



Status of Pinery Homeowners' Association, Inc. Bylaws Revision, Plan of Merger, Articles of Merger Vote

The Pinery Homeowners' Association would like to thank all HOA members who took the time to review and vote on the update to the corporate Bylaws.

As part of adoption of the current bylaws in 2004, the community voted to merge The Pinery Homeowners' Association, Inc. (PHA) and The Pinery Architectural Control Committee, Inc. (ACC). The PHA has been operating as one corporation since that time.

The Proposed Bylaws address the ACC (called Architectural Review Committee) as part of the corporate structure of the HOA. The issue has been raised that additional legal steps need to be taken to effect the merger that was approved in 2004. Residents voted for the concept of the merger, but not on the documents required to complete the merger. Your Board began the merger process knowing that it would require a change in our Bylaws. We had no idea that the Bylaws revision process would take almost 3 years. There have been dozens of revisions and the participation of over 75 members of the community at one time or another to arrive at the current proposed document. Although legal counsel has indicated it would not be necessary to have a vote, your Executive Board would like to have on record that the community has ap-

proved the Plan of Merger and the Articles of Merger.

Therefore, at the General Meeting held on Wednesday, September 26, 2007, the vote to adopt the proposed Bylaws was suspended. The Board of Directors has worked with legal counsel to draft two documents, a *Plan of Merger* and *Articles of Merger*, to complete this activity. Adoption of these documents will require a positive vote of the community. This vote is planned for **Wednesday, December 5, 2007**.

The ballot for that election will propose adoption of the merger documents along with the proposed Bylaws. It is important for the community to know that the Bylaws that were prepared for approval on September 26, have not undergone any further changes. The vast majority of participants have indicated to your Board that

See Ballot Page 4

January PHA Election

The 2008 January elections will be held to fill three (3) positions on the Community Services Committee (CSC) and one (1) position on the PHA Executive Board. Please consider serving.

Candidate information should be submitted to the PHA office, 8170 Hillcrest Way, Parker, CO 80134, by **December 3, 2007**.

CONTENTS:

- 2 2008 Budget
Kinney Creek Trail
- 3 Trash Tidbits
Bird Sanctuary
- 4 Ballot
- 5 Trash Form
- 6 Yard of the Month
Fraud Alerts
Deer Whistles
- 7 A Letter of Support
Emergency Numbers
- 13 Classified Ads
- 22 Directory Page
- 26 Community Events
Calendar

(cont'd from page 1)

the Bylaws are a significant improvement over the 2004 version and provide for the residents of our community to be appropriately represented. Of course we urge all residents to review the Bylaws to make sure that you are aware of their current content.

The PHA plans a member mailing which will include copies of all three documents along with a ballot.

We appreciate your participation, understanding and patience as we work to ensure that our corporate structure and documents reflect the best organization and practices achievable at this time for our community.

Sincerely,

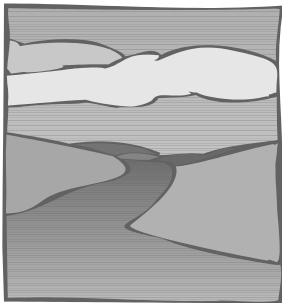
Executive Board
The Pinery Homeowners'
Association, Inc.

| | |
|-----------------------------|------------------------|
| Joe Narracci, President | Robert Emde, Director |
| Tom Kimball, Vice President | Veleta Jones, Director |
| Susan Arnold, Secretary | Don Reschke, Director |
| Larry Hall, Treasure | |

(Please see letter of support on page 7)

2008 Budget

The Executive Board is in the process of preparing the Pinery Homeowners' Association budget for 2008. The Board is inviting homeowners to submit ideas for projects or events that would go toward improving and/or benefiting the Pinery community. Please contact the PHA office to submit your ideas or if you have questions about the budget process no later than December 1st. Submissions can be made by email, dropping by the office, or through a hard copy mailed to PHA 8170 Hillcrest Way Parker, CO 80134.



Good News!

The Kinney Creek Trail is now open

You may have seen the new signs that invite people to use the trail without going on to the property of the Colorado Golf Club.

Walkers, bicyclists, horse riders are all welcome. Dogs must be on leash. The entrance to the trail is located just east of the pump station on N. Pinery Parkway.



Homeowner

**January 2008
Newsletter Deadline
December 3, 2007**

"The Pinery Homeowner" is a publication of The Pinery Homeowners' Association (PHA), a private, not-for-profit organization of voluntary members. The PHA reserves absolute editorial discretion over the content of the *Homeowner* and may reject a submission for any reason. Advertisement in *The Pinery Homeowner* should not be construed as an endorsement of products or services by The Pinery Homeowners' Association. The *Pinery Homeowner* is the medium through which the PHA communicates with its members. It is not a forum for the views of individual members of the PHA or other individuals or groups.

PHA, 8170 N. Hillcrest Way, Parker, CO 80134-6360.

E-mail address: ThePineryHOA@comcast.net

Trash Tidbits

Holiday Trash Schedule

Thanksgiving

Tuesday PU regular day
Thursday PU Friday, Nov 23

Christmas

Tuesday PU Wed, Dec 26
Thursday PU Fri, Dec 28

New Years

Tuesday PU Wed, Jan 2
Thursday PU Fri, Jan 4

Waste Advantage

303-695-5436
www.wasteadvantage.com

SEASONS GREETINGS From the PHA

Susan Arnold
Arch Bryant
Robert Emde
Jo Ann Glaser
Larry Hall
Craig Haynes
Christine Hopkinson
Veleta Jones
Tom Kimball
Jan Narracci
Joe Narracci
Janice Raab
Kirk Rabiuis
Don Reschke
Denise Smith
Herb Warp

Pinery Bird Sanctuary

Fall is here and we are in the process of putting the Bird Sanctuary to rest for the winter and letting Mother Nature take its course. The Spring/Summer months have been incredible for us. The native grasses have been lush this summer and thanks to the irrigation system that is in place we have seen tremendous growth in our ponderosa pines, chokecherries (full of fruit), mountain ash and the silver buffalo berries.

I'd like to extend a special thanks to **Deb Dieter** for her continued help and advice over the summer, as well as **Genia Kazantev**, our junior volunteer, who took over one of our watering stations and accumulated several school community service hours. Also, a special thanks to **Adam Clements** from

Robinson Brick Company in Franktown for donating two 800 lb. boulders to the Sanctuary in what is the beginning of our next phase.

Plans and bids are under way for installing safe walking and biking trails throughout the Sanctuary. What was once an idea, is now a reality thanks to **Tom Kimball**, our Pinery Trails Coordinator. Paths have been mowed and sites set for a future History Center and possible shaded areas for picnics and gatherings. Our hope in the future is to implement more community-based projects and events throughout the Sanctuary as well as educational endeavors catering to our schools, scouts and families.

Teresa Lennon
303-906-7550



Attention Pinery Homeowner Advertisers

Are you interested in advertising on the back page in 2008?

If you would like to advertise on the back page of the *Pinery Homeowner* in 2008, **please notify the PHA office in writing by December 3, 2007** (the deadline for the January 2008 issue). Send the dates you desire to the PHA, 8170 Hillcrest Way, Parker, CO 80134.

The back page can accommodate only half page ads. The cost is: \$225 for Pinery residents and \$400 for non-residents (10% discount does not apply). No one advertiser may be on the back page two issues in a row, unless there have been no other requests. After the 2008 back page schedule is complete, notification will be given to each advertiser. Any unfilled dates will be available on a first come, first serve basis.

Official Ballot

Official Ballot

BALLOT
The Pinery Homeowners' Association, Inc.

ONE BALLOT PER PHA MEMBER HOUSEHOLD ONLY PLEASE.

Important: Please complete lower portion of this form - this upper portion is to be removed by PHA staff or volunteer tellers to be appointed prior to deposit in the ballot box and will be used only to validate your ballot—if this information is missing, your vote will not be tallied. Drop off or mail ballots to: The Pinery Homeowners' Association, Inc., 8170 Hillcrest Way, Parker, CO 80134. All Ballots must be received before balloting is closed at the scheduled meeting to be held on December 5, 2007 at 6:30 p.m. at the PHA's offices at 8170 Hillcrest Way.

- [Notes: 1. At least 100 voting Members must cast ballots on the Proposed and Recommended Bylaws with at least a two-thirds majority of that minimum number of voting Members, or more, approving the Proposed Bylaws.
2. At least 20 Members must cast votes to reach a quorum for voting on the proposed Merger. In order for the proposed Merger to pass, it must receive the affirmative vote of two-thirds majority vote at a meeting of the Members at which a quorum is present. If the proposed Merger is approved, the respective Articles of Incorporation of the PHA and the ACC are to be replaced and superseded by the Articles of Amendment and Articles of Merger of the PHA to be filed with the Colorado Secretary of State.]

BYLAWS VOTE:

I approve the Proposed Second Amended and Restated Bylaws
of the Pinery Homeowners' Association, Inc.

I reject the Proposed Second Amended and Restated Bylaws
of the Pinery Homeowners' Association, Inc.

MERGER VOTE:

I approve the proposed Merger (collectively, the Articles of Amendment and Articles of Merger, Merger Plan and Agreement)

I reject the proposed Merger (collectively, the Articles of Amendment and Articles of Merger, Merger Plan and Agreement).

Please print
Name (Last, First) _____

Address _____

Signature _____

(This portion must be completed for your vote to be tallied)



PHA Trash Program Enrollment Form

If you are not in the Pinery Trash Program, you might want to consider joining with the over 1400 other participating homeowners. The program offers state of the art trash service for its participants that includes Single Stream Recycling. This provides you, the homeowner, with the opportunity to put the paper and other recyclables together into the same labeled container (we provide the labels) of your choice. Recyclable items still must be separated from your regular household trash, but the recycling center now separates the paper from bottles, cans, and other items. You may choose to use a container with wheels and a lid for ease of handling. No more lugging awkward and uncovered recycling bins to and fro or

coming home to newspapers strewn all over the neighborhood from the wind.

In addition, our program includes the pick up of one Large or Bulk Item every month. Just set the item out with your regular household trash and say goodbye. Restrictions are listed below for items regulated for this program. That's twelve times a year you can get rid of a sofa bed, mattress, chair or other item without additional charges. If you have more than one item in a month we offer low rates to get rid of them. Why not join your neighbors in the Pinery Trash Program. You have everything to gain and nothing to lose...but your trash.



YES, I would like to join the Pinery Trash Program. Please begin my trash collection and billing under PHA's program as of the date checked below. I understand that the normal cycle will be billed in advance, quarterly.

| <u>Starting Month</u> | <u>Please pay</u> | <u>Paid Thru</u> | <u>Starting Month</u> | <u>Please pay</u> | <u>Paid Thru</u> |
|-----------------------------------|-------------------|------------------|------------------------------------|-------------------|------------------|
| <input type="checkbox"/> January | \$45.00 | March | <input type="checkbox"/> July | \$45.00 | September |
| <input type="checkbox"/> February | \$32.50 | March | <input type="checkbox"/> August | \$32.50 | September |
| <input type="checkbox"/> March | \$65.00 | June | <input type="checkbox"/> September | \$65.00 | December |
| <input type="checkbox"/> April | \$45.00 | June | <input type="checkbox"/> October | \$45.00 | December |
| <input type="checkbox"/> May | \$32.50 | June | <input type="checkbox"/> November | \$32.50 | December |
| <input type="checkbox"/> June | \$65.00 | September | <input type="checkbox"/> December | \$65.00 | March |

I understand that my next quarterly billing will be \$45.00 which includes trash collection and program fees. I understand that I am responsible for canceling any other service arrangements I may have.

Name: _____

Address: _____

Phone: _____

AGREEMENT

By submitting this enrollment form with initial payment, the above Pinery resident and/or homeowner ("Homeowner") hereby authorizes The Pinery Homeowners' Association, Inc. ("PHA") to engage its contracted trash service to collect and dispose of Homeowner's normal household waste materials at the above described Pinery residence. Homeowner warrants that all waste materials offered for collection will not contain any hazardous, toxic or radioactive wastes or substances as defined by applicable federal, state or local laws or regulations. Homeowner agrees to pay PHA in advance within 15 days of billing for quarterly trash service at the PHA's then current rates until such time as Homeowner notifies PHA of Homeowner's termination from the PHA trash program. Homeowner shall be solely responsible to the contracted trash service for any additional services requested which are not included in PHA's normal trash program. Homeowner acknowledges that PHA is merely acting as a billing agent for the contracted trash service. Homeowner acknowledges and agrees that PHA will not be liable for any act or failure to act on the part of the contracted trash service, including, without limitation, violation of laws or regulations, injury or death to persons or animals and loss or damage to property or the environment.

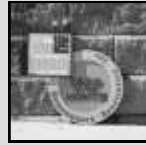
Signature

Date

**PLEASE NOTE: This form must be signed prior to participation in the PHA trash program.
MAIL WITH PAYMENT TO: PHA, 8170 Hillcrest Way, Parker, CO 80134.**

Congratulations!

Pinery "Yard of the Month" Recipients
September 2007



Gordon Residence, Lakecliff Way

Public Schools in the Pinery Area

Mountain View Elementary (K-3)

8502 N. Pinery Parkway
303-387-8675

Northeast Elementary (4-6)

6598 N. State Highway 83
303-387-8600

Sagewood Middle School

4725 Fox Sparrow Rd.
303-387-4300

Ponderosa High School

7007 E. Bayou Gulch Rd.
303-387-4000



Fraud Alerts Available online

The Douglas County Sheriff Department maintains a website of current fraud activity. Take a moment to review the information at http://www.dcsheriff.net/Fraud_Alerts.html to ensure you don't fall prey to any of these activities.



Ye Olde Yuletide Bazaar

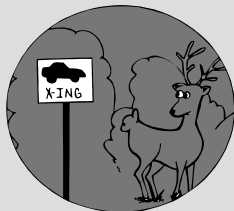
Sat., November 10th
9 a.m. to 4 p.m.
Parker Fieldhouse
hockey rink at
18700 E. Plaza Dr.,
Parker, CO

- *Holiday Crafts*
- *Homemade Foods*
- *Gift & Boutique Items*

Free Admission

*Sponsored by
Mountain Pine Woman's Club
Supporting scholarships & charities*

Vendors call
303-840-3199 for space



Free Deer Alert Devices Available

We are all aware of the dangers posed by deer crossing the roads in the Pinery, especially on the North and South Pinery Parkways. In an effort to help protect those driving and the wild-life, free deer whistles are being made available to Pinery area residents at the following two locations:

- **The PHA office** at 8170 Hillcrest Way (the lower level of the fire station)
- **The Timbers Sales Office** (Timbers residents only)

(Devices attach easily to the front bumper of your car.)

A Letter of Support

Dear PHA Members:

On December 5, 2007 all current PHA members will be asked to approve three proposed documents affecting our community, including bylaws, corporate articles and a plan to merge the Pinery Homeowner's Association, Inc. and the Pinery Architectural Control Committee, Inc. These proposals represent a major leap forward for our Pinery community because they serve to ensure the future financial viability of the PHA while paving the way for development of a uniform set of updated protective covenants throughout Pinery Filings 1-8A.

While no governance system can perfectly satisfy everyone, we believe these documents create an appropriate, well-balanced structure for our unique community. The proposed bylaws provide the PHA with the necessary powers to effectively manage the day-to-day business of the organization while the voting membership reserves the right to determine those matters that may be especially significant or controversial (e.g. future assessments, PHA land transactions, etc.). The corporate articles and the merger plan create a single, streamlined organization offering unified governance and enhanced efficiency.

The undersigned individual owners commend the current Executive Board for taking the time necessary to present the membership with a comprehensive governance package that will serve our community well into the future. Therefore, we support and encourage every PHA member to vote "Yes" on each proposal for the Amended and Restated Bylaws, the Articles of Amendment and Articles of Merger and the Merger Plan and Agreement.

Sincerely yours,

Scott Campbell
Sonia M.U. Eyre
Dave Kristick
Joel Schneyer

Gerald C. Minor
Beverly Spooner
Bess Minor
Sharon Anderson

Fred Slick
Jeffrey A. Rucks
Luanne Unks
Dawn Ondler

Emergency Telephone Numbers

Ambulance

24 Hour Line—911

Sheriff

Emergency only—911

Administration
303-660-7505

Fire Dept.

Emergency Only—911

Administration
303-841-2608

Utility Locator

1-800-922-1987
Call before you dig!

IREA (Electricity)

24 Hour Line 303-688-3100

**QWEST (phone)
(service & repair)**

24 Hour Line—800-573-1311

**Xcel Energy (Gas)
(North Pinery Area)**

24 Hour Line—303-623-1234

**AQUILA (Gas)
(South Pinery Area)**

24 Hour Line—800-303-0357

Pinery Water District

(water & sewer)

24 Hour Line—303-841-2797

Comcast (Cable)

24 Hour Line—303-930-2000

Animals & Wildlife

Douglas County

Animal Welfare

303-660-7529

Colorado Division of Wildlife

303-291-7227