

FAQ SHEET FOR PARKSIDE updated 01.21.19

1. Who owns the water lines under our streets in Parkside?

The lines belong to Denver Water and are billed by Denver Water. The billing includes maintenance.

2. Who owns the sewer lines under our streets in Parkside?

The sewer lines belong to South West Suburban and Sanitation District. Billing takes care of waste water processing and line maintenance and insurance of the lines. They also handle the water lines under So. Cody St coming down from Belleview.

3. Who is responsible for the care and maintenance of the median down Cody Street? (Revised)

When Whole Foods became part of Amazon, responsibility for maintenance of the medians on South Cody just south of Belleview, passed to the new owner of the property, Panos Properties LLC in Seattle. Once informed of their responsibility, Panos Properties advised they would develop a work plan and perform maintenance on the medians in question. Kaiser Permanente is responsible for the smaller southern part. This is due to the agreement reached with Lakewood in their flagpole annexation in 1996 when the property was sold to Circuit City. The ODP assigns responsibility for maintenance to the property owner. Lakewood Code Enforcement may also be called to report weeds taller than 18 inches tall on the medians.

4. Why do we have a certified HOA manager rather than a bookkeeper?

A state law passed in 2013 mandated that by 2015 HOA's be managed by a certified HOA manager. The manager must take a series of classes and pass a test and pay a fee per year for his/her certificate. The feedback and expertise offered by a certified HOA manager is more encompassing than what a bookkeeper can offer. The HOA Manager can handle the financial recordkeeping as well as other issues that are mandated by Colorado law.

5. Who manages the care and maintenance of Governor Grant Park? Foothills Parks and Recreation

6. How handles the care and maintenance of Cody Park? City of Lakewood

7. What was the year when the last houses in Parkside were sold by Sanford? 1988.

8. Why might some homes have water issues in Parkside?

- Areas of Governor's Ranch and Parkside are located in what was once a reservoir for Governor Grant's Ranch in the early 1900's.
- The ground upon which we are situated is made up of mostly bentonite (clay). Bentonite can expand six times its original size when it absorbs water.
- Before Parkside was developed, there was a natural spring situated in what is now REI's parking lot. The area was swampy and filled with cattails. When the water would back up, it would flow across Wadsworth. At times the present Cody Park was also flooded with water.
- When Kaiser Permanente was built, they installed six foot French drains around their foundation and in the parking lot to mitigate this problem.
- Even now we have a very high water table under parts of Parkside.
- Sanford, the original builder of Parkside, apparently realized the possible water problem. In their preliminary plans, they proposed a five foot no-water drainage zone instead of our present two foot drainage pan and one foot no-water, no plant zone. In addition, they installed drain pans on all inner and north perimeter houses in order to keep water away from foundations. Many original drainage pans have been replaced to insure proper drainage.

9. What is the reason why Parkside is considered part of Governor's Ranch?

When Sanford set up the establishing documents in 1979 and revised them in 1985, he made us a part of Governor's Ranch in perpetuity. An original Parkside information brochure dated October 31, 1984 states, "Any Parkside owner automatically belongs to Governor's Ranch and shall pay the annual assessment dues."

For a brief time in 1985, Parkside owners paid only 70% of the dues; however, in 1986 that was changed when both HOA's agreed to a land/maintenance agreement and Parkside HOA agreed to pay the full Governor's Ranch dues.

Subsequently, over the following years, different Parkside Boards attempted to reduce or change the assessment ratio and also investigated the possibility of separating from Governor's Ranch. Legal firms were hired each time and at considerable cost to determine if Parkside could change paying the full Governor's Ranch dues and/or exit Governor's Ranch HOA. Legal opinions agreed that the Covenants are ironclad, that Parkside is, and will remain, part of Governor's Ranch.

Before one suggests we try again, it is important to note that it would require 67% of the homeowners of both Parkside and Governor's Ranch to agree to Parkside leaving Governor's Ranch. Our own community is divided on leaving Governor's Ranch as there are several residents who use the amenities available. We all knew when we moved here that we would be expected to pay dues to both HOA's, which are considerably less than other HOA neighborhoods. For additional information, please read the questions on Secession and Fees.

10. Does Parkside ever do a community garage sale? Currently, the garage sale occurs every two years.

11. How large is Parkside?

Parkside has 88 homes and covers 14.25 acres. The streets measure 75,000 square feet. Sidewalks measure 39,366 square feet.

12. What is the maintenance history of streets in Parkside?

Original streets were laid in 1984. It was taken down to the base and repaved over a Petro mat fabric in 1996. Its life expectancy was 30 years. Pavement sealer and infrared repairs over the years have worked to maintain the streets; the sealcoating and infrared patching done in 2018 is expected to extend the life of the current pavement 3 to 5 years.

13. Why do we own and maintain the streets in Parkside?

09/28/84: Sanford Homes, Inc. internal memo stating: "Parkside will belong to the master Governor's Ranch Homeowners Assoc. paying full dues to them and then will have a sub association basically to maintain the private streets."

10/31/84: Sanford Homes Information Brochure for Parkside at Governor's Ranch. "The streets in the subdivision will be private, permitting security controls and limitations on their use not available on public streets." "For the convenience of the owners in Parkside, a Colorado nonprofit corporation known as Parkside at Governor's Ranch Homes Association has been organized to operate, manage and maintain the common areas and related improvements in Parkside." "Since each lot owner is automatically a member of Governor's Ranch Homeowner's Association, he or she is also responsible for paying the annual assessments of that Association which currently is \$_____ and is subject to the applicable rules, regulations, Bylaws, Articles of Incorporation and Declaration of Covenants for Governor's Ranch."

Note: Parkside would be different from Governor's Ranch for the following reasons:

- Private streets, which also meant the streets were not built to county specifications and could be blocked off with a private gate.
- The lots would be smaller which also affected some easements of the Denver Water Board water lines. The assessment for lots or living units are part of a "condominium, townhouse, row house or a cluster-type" development.

14. Have there been attempts to have Jeffco take over the ownership and maintenance of our streets in Parkside?

03/15/92: Letter from President Paula Schuler to Jeffco complaining of inequity of having to pay taxes while we maintain our own streets.

04/15/92: Jeffco replied that county would accept and maintain the streets if they were brought up to county specifications and that they are deeded to the county.

05/18/92: President Schuler questioned Jeffco again about lowering taxes.

06/04/92: PHOA Board Member reported that Jeffco would take the streets if a one inch overlay were put over the existing asphalt and the north entrance have a grade change in the street where it meets S. Cody St.

07/07/92: Jeffco replied that they would not reduce nor eliminate our taxes because we maintain our own private streets.

10/01/92: Board Member reported that the approximate cost of the items that Jeffco wanted to maintain and own our streets would be \$30,000 - \$35,000. Also, the gate would have to be omitted.

04/07/93: Board Member reported that Lakewood would annex Parkside. Conditions of the annexation would include road work on our streets which would be paid 75% by Lakewood and 25% by Parkside. They would also allow Parkside to keep the private gate. A tax increase per home of approximately \$105 was possible. \$76 of Parkside's dues are presently spent on street maintenance. *(The cost per house would have increased by \$29 to have Lakewood own and maintain our streets.)*

2016: Jeffco was again approached about taking over streets and it was confirmed they are not wide enough for the county to maintain. In addition, there was discussion by the Board that Jeffco might not maintain the streets to the standard that we have become accustomed.

15. What is important to remember about our mailing address?

Parkside is located in unincorporated Jefferson County even though it has a Littleton address. It is important to know this if you are having items delivered to your home as you may qualify for a lower tax rate than what is applied in the City of Littleton or Lakewood.

16. Why does Parkside not have speed bumps?

Parkside has a speed limit of 15 miles an hour. Research into adding speed bumps shows it to be cost prohibitive. In addition, we have been advised that the noise produced by cars and especially trash trucks hitting the speed bumps is a major source of annoyance and complaints. Emergency vehicle operators also have issues with the speed bumps.

17. Where did the name for Governor's Ranch (and Grant Ranch) originate?

The names commemorate Colorado's third governor, James Benton Grant. Grant was born in 1848 in Alabama and briefly served with a Confederate Regiment during the Civil War. After the Civil War he set out for Davenport, Iowa to study, then moved to Cornell University for civil engineering and mineralogy, and then to Germany where he received a degree in metallurgy. He worked as a mining engineer in Central City, but Leadville is where he made his fortune and reputation. He built a smelter in Leadville in partnership with his uncle, which shipped over \$2million in metal the first year. In 1882 the smelter burned to the ground and Grant moved to Denver where he rebuilt the plant in north Denver east of the Platte River (now the site of the current Denver Stock Show complex).

Grant built a ranch in Jefferson County, which extended from Ken Caryl up to and including where we now live. In 1883 he was encouraged to run for Governor and was Colorado's first Democratic Governor, serving one term 1883-1885. He later built a mansion at 770 Pennsylvania Street in Denver.

After his death in 1911, his wife eventually sold the mansion to oilman Albert Humphreys in 1917. The mansion is now owned by Historic Denver and is known as the Grant Humphries Mansion.

18. What is the history of attempts to reduce fees paid to Governor's Ranch?

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- Private streets, which also meant the streets were not built to county specifications and could be blocked off with a private gate.
- The lots would be smaller which also affected some easements of the Denver Water Board water lines. The assessment for lots or living units are part of a "condominium, townhouse, row house or a cluster-type" development.
- The association would have its own Design Review Committee.
- The association would carry a blanket casualty insurance policy on the homes constructed on the lots and the premiums would be allocated equally among the lots without reference to the size of the homes on the lots.

10/18/85: A letter from Sanford Homes to Governor's Ranch Homeowners Associations states, "The Board of Directors of Parkside Homeowner's Association, on October 14, 1985, unanimously approved a resolution to set the ratio of assessment to Governor's Ranch Homeowner's Association to 70%. This action is in accordance with Article VI, Section 3 of the Governor's Ranch Declaration of Covenants and Restrictions and is retroactive to December 11, 1984." "I trust the Board will note our efforts to provide a climate of fairness to both Associations."

10/29/85: A letter from GRHOA manager, Sharon Westmoreland, to PHOA stating "The very idea is ludicrous...what a colossal waste of your money." The GRHOA objects to the 70% assessment fee. A letter from GRHOA secretary, Leo Johnson, basically states that Sanford Homes had previously agreed that PHOA should pay a 100% assessment fee.

11/05/85: Mackintosh Brown P.C., Attorney at Law, letter states that he, Mackintosh Brown, prepared the covenants and knows the intent was to give the initial control of the assessment ratio to the Board of Directors for the condominium, townhouse, rowhouse, or cluster type association (Parkside). It was only required that the Parkside vote be 66% of the residents. The intent was not to have 66% of Governor's Ranch resident votes counted. Governor's Ranch protection was that the assessment ratio could not be less than 50%.

11/18/85: Letter from PHOA President, Bruce Marten, to GRHOA stating that PHOA will convey Tracts A and B to GRHOA as common area in Governor's Ranch. GRHOA will maintain those tracts as well as the north side of Crestline Street and the west side of South Cody Street even though they are public property. In exchange for that, Parkside would pay the 100% assessment fee. (Tract A is the path to Grant Park and Tract B was east of the east boundary fence which was later deeded away by GRHOA.)

04/01/86: Parkside residents vote to affirm the above offer by a vote of 26 yesses out of 26 residents.

12/19/86: Warranty deed transferred Tracts A and B to GRHOA for \$1.

08/18/88: In response to a letter from Sanford, Mackintosh Brown states that there are possibly grounds to reforming the agreement between GRHOA and PHOA to reducing the assessment fees if GRHOA conveys Tract B to Lakewood. Since GRHOA would no longer have the expense of maintaining the tract, it is possible the District Court might order such a reformation.

02/22/92: Lengthy proposal was written by PHOA listing possible options regarding GRHOA. *(A key point was made during this study. The interpretation of Article VI, Section 3 makes a distinction between "single family dwellings and condominiums, townhouse, rowhouse and cluster type dwellings." The interpretation of this determines is only 66% of Parkside residents are needed to vote out of GRHOA or if Governor's Ranch residents are allowed to vote also. GRHOA values are protected in that the assessment cannot be lower than 50%.)*

12/16/92: PHOA's attorney, Mackintosh Brown, had Myer, Swanson & Adams P.C. Attorney at Law, review their own 08/18/88 response to PHOA. That law firm's judgment was that Parkside's complaint does "not give rise to a valid claim reinstating the 70% ratio." (\$688 bill included.) Mackintosh Brown then advised that in his opinion, "Parkside members are stuck in the GRHOA with 100% assessment ratio.

09/09/93: Letter from PHOA to GRHOA requesting reduction of assessment fees.

03/20/94: PHOA wrote GRHOA advising that a vote would be taken in May and if 66% of the Parkside homeowners voted to have the assessment fees reduced, they would be.

06/12/94: 84 of 88 Parkside homeowners voted to have the GROHA assessment fees lowered.

06/15/94: PHOA wrote GRHOA advising that they would no longer pay full assessment.

07/06/94: An estimated cost of \$15,000 is anticipated if a legal battle should arise after the recent vote to change the assessment ratio.

08/17/94: Winzenburg, Leff and Mitchel Attorneys at Law sent a letter to GRHOA requesting a change in the assessment dues.

10/12/94: Governor's Ranch homeowners vote whether to allow the change in Parkside's assessment fees. 1004 ballots were cast. 709 were against Parkside getting a lower assessment fee and 46 voted to allow it.

12/19/94: Parkside residents vote not to relinquish all Governor's Ranch amenities but to continue to pursue alternative to full membership and payment of these amenities. *(Attorney fees for the assessment issue for November alone were \$1,550)*

08/19/97: A Board member meets with Edward Burns, Jr. Attorney at Law to discuss the assessment ratio.

05/06/98: Another committee, "Parkside 2000" is formed to select an attorney to research legal action to reduce the assessment fee. \$3,500 is budgeted.

08/05/98: "Parkside 2000" is disbanded after they are unable to agree upon an attorney.

19. Has there ever been consideration of secession or de-annexation from Governor's Ranch?

08/18/88: Mackintosh Brown P.C., Attorney at Law, wrote that de-annexation could only be done with the approval of sixty-seven percent of the Parkside members plus approval of sixty-six percent of the mortgagees of lots in Governor's Ranch.

11/01/88: Of 80 homeowners, only 30 attended a meeting to vote whether or not to have Lakewood annex Parkside. There were 18 yes votes and 12 no votes. To secede from Governor's Ranch, there were 16 yes votes and 15 no votes.

05/02/89: A straw poll of Parkside residents had been taken after the annual meeting to determine if there was enough interest to proceed with severing membership with GRHOA. There was not.

11/05/91: Another survey was taken of Parkside residents which showed 16 wanted to remain in the GRHOA and 65 did not. Seven residents abstained from voting.

02/22/92: A lengthy proposal was made discussing the various options of dealing with GRHOA involving both seceding and assessment valuation.

11/04/92: Ballots were counted regarding seceding from GRHOA. Only 69 votes were received either by mail and hand delivered. 54 voted yes. 15 voted no. 59 votes were required to meet the 66% of the 88 homes, therefore the issue was defeated. *(The 19 homes that did not vote, in a sense, defeated the issue.)*

03/17/93: Numerous documents regarding secession and assessment fees by attorneys and HOA's.

01/03/96: Discussion again about seceding from Governor's Ranch using a different attorney's opinion. Approximate cost would be \$10,000 to present it before a judge. Jack Ferguson and Art Blasdel want to pursue it.

02/13/96: Parkside residents voted 33 to secede from GRHOA and 30 against seceding.

20. Why does Cody Street south from Belleview end in a Park rather than go all the way through to Crestline?

Plans to rezone the vacant property between Parkside and Wadsworth to allow a Toys R Us (now occupied by Best Buy) caused Parkside residents considerable concern about lights, noise and traffic. Negotiations resulted in Toys R Us turning the parking lot lights away from Parkside, and paying for an 8-foot fence on the east side of Parkside, and for the installation of a remote-controlled gate at the south access/exit point to discourage public traffic driving through Parkside. A pocket park maintained by the City of Lakewood functioned to interrupt the direct flow of traffic to Crestline.

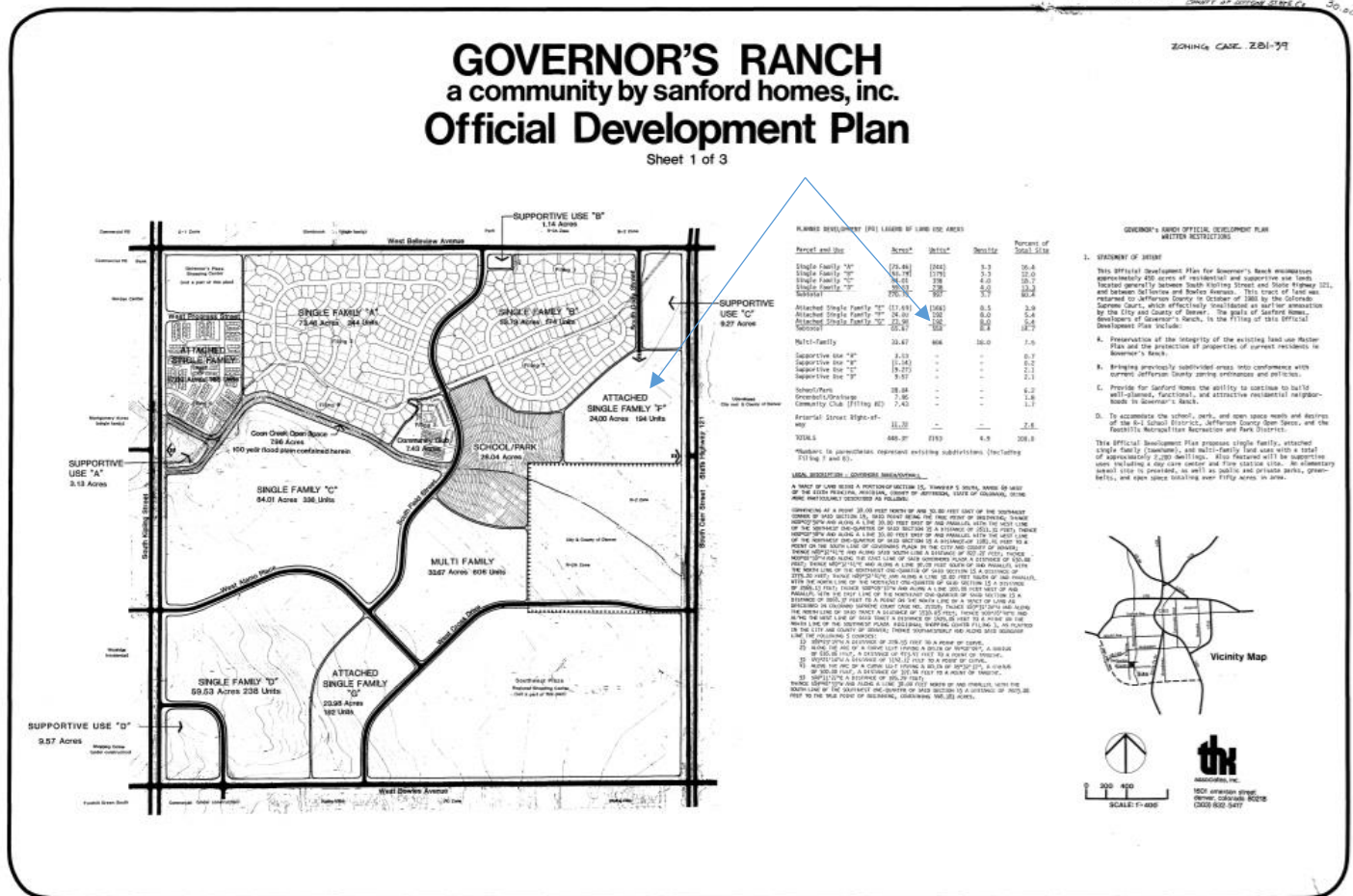
21. Why were changes made to the Declarations regarding insurance for residence coverage?

In 2001, changes in the insurance industry saw an increasing number of insurance companies decide to stop writing insurance for HOA associations. Those companies who continued to offer coverage increased deductibles from \$500 to 2% of property value. This was the situation facing Parkside HOA when the renewal quote included the change to 2% of property value for the deductible on insurance coverage of dwellings starting in January 2002. Realizing how this change would impact the HOA and its residents, should there be a situation where every home had damage to repair, changes were approved by residents wherein they would add loss assessment coverage, or increase that coverage on their personal liability and personal property policy. For a minimal premium increase, each resident could then eliminate a

financial burden should the HOA face a major loss in the 2002 policy period. This allowed time for the process of writing and presenting the Second Amendment to the Declarations which required each homeowner to obtain his or her own policy for their dwelling instead of having it covered under the Association's master policy. The Second Amendment was approved in a meeting held on January 15, 2003 and continues in effect to this day. (Thank you to Dick Igel for his input.)

21. How does Parkside now differ from the original plans developed by Sanford?

According to the Official Development Plant filed in 1981 at the Jefferson County offices, Section F (Parkside) was to have 192 or 194 homes and the property was to cover 24 acres and extend to Wadsworth (Bk 26, page 36; Document 81066721). By 1984, that plan had been altered to 88 homes and the property ended at South Cody St. (Should you wish a jpg copy to enlarge on your computer, please contact Linda at Lamelphy@aol.com.)



22. Who is responsible for maintenance of the entrance pathway to Governor Grant Park?

In 1985, Parkside conveyed Tracts A and B to become common area in Governor's Ranch. The agreement stated that Governor's Ranch would maintain those tracts as well as the north side of Crestline Street and the West side of South Cody Street even though they are public property. Tract A is the path to Governor Grant Park. Tract B was east of the east boundary fence and was later deeded to Lakewood to become part of the pocket park. This decision also determined that Parkside would pay 100% of Governor Ranch dues.

23. Why is there such a severe dip at the north access to Parkside?

A Board member at the Annual Meeting 2013 reported that the dip at the north entrance to Parkside is intentional as that is at the location of a sewer line.