



PARKS & OPEN SPACE DEPARTMENT

Forestry and Horticulture Division
1470 South Havana Street
Aurora, Colorado 80012
303-739-7177
FAX: 303-739-7400

July 9, 1997

Ms. Cindy Crockett
% Colorado Property Management Group
13697-6 E. Iliff Avenue
Aurora, CO 80014

Dear Cindy,

Enclosed you will find a series of letters that were issued regarding the maintenance of landscaped areas surrounding the Mission Viejo area. While no specific written maintenance agreement can be located, it is evident from these letters that it was the City's intention to abandon maintenance of the Mission Viejo perimeter by assigning responsibility to property owners (or Neighborhood Association).

I hope this information assists you in your work with the Mission Viejo group.

Sincerely,

A handwritten signature in cursive script that reads "Rick Bowser".

Rick Bowser, Manager
Forestry and Horticulture Division



PARKS & RECREATION DEPARTMENT

Forestry and Horticulture Division
1470 South Havana Street
Aurora, Colorado 80012
303-695-7177
Fax: 303-695-7400

September 1, 1993

Mr. Dale Lavene, Property Manager
Advanced Real Estate Services, Inc.
9745 E. Hampden Avenue
Suite 310
Denver, CO 80231

Dear Mr. Lavene,

This letter is to clarify for you the landscape maintenance responsibilities adjacent to the Seville Townhome Association in Mission Viejo.

On October 27, 1992, a letter was sent to the Seville Townhome Association advising of a proposed change in City Code that clarifies landscape maintenance responsibilities on right-of-way areas. Specifically, the Code revision indicates that the responsibility for landscape maintenance rests with the adjacent homeowners' association, unless a specific written agreement is developed that assigns responsibility to the City. This revised Code was authorized by City Council in July of this year and became effective on August 20, 1993.

As a result of this Code revision, the landscaped areas surrounding the Mission Viejo area are no longer maintained by City crews. It is our understanding that a volunteer group in Mission Viejo called "Mission Possible" has assumed maintenance responsibilities for these right-of-way areas. The contact person for Mission Possible is Peg Alt at 758-0027.

Attached for your review is a sample copy of the letter sent to all homeowner associations in October of 1992, as well as a copy of the new Code section that addresses this landscape issue. Also, if you desire more specific information regarding past discussions with people in Mission Viejo, please contact Tom Barrett, Manager of Parks, at 695-7168.

Sincerely,

Rick Bowser, Manager
Forestry and Horticulture

cc: Tom Barrett, Manager of Parks



SAMPLE

PARKS AND RECREATION DEPARTMENT

Administration
1470 South Havana Street
Aurora, Colorado 80012
303-695-7168

October 27, 1992

~~Pat Pool, President
Heather Gardens Association
14300 East Marina Drive, #510
Aurora, Colorado 80014~~

Dear HOA President:

Attached for your information is an Amendment to the City Code which is being recommended by staff to the City Council. The City Council Operations Committee has requested that this response be provided to you prior to consideration by the full Council.

This proposed Amendment clarifies the Code related to maintenance responsibility for landscaping on City right-of-way. In some instances, home owners associations have installed landscaping improvements on adjacent City right-of-way. This proposed Amendment clearly indicates the responsibility for maintenance of that landscaping belongs to the adjacent property owner, unless a specific written agreement with the HOA exists which assigns the maintenance to the City. It is not the intent of this Amendment to change any existing Agreements between HOAs and the City of Aurora. Also, responsibility for maintaining trees in the right-of-way will remain with the City.

We would appreciate any comments your organization might have on the proposed Amendment prior to its final consideration by the full City Council tentatively scheduled in December 1992. Please direct any comments you may have to me by November 30, 1992 if possible.

Also, if your association has an existing Agreement for maintenance with the City, I would like to receive a copy. If you have any questions or would like further information about this proposed Amendment, please contact Tom Barrett at 695-7547 or me directly.

Sincerely,

Frank Ragan, Director
Department of Parks and Recreation

attachment

cc: City Council Operations Committee
Councilmember Wayne Gaston, Chairperson
Councilmember Polly Page
Councilmember Steve Hogan
Bob Blodgett, Deputy City Manager



PARKS AND RECREATION DEPARTMENT

Administration
1470 South Havana Street
Aurora, Colorado 80012
303-695-7168

October 15, 1993

Robin Supinger
16069 East Mercer Drive
Aurora, CO 80012

Dear Robin:

I wanted to get back with you and reiterate our commitment to working with you and your HOA to transition into your new responsibilities in regard to right-of-way maintenance. As indicated during our last meeting, we will commit to removing any shrubbery you are desirous of replacing along Chambers or Hampden. Tom Barrett or Rick Bowser can meet you on the site so the actual plants can be flagged for removal.

Our department will also assist you with ideas for redevelopment and provide associated estimates for appropriate replacement material so that you may appropriately budget and/or request a mini-grant. Recognizing the extreme costs of landscaping, it is suggested that new plantings be phased in the most needed areas. It is questionable as to whether some of the junipers were too heavily pruned. Since the meeting, we have decided to help in the costs of replacing the junipers which have died or are in such condition as to appear unsightly as a result of the pruning. Since this is an unbudgeted item for us and we do not know the extent, dollar wise, of this issue, we are unable to identify a dollar amount at this time, but we will act in good faith to reach a mutual determination in this regard. It is recommended that the Pfitzer Junipers not be replaced with the same variety due to their extremely wide spread of growth characteristic. Having to deal with this trait in a limited space with sidewalk clearance as a priority are the main reasons many of the junipers are unsightly at this time.

Staff will also be prepared to work with your group or contractor in the Spring when you are ready to activate the irrigation system. In addition, until your mandatory HOA is up and running, we will continue to provide the actual water for your perimeter irrigation. The Parks and Recreation Department will continue to maintain the parks, greenbelts and medians throughout the development. Snow removal activities will still be provided along Marguerite parkway and the other city owned facilities. This snow removal service will be offered once staff have completed their higher priority responsibilities, i.e., streets, etc.

If any other questions or issues should arise regarding this topic, please do not hesitate to call me or my staff. It is a pleasure working with your group on effectively resolving these issues. Thank you for your assistance.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "L. Ragan".

L. Franklin Ragan
Director of Parks, Recreation and Open Space

c: Council Member Wayne Gaston
Bob Blodgett, Deputy City Manager
Tom Barrett, Manager - Parks Operations
Rick Bowser, Manager - Forestry & Horticulture



PARKS, RECREATION & OPEN SPACE DEPARTMENT

Administration
1470 South Havana Street
Aurora, Colorado 80012
303-895-7168
FAX: 303-895-7400

May 23, 1994

Ms. Lori Monroe, Chair
Mission Viejo H.O.A. Steering Committee
16897 Oxford Drive
Aurora, Colorado 80013

Dear Ms. Monroe:

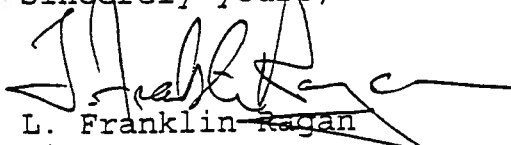
After having discussed your request for the City to pay Mission Viejo's electrical charges associated with the Chambers right-of-way irrigation system, we have made a final decision regarding this transitional period. Please bear in mind that I, and many others on the Mission Viejo steering committee, were of the opinion that your HOA would be up and running by late spring or early summer of this year, hence our agreement "to provide the actual water for your perimeter irrigation" during this transitional period.

We will follow through on our earlier commitment, i.e., to provide water, however, only for the duration of the 1994 irrigation season. Mission Viejo should pay for the minor electricity charges necessary for the irrigation system to operate.

While I empathize with your predicament of getting an HOA started, it has been over a year since our notice was given that we would discontinue the r-o-w services, and we are no longer budgeted to maintain this area. The actual water bills for this segment will average between \$40 - \$50 per month, whereas the electricity will run only about \$5.44 per month.

I understand that everything went quite well this past weekend on the volunteer landscaping project. Congratulations to you and the remainder of the committee for your organization of this effort. I wish you the best of luck in your HOA efforts.

Sincerely yours,


L. Franklin Ragan
Director

cc: Tom Barrett, Manager - Parks Operations & Maintenance