



MISSION VIEJO REPORTER

NEWS FROM THE MISSION VIEJO HOMEOWNERS' ASSOCIATION INC.

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September 2008

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One Mission, One Truck, One Day

Fall is coming, and most of our students are now in school. Personally, our family has been busy getting our kids registered, making sure they have all of their supplies ready, etc. I know, too, soon I will be cleaning the gutters and winterizing my sprinkler system. All of these changes sometimes seem overwhelming. The seasons change so quickly yet sometimes, old habits and changing the status quo are hard to accomplish. I would speculate that this is probably due to our busy lives and our efforts to just keep up with all the changes.



However, there is one change I would like you to consider if you haven't already done so. I urge you make a change in your trash service to the one that benefits your community – the Mission Viejo HOA trash

program. Through October we have approximately 360 residents signed up with our program, and each day more residents are joining the program. While there may be some trash companies out there that can beat Waste Advantage's price, only by signing up with the Mission Viejo trash program will you be helping your community. Our goal has always been to offer this to the neighborhood as a benefit of membership and to help cut down on the large number of trash haulers we have in Mission Viejo on a weekly basis. Once we reach 500 paying residents, the HOA (your neighborhood representative organization) will receive \$2 back per month for every subscriber. After we top 600 participants, we will no

longer need our usual dues payments from you. So, I urge to make this one other change - add it to your list of school supplies and all your fall tasks such as raking your leaves; sign up to our trash program. Please join others in the community who are now enjoying this service – single stream recycling from a single hauler; it will help all of us and our mission: one truck, one day.

In other news, on August 29, we celebrated the initiation of the trash program with a free concert in Mission Viejo Park, our Music in the Park event. This was intended as a special thank you celebration and an opportunity to encourage others to join the trash program. We also celebrated the dedication of the Mary Lewis park bench, celebrating the memory of an out-

continued on page 2

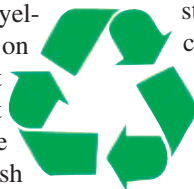
The Mission Viejo Trash Program Status Report

The customer base for the Waste Advantage trash service is growing steadily, but Mission Viejo has not yet reached the 500 mark, at which point the neighborhood will start receiving \$2 per customer per month. From 73 customers in mid June, the customer base grew to 234 in August. In September, the Waste Advantage yellow truck will be picking up trash on Fridays. Please note that on the first Friday in September there will not be a trash pickup because of the Labor Day holiday. Instead the trash will be picked up on Saturday, September 6. Currently, our total resident count is 360 customers.

If each one of those 360 customers would recruit one of their neighbors to use this ecologically- and monetarily-sound trash service, the neighborhood will begin to benefit from the program. If there are 720 customers using Waste Advantage, the neighborhood would receive \$1440 a month to use to improve the neighborhood. So, please, spread the word. Not only will

you be helping your neighbor by informing them of this excellent trash service, but you will be helping to improve the entire Mission Viejo neighborhood.

The HOA-sponsored trash program is an excellent value. For \$192 a year (\$48 a quarter), the trash service includes single stream recycling at no additional charge, no extra fuel surcharges and a guaranteed rate for the year; it's a service you can't beat and the only one that helps the community.



The Homeowners' Association provides valuable services to the Mission Viejo community that benefits each and every homeowner. Now is a great time to join the program. Just fill out the form that is located in this newsletter and send it in, fax it to Waste Advantage or sign up via our web site at: <http://www.missionviejohoa.org>. It's easy to do and you will be helping your community. So, come on, save some money, help your community and support YOUR homeowners' association.

Common Questions Regarding the Enforcement of Restrictive Covenants

1. Are our covenants valid and are enforceable?

Yes. However, it is important to realize that there are separate sets of covenants for each filing within the community. Please check our website, www.missionviejohoa.org to find which set of covenants are applicable to your residence. The covenants for each filing "run with the land" and any person who purchases a lot within Mission Viejo must abide by them. Under Colorado law, they are valid and enforceable by any

continued on page 3

Next HOA Meeting
Third Tuesday
September 16th • 6:30 p.m.
Mission Viejo Library
Everyone is Welcome!

Thank You, Volunteers!

The campaign to enlist subscribers to the Waste Advantage trash service in Mission Viejo continued during the last week of July and the first few weeks in August. During this time a group of volunteers went to approximately 1300 doors in Mission Viejo to ensure that everyone in Mission Viejo was aware that there was a new trash service in the neighborhood that would not only provide excellent service to them but would also benefit the neighborhood. We would like to thank these volunteers for their time and efforts: **Nancy Miani, Lee and Annette Brown, Terri McNamara, Tom Gaffey, Ken Gehant, Weston Hahn, Tom Merow, Bob Mueller, Sandy Weiner, Linda Scott, Pam Schroeder, Ron Dunlap, Suzy Rae, Todd McMahon, Ron Costa, Troy Haller, Alan Engels and Elaine Lay.** This was an important task and would not have been possible without the help of all of these volunteers!

The HOA is Looking for Volunteers

The HOA and the Mission Interdependence Day Committee are looking for a new summer event coordinator. Please email the HOA at webmaster@missionviejohoa.org or loribellej@gmail.com. Also, the HOA is looking for other volunteers for our committees and as potential Board Members. If you would like to join us and share your time and talents, please come to one of our next board meetings and express your desire to become more involved. We need your help to bring a sense of community to Mission Viejo.

Mission Viejo HOA Board of Directors



Todd McMahon, President
303-817-6932

president@missionviejohoa.org

Troy Haller, Co-President
co-president@missionviejohoa.org

Alan Engels, Vice President and Treasurer
303-690-7063

vicepresident@missionviejohoa.org
treasurer@missionviejohoa.org

Elaine Lay, Secretary

303-699-0657

secretary@missionviejohoa.org

Ron Costa, Assistant Secretary
assistantsecretary@missionviejohoa.org

General Questions
webmaster@missionviejohoa.org

MISSION VIEJO HOMEOWNERS ASSOCIATION, INC.

4255 S. Buckley Road, #110
Aurora, CO 80013-2951

COMMITTEES

Neighborhood Watch

Tom Tobiassen, neighborhoodwatch@missionviejohoa.org

Mission Viejo Trash Program
Waste Advantage, 303-695-5436

Website

www.missionviejohoa.org
webmaster@missionviejohoa.org

The *Mission Viejo Homeowners' Association Inc.* is a state non-profit organization. The purpose of the Mission Viejo HOA is to unite the unit owners of the Mission Viejo subdivisions in Aurora, Colorado; to encourage civic improvements within said area, to encourage community activities including, but not by way of limitation, the beautification, maintenance, and general appearance of vacant and improved lots, streets, parkways, entrances, open and recreational areas situated within the area and used in common by its residents; enhance the safety of Mission Viejo; facilitate enforcement of any and all building restrictions, protective covenants, and to otherwise act in the interests of the members of the Association.

The deadline for articles and advertisements is the 15th of the month for the next month's issue except the Jan. issue which is Dec. 6th. **All articles must be approved by the editor for publication, or as space permits.** To submit an article, e-mail an attachment to Todd McMahon at president@missionviejohoa.org. All letters or articles need to include your name and daytime phone number. All articles must be approved by the Board for publication, or as space permits.

To place an ad, call Colorado Lasertype, **303-979-7499** or e-mail getinfo@ColoradoLasertype.com • ColoradoLasertype.com

Appearance of an advertisement in this publication does not constitute a recommendation or endorsement by the Association of the goods or services offered. The opinions expressed in this newsletter are those of the individual authors and not the Board of your Association. Neither the Board, publisher, nor the authors intend to provide any professional service or opinion through this publication.

One Mission, *continued from front page*

standing person who gave so much of her time to help our neighborhood. Also, at the last board meeting we were given site plan approvals for a new Walgreens store to be located in the Mission Viejo shopping center. The HOA Board will carefully review these plans, and we hope that this improvement will be a catalyst for further redevelopment of the Mission Viejo Shopping Center. We will try to keep you posted.

Till next month – please make the change and tell your neighbors: one mission – one truck – one day!

—Todd McMahon – Mission Viejo HOA President

**Sign up Today
for the Mission Viejo Trash Program!**
Sign up on the Web or Use This Form



Service Information

First Name: _____

Last Name: _____

Street Address: _____

City, Zip Code: _____

E-mail Address: _____

Phone #: _____

Rate Per Mnth \$16 / Rate Per Qtr \$48

Start Date (Month/Year): _____

Comments: _____

Mail this form to: Waste Advantage Inc.
1970 S. Valentia St. Unit E, Denver, CO 80231

Fax it to: Waste Advantage at 303-695-6742

Drop it off: In an envelope (postage-free) at the
Mission Viejo HOA mailbox (#110) in the
UPS Store located at 4255 S. Buckley Road,
Aurora, CO 80013-2951 in the Quincy Place
Shopping Center (just north of King Soopers).

Covenant Enforcement, *continued from front page*

neighboring owners within the community. The major provisions of the Protective Covenants are as follows:

1. Landscaping shall be completed in the front and side yards of lots within 7 months after conveyance of title and shall at all times be maintained in good condition and repair. No weeds, rubbish, debris, objects, or materials of any kind shall be placed or permitted to accumulate upon any portion of the property.
2. No boat, truck, trailer, camper, or inoperable vehicle shall be stored on any portion of any lot so as to be visible from adjacent streets or lots of similar grade. No automobile which shall not be in an operating condition shall be parked or left on any portion of a lot other than a garage.
 - a. Boats, trucks, trailers or campers may be kept on a lot provided they are kept in a semi-enclosed area and concealed from the surrounding street and neighborhood.
 - b. The outdoor repair of automobiles is prohibited upon any portion of the property as well as any other activities which may be or become an annoyance or nuisance to the neighborhood.

2. How can an individual homeowner go about enforcing a covenant violation?

The Homeowners' Association can help facilitate covenant enforcement but the HOA does not have the power to approve new improvements or to make routine inspections. The HOA must rely on individual homeowners to inform us and we ask everyone to first report violations to the city if the violation coordinates with one or more of our city zoning code ordinances. The Aurora zoning code covers almost 90% of our covenants. To report on a city zoning code violation simply call Access Aurora at 303-739-7000. You can remain completely anonymous and you may ask for a follow-up. Please check our website for a list of some applicable zoning code ordinances. The HOA can be involved in covenant litigation, but the HOA requires the creation of a "defensible record" and the availability of enough funding to support such action. Such involvement also requires full evaluation by the Board of Directors. Please see our website and the board's policy on covenant enforcement at: http://www.missionviejohoa.org/Covenant%20Enforcement_final600.pdf

Enforcement can also be directly achieved through individual legal action. It is important to note that in some cases courts may require mediation for some covenant violations. Small claims court though is the best venue for an enforcement action if you have monetary damages less than \$7,500.00. It is very informal and an inexpensive way to gain legal recourse. However, small claims court cannot award damages over \$7,500.00 and the court does not have the power to enforce a covenant if the cost to comply with the covenant exceeds this amount. County court is the best venue for an enforcement action when you are trying to get an injunction to prohibit a certain action. Court costs for county court are much more expensive however. County court can award damages of up to \$15,000. Pursuant to Colorado law, the prevailing party is entitled to their attorney fees in a covenant enforcement action. Thus, if you file a frivolous lawsuit, you will likely be responsible for the defendant's legal fees if the suit is dismissed. Similarly, if you choose to fight a lawsuit when you are likely in the wrong, you could be subject to the plaintiff's attorney fees.

The best course of action that we ask all residences to follow is to obey all our covenants. If we all do that we can avoid lawsuits and enjoy increased property values.

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Free Teen Services List Available

We offer a free teen services list for teens living in Mission Viejo. Our categories include: (B) Babysitting, (*) for Red Cross Certification for CPR; (P) Pet/House Sitting; (L) Lawn Care; and (S) Snow Removal. To be included, please call **Colorado Lasertype at 979-7499** and leave the following information: the **neighborhood you live in** (this is very important - we do 21 newsletters and need to know which one to place in), your age, phone number and the categories you would like included. No recommendation or endorsement of any of the names on this list is implied or stated by the homeowners association board or Colorado Lasertype. Thank you.
—Colorado Lasertype

New to the Community?

Are you new to the Mission Viejo community? Let us hear from you! Mission Viejo is a large subdivision and the Homeowner's Association wants to keep everyone informed. You can help the HOA by letting us know you moved in. Call one of the HOA Board members listed on page 2 of the newsletter and they can not only welcome you to the neighborhood, but they can answer questions about the neighborhood and help you start your trash service.



We have a website at www.missionviejohoa.org that will provide you with a wide variety of helpful information. Welcome to the neighborhood!!

The board is interested in creating a welcoming committee for Mission Viejo. If you would like to become involved in this activity, please call one of the Board members. We would love to work with you to begin this worthwhile program.

Neighborhood Watch News

The next Neighborhood Watch meeting will be Tuesday, September 23rd, 7-8 p.m. in the Mission Viejo Library. Recently, our Police Area Representative (PAR) Officer **Jeff Brown** announced his retirement from the Aurora Police Department after a long and distinguished career. It sounds like Mission Viejo and Area 24 did not give Jeff enough excitement; he has since signed on for special security-related work in Iraq. Jeff has been an asset to the Aurora Police Department and our neighborhood with his quick response and dedication to solving problems. We wish Jeff the best of luck in his new career along with a safe and speedy return to the United States. The Aurora Police Department is expected to announce Jeff's replacement soon. In the mean time, continue to use the PAR phone number, 303-627-3176, to report problems or suspicious activity in your neighborhood.

—Tom Tobiassen, Mission Viejo Neighborhood Watch, Head Area Coordinator 303-699-9260 tjtohiassen@comcast.net

Cherry Creek Schools News

For information about Cherry Creek Schools, visit: www.CherryCreekSchools.org

- Mission Viejo Elementary: <http://missionpossible.ccsd.k12.co.us>
- Laredo Middle School: <http://www.lms.ccsd.k12.co.us>
- Smoky Hill High School: <http://www.smoky.ccsd.k12.co.us>

Important School Dates for September/October 2008

- September 3 - Labor Day – No School
- September 7 – 7th Annual Fitness Festival at Crescent Park
- September 19 – No School. (Non-contact/conferences)
- October 27 – October 31 – No School, Fall Break

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CLASSIFIEDS

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Teens Needed!!

It was recently brought to our attention by a homeowner in Mission Viejo that there are no teens listed in our newsletter in the "Free Teen Services List Available" section of the newsletter. This homeowner is looking for a teen to shovel her snow this winter. We looked at other newsletters in the Metro Area that are similar to our newsletter and found they all had a long list of teens available for babysitting, pet and house sitting, lawn care and

shoveling snow in their neighborhoods. If you are a teen and are interested in earning some extra money and helping out in the neighborhood, all you need to do is call Colorado Lasertype at 303-979-7499. Just tell them your name, neighborhood, age, phone number and the categories that you would like included. This is a free service provided by Colorado Lasertype. Take advantage of this service and start earning some extra money now!

The deadline for advertising is the 15th of the month for the next month's issue except for the Jan. issue which is Dec. 6th.

For more information, visit our website: **ColoradoLasertype.com**



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RTD Struggles – Bumps in the Track?

It seems that almost daily we are hearing of the woes besetting RTD and transit agency’s ability to pay its diesel fuel bill. Who is not feeling the bite of higher fuel costs? RTD is also struggling with the ever rising cost of the steel, copper, concrete, and energy that are needed to build out FasTracks. I have spoken to literally hundreds of people about RTD’s FasTracks program and virtually every person wants the FasTracks light rail running up I-225 along with the rail from downtown Denver to DIA built on time. The question is, how do we make this happen? Here are some ideas:

- RTD could cut some corridors and build only the most “popular” routes.
- RTD could delay the construction of some corridors and build the most popular routes first.
- RTD could ask voters for a tax supplement (increase) in order to keep FasTracks on schedule.
- Or, maybe the State Legislature should allocate some of the oil company ‘tax incentives’ to transportation and FasTracks if Initiative 113 passes in November.

I would like to hear your ideas. Please write or call and voice your opinion on what you think. Let’s send that message to the RTD Board of Directors and our Colorado State Legislators on what makes sense for mass transit to Mission Viejo residents.

Tom Tobiassen, Candidate for RTD Board of Directors representing Mission Viejo and nearby neighborhoods Tom@TomForRTD.com 303-699-9260.

Website

Visit the Mission Viejo HOA website today. Register your email address so you can be personally updated about information relevant to Mission Viejo via our emailing service, find covenants, membership forms, a map of Mission Viejo, Mission Viejo history and more. Visit us at:

www.missionviejohoa.org



Light Rail Station Design/Planning Meetings

Do you have some thoughts on the design and parking for the new proposed light rail along I-225? If so here are some meetings you might like to attend:

- #1 ILIFF Station - September 9th 6:30–8 p.m.
Presentation of concepts for Iliff station area to the public for comments
Location: Aurora Board of Realtors, 14201 E. Evans Avenue, Aurora, CO
- #2 Joint Meeting: I-225 Public Meeting and Aurora Strategic Parking
September 30th 4–8 p.m.
Location: Summit Event Center, 411 Sable Blvd, Aurora, CO
Session One: 4-6 p.m.; Session Two: 6-8 p.m.
(Both sessions will present the same information)
Sessions will include: Presentation of rail corridor parking and request for public comments.

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