

# Rosewood Estates Newsletter

*A Resource for Residents*

JUNE 2012

## COMMUNITY SOCIAL EVENT

**JUNE 30th**  
**11:30 TO 2:00 PM**

Please join us in gathering as a community to socialize! We will be having the social on June 30<sup>th</sup>, 2012 from 11:30am to 2:00pm. We are planning on hosting this in the middle grassy area. We will be serving hot dogs, hamburgers, chips, and select drinks, most of which will be donated by board members. Please feel free to bring a dish to share with the community. Additionally, if you have any lawn games, please bring those as well. At the social, we will also be giving you a preview to some proposed changes to the Rosewood Estates Second Amended Declaration, which will be discussed at the member meeting on July 12, 2012 at Indian Creek Community Church. Come join us for community fun!

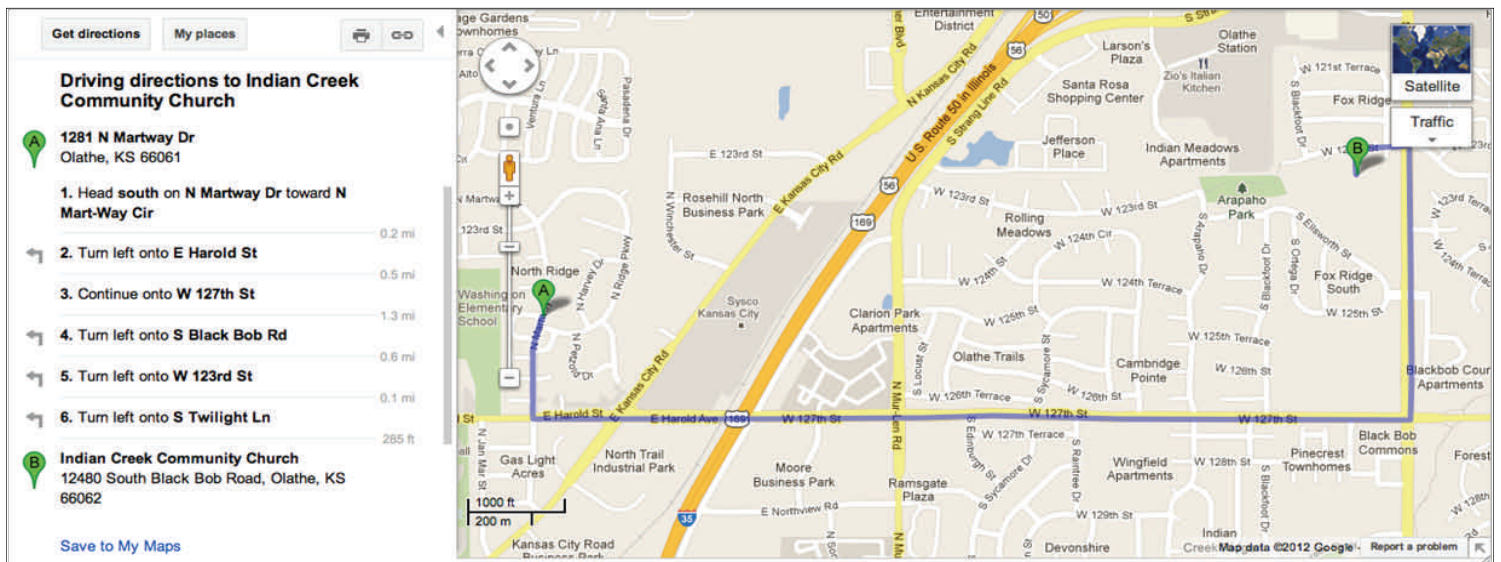
## Membership Meeting

The next member meeting will be held on **July 12, 2012** at 7:00 pm.

The location for this meeting has changed from the Indian Creek Library Branch. The new meeting location is Indian Creek Community Church. The Church is located at 12480 South Black Bob Road, Olathe KS. This is between 119<sup>th</sup> and 127<sup>th</sup>. Map and directions are shown below. Items to be discussed at this meeting are critical in nature to the future of the HOA and your home. Important changes to the Second Amended Declaration will be discussed. If you cannot make the meeting, please render a proxy as we need 2/3 votes to make changes to the Second Amended Declaration. This can be done via email.

If you are not able to attend this meeting, please designate a proxy by emailing us with the name at [rosewoodestateshoa@gmail.com](mailto:rosewoodestateshoa@gmail.com).

Jennifer Juliano, Treasurer





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LETTER FROM THE PRESIDENT

## Collections Update (M Grace Smith)

Summer is here and the Board of Directors has been very active! At the direction of the community, we have been focusing on collecting past-due accounts. I am pleased to report that, since the Annual Meeting in March, we have collected on another account, signed two new payment plans, and placed one new lien. More details will be available at the July 12<sup>th</sup> Members' Meeting.

At this point, all collections are being handled through the Associations' attorney, Eric Ziegenhorn. A few items to note: All past-due accounts are subject to interest on the unpaid balance. In addition, the owner is responsible for a \$75 Administrative fee, a lien filing fee (if necessary), and all attorney fees associated with the past-due account.

For general questions about account balances, to set up ACH (automatic withdrawal of dues), or to change your billing address, please contact:

Clarence "Fox" Foxworthy, Executive Director  
Homes Associations of Kansas City  
4200 Somerset Dr, Suite 216  
Prairie Village, KS 66208  
Phone: (913) 385-2440 Fax: (913) 385-2441  
Email: [cfoxworthy@ha-kc.org](mailto:cfoxworthy@ha-kc.org) Website: [www.ha-kc.org](http://www.ha-kc.org)

For questions regarding collections letters or to set up a payment plan on a past-due account, please contact:

Eric Ziegenhorn, Esq.  
ERIC ZIEGENHORN P.C.  
616 West 26th Street  
Kansas City, MO 64108  
[eric@ehz-law.com](mailto:eric@ehz-law.com)  
Phone: (816) 531-6300 Fax: (888) 398-7665

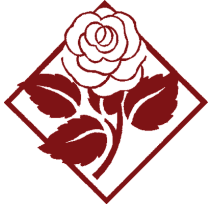
# Declaration

Hello fellow Rosewood Estate Homeowner,

It has been a pleasure serving you the past few months as one of the 5 board members. Unfortunately, despite laborious investigation and discussion, it has been concluded that the Rosewood Estates Declaration of Easements, Covenants, and Restrictions must be rewritten to address some major legal, financial, and operational issues that we are currently facing. To promote relationships and openly discuss some of these issues, we are having a barbeque on June 30th from 11:30 a.m. - 2 p.m. Some of changes included in this proposal will include verbiage changes to ensure legal status, insurance responsibilities, reworking of operational tactics and expectations, and several other large issues. It is vital that you attend this meeting so that you can have your voice heard and also understand the reasoning behind the upcoming proposals.

Lastly, the most important aspect of these proposals includes that fact that we must have 66% representation to be able to make the proposed changes to the Declaration on July 12th. Although this seems like a daunting task, it must become a reality or we could be facing even larger legal and financial crisis as a homeowner association: Receivership. Receivership is basically bankruptcy. A court-appointed Receiver would have complete and total control over the HOA - they could merge us with other HOAs, increase dues, levy assessments, change the Declaration and Bylaws, and more, all without homeowner input. If you would like to talk individually about some of these changes, I would be happy to arrange a time that works for both of us. Please email me at [jasonr0509@hotmail.com](mailto:jasonr0509@hotmail.com).

Thank you so much for your time,  
Jason Reiswig



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## Violations & Proposed Fees

(Kristen Bordchart)

*It's that time of year again to really clean up the property.*

Just a couple of quick reminders. Trash cans are not to be left outside except on trash day. Please clean out your garden areas of trash and weeds. Several homeowners have put down just rock or mulch in their gardens which helps them stay looking nice if you don't have a green thumb. We also have several vehicles being parked in non parking zones such as behind the driveways and in front of mailboxes. We have the parking lot across the street for any vehicles that do not fit in the driveways. Also we cannot have vehicles parked in driveways that are not road operable. If the vehicles are not tagged and not road ready we need them to be removed from the premises.

I have included a list of proposed fees for violations that we will be voting on in our upcoming HOA meeting. The violations can be turned in by HOA board members or anyone in the community can send an email and fines will be charged accordingly on the monthly bills.

|   |      |                                     |
|---|------|-------------------------------------|
| Leaving trash cans where visible by other residents past the regular pick up date                               | \$10 | Per day per occurrence              |
| Failure to keep animal on leash or otherwise Restrained.  | \$15 | Per occurrence                      |
| Failure to clean up after pet.  | \$30 | Per occurrence                      |
| Parking within 15 feet of a fire hydrant, street corner or entrance to any cul-de-sac or parking in the street. | \$35 | Per occurrence per incident per day |
| Failure to keep garden areas free of weeds and debris.  | \$25 | Per day                             |
| Storing non road operable vehicles at residences  | \$25 | Per day                             |

**Questions? Comments? Suggestions? Please email us at  
[rosewoodestateshoa@gmail.com](mailto:rosewoodestateshoa@gmail.com)**



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## **Dog Complaints-Alean Hernandez**

Many homeowners have contacted the association with complaints about Dogs.

The following will set the record straight in regards to the law, the steps you can take as a dog owner and the steps you take to report infractions.

### **Olathe Ordinances**

Olathe Animal Control classifies the following as a "Nuisance Animal" in it's Ordinances.

1. Runs uncontrolled;
2. Molests or disturbs persons or vehicles by chasing, barking, or biting;
3. Attacks other animals;
4. Damages property other than that of the owner or harborer;
5. Barks, whines, howls, brays, cries or makes other noise excessively so as to cause unreasonable annoyance, disturbance or discomfort to an individual who is a neighbor (a neighbor for this purpose is hereby defined as an individual residing in a residence structure which is within one thousand (1000) yards of the property on which the animal is kept or harbored) and who does in writing state he will so testify if called upon to testify about such matter under oath;
6. Creates noxious or offensive odors;
7. Defecates upon any public place or upon premises not owned or controlled by the owner or harborer unless promptly removed by the animal owner or harborer;
8. Creates an insect breeding and/or attraction site due to an accumulation of excreta;
9. Is in heat and not properly confined as provided in Section 8.10.030.
10. Is ridden on public property and obstructs or interferes with vehicular or pedestrian traffic;
11. Threatens or causes a condition which endangers public health; or
12. Impedes refuse collection by ripping any bag or tipping any container of such.



### **What Can you do about it as a Dog Owner?**

If you are a dog owner- just be responsible and make sure you are following the law.

### **What do I do if I have a complaint?**

You will need to visit the Olathe Animal Shelter to file a complaint. Their address is 505 E. Sunvale (directly behind the Olathe Police Department).

The department will issue a citation to the owner. Citations range from \$35 dollars to \$500 dollars and the animal can ultimately be taken away.

After you have filed a report, please let Rosewood Estates Homes Association know via an email to [rosewoodestateshoa@gmail.com](mailto:rosewoodestateshoa@gmail.com).