FOR DISCUSSION

- **Rentals (Second Amendment of CC&Rs)**

3. **No Rentals.** Section 7.3 of the Original Declaration is hereby amended by deleting the sentence which reads "No Unit shall be rented or leased for less than twelve (12) months" and substituting in its place the following sentences:

"No Unit shall be rented or leased, nor shall a Unit be occupied by any person(s) other than the Owner and/or Family Members. As used herein, "Family Members" shall mean the spouse or ex-spouse of the Owner, or any of the following blood, half-blood or step-relatives of the Owner: brother, sister, children, grandchildren, parents, grandparents, great-grandparents and great-great grandparents. Provided the Unit is occupied by at least one (1) Family Member on a full time basis, non-paying guests may also occupy the Unit from time to time."

A handwritten signature in black ink, appearing to be "S. J. Smith", is written over a diagonal line.

- **Parking (CC&R Section 7.18)**

7.18 Parking. Except as provided in the Association Rules, (i) there shall be no parking on any streets except where designated by the Developer, (ii) each Unit Estate shall contain one parking space in addition to a two-car garage or carport, or in the alternative the Unit Estate shall contain a three-car garage or carport, and (iii) there shall be no parking by Owners, but only by guests, on 3rd Avenue and on 16th Street, and in designated guest parking spaces.

- **Front Yard Maintenance**
 - **CC&R Section 1 (Definitions)**

Common Area. "Common Area" shall mean all real property, and improvements thereon, now or hereafter owned (including without limitation the Front Yard Easement) or leased by the Association, for the common use and enjoyment of the Owners. Common Area shall include all areas set forth as Common Area in a recorded subdivision plat for the Property, to the extent dedicated to the Association.

- **CC&R Section 3**

3. RIGHTS AND OBLIGATIONS OF THE ASSOCIATION

3.1 Maintenance of Common Area. The Association shall have responsibility for the control, maintenance, repair, replacement, improvement and safety of the Common Area, and the landscaping maintenance of the front yards of each Unit, including but not limited to the following:

- (a) all private streets, if any, and parking areas, including curbs, gutters, and the like,
- (b) all private drainage facilities, including detention and/or retention basins, channels and storm drains,
- (c) landscaping, irrigation systems and lighting systems in the Common Area,
- (d) all improvements to the Common Area, and
- (e) all private utilities.

- **CC&R Section 6.5**

6.5 Front Yard Easement. In all cases where the front yard property line of an Unit Estate is common to two or more Unit Estates, then the Association shall have an easement ("Front Yard Easement") across the front ten (10) feet of each such Unit Estate for the purposes set forth below and such Front Yard Easement shall constitute Common Area:

- **Design Guidelines Section 4.74**

4.7.4 Common Area

Common Area for Armory Park del Sol is defined in CC&R's. Essentially, everything except the home, the yard behind Lot walls, and the back portion of each Lot from garage and Lot walls to the street is considered Common Area. Front yards are part of the Common Area and are *not* the property of any Lot owner. The Association has responsibility for control, maintenance, repair, replacement, improvement, and safety of the Common Area. No planting or irrigation may be installed in the Common Area, *specifically including front yards*, by any Lot owner without the specific written approval of the AC.