

CAPE TOWN VILLAGE SOUTH SUBDIVISION

Trustees Report

March 25, 2017

Ladies and gentlemen, Cape Town Village South Subdivision has had a great year! After last years meeting, your trustees continued collecting signatures for the approval of an amendment to our indentures, which allowed us to take legal action against delinquent lot owners. We were successful in passing that amendment.

Since then, we have employed an attorney to aid in collecting those long past due assessments that many of you were very upset about. Warning letters went out to delinquent lot owners, and those that didn't come forward, and make arrangements to pay what they owed, were approved for additional legal actions. We authorized an attorney to file suit against fourteen lot owners. Of those, thirteen lot owners have since worked their way through the legal system. They have either paid in full, signed consent agreements and are now making monthly payments until paid in full, or we got default judgments, and are currently working on getting garnishment orders on those that failed to satisfy their judgments. The last one, has attempted to avoid paying, and at the latest court date, this past week, asked the court for and got a continuance, to sometime in April. We will follow up, and pursue this account with what ever it takes to collect it.

We have now begun collection efforts on an additional 18 accounts that are delinquent, and have failed to make monthly payments as agreed, or just ignored our demands for payment. The 30 day warning letters have gone out, and we are in the process of filing suits as needed to collect on those accounts.

So, funds from all those past due assessments are flowing into the subdivision's account. Your trustees have spent a great deal of time on this issue. And we will continue to do so. We intend to collect every penny, as allowed by law. Please keep in mind, that the cost of collections is added to the outstanding balance due from the delinquent lot owner. And that payment

is ordered by the courts.

May I remind you, that two years ago, when we came to you for approval of the annual special assessment, you demanded that we collect these past due assessments as a condition of you approving that increase in assessments.

With your help, by approving the amendment to our indentures, we are living up to that commitment. We are collecting those past due assessments.

These collection efforts have brought thousands of dollars into the subdivision's account, that without those efforts, we would very likely not have seen.

So, on behalf of your trustees, I would like to thank you for approving the indenture amendment that made this all possible. I would also like to thank all those that helped us to collect those signatures that got that indenture amendment approved. Without your help, none of this would have been possible.

Over the last year, the street lights have been kept on, and inoperable street lights were reported to Ameren for repair. The common grounds have been kept mowed, and at times, we were forced to have the lot of a foreclosed home mowed, because the lender failed to do so. As necessary, snow was plowed from our streets, and salt was applied. We continue to purchase necessary general liability insurance, as well as a Director and Officer policy. The subdivision maintains the trustee phone center, for incoming calls. And we work to maintain the existing street signs, streets, and storm water system. There is a tremendous amount of effort that goes into making this subdivision work.

Your trustees have been very active over the last year on many other projects. I'm sure you all noticed all the new concrete slabs that were poured last year. After trustees Joe Stough and Larry Krausz went throughout the subdivision, and identified all the damaged slabs of concrete, they graded them from one to ten, with ten being in the worst need of repair. Then they started with the worst, and selected those for replacement, until all available funds were used.

They never even got all the slabs rated a ten replaced. So this year, we hope to replace the rest of the slabs rated ten, and then we'll work our way down the list, based on this rating system.

The replacement of concrete was put out for bid, and Larry went to ready mix suppliers for recommendations. Boling Concrete came up with the lowest bid, and after careful checking of their references, and getting a certificate of insurance, we accepted their bid.

We spent tens of thousands of dollars on concrete replacement in 2016 with Boling Concrete. In addition, we spent thousands more on other street related repairs, which would include patching pot holes, removing old asphalt from concrete slabs, and other street repairs.

Over the last year, we had to have the creeks cleaned out again, to avoid flooding in our subdivision which would be caused by blocked culverts.

We also had repairs made to the storm water system. Inlet boxes cleaned out, and repaired, as well as a culvert that was blocked had to be cleared on Capetown Village Road. On Forest Drive we had a contractor install a drain pipe on an existing trench drain, to solve a standing water problem there.

We installed street name signs at the change overs at Belmont and Braintree, Belmont and Winthrop, and Winthrop and Cambridge. These signs were installed to solve a problem with delivery people delivering items to the wrong address because they didn't know where one street ended, and another started.

We installed a new street light at the intersection of the Somerville Spur, and Hillsboro Valley Park Road, at that entrance to our subdivision. To make this the most economical installation we could, that light was installed on an existing utility pole. It lights that intersection, and we hope it will reduce traffic accidents at that intersection. Since that light was installed, there have been no additional accidents there.

We are in the process of installing a street light at the intersection of

Capetown Village Road, and Belmont. That was always a dark area of the subdivision. It's either the busiest, or second most busy intersection in the subdivision. There have been multiple accidents at that location over the years. We hope the new light will make that intersection safer.

Your trustees have been working to coax some lot owners to clean up and repair their property. We've gotten multiple derelict, unlicensed, or inoperable vehicles removed from lots and our streets. We've gotten lot owners to make necessary repairs to their homes. And we've gotten others to clean up and remove debris from their lot. There are more to go, but we are addressing some of these problems.

Your trustees have been working to coax some lot owners to remove farm type animals from the subdivision. In one case it was a pig, in others it was ducks or chickens. They are prohibited by our indentures. One lot owner has refused to remove chickens from their property. That lot owner has been referred to our attorney for enforcement of our indentures.

Now the issue of Capetown Village Road is looming large on your trustees minds. We spent a great deal of time on determining a path to solving this forty year old problem. For those that are unaware of this problem, let me explain. Capetown Village Road begins at Belmont Drive, and from there the concrete section that runs up past the day care center, to the bottom of the hill is within our subdivision, and we own it. But at the outer boundary of our subdivision, where the concrete changes to asphalt, and goes up the hill, for years, has been an area of question. Now as this approximately 800 feet long section of street, continues up the hill, past Art's Self Storage, and the vacant lot that belongs to Ingargiola Development, it comes to a 90 degree turn, and the beginning of Jefferson County maintenance. So we are again talking about that approximately 800 feet of roadway from the edge of our subdivision, to the Jefferson County maintenance.

After my attempts to go through the records at Hillsboro, and failing to solve the mystery of who owns that section of roadway, we hired Hillsboro Title to prepare a title report for us. That report cost \$200. But that report told us that when Harry Freeman, the developer of this subdivision purchased the land

for this subdivision from Frank Burian, he also purchased an easement from that land, approximately 800 feet, to what was then Old Highway 30, and is now known as Capetown Village Road.

So, Cape Town Village South Subdivision owns an easement across what today is land owned by Art's High Ridge Self Storage, and Ingargiola Development. This section of street will never be accepted by Jefferson County for maintenance, because we don't own the land under the street, but only own an easement. Your trustees have had meetings with several Jefferson County officials, and believe that even if we were to some how convert that easement into ownership, county officials have indicated that it's very unlikely that we could ever get the county to accept it for maintenance.

So we have to deal with what is, and not what we wish it to be. We are attempting to negotiate some sort of a road maintenance agreement, between Cape Town Village South Subdivision, Art's High Ridge Self Storage, and Ingargiola Development. We have an attorney reviewing the documents, and will be working with us in our attempt to work out a solution to this long standing problem.

We hope, after working out a resolution to this problem, to repair and repave that approximately 800 feet section of Capetown Village Road. In the mean time, we will, if absolutely necessary, again patch it up. You may have noticed that over the last few days, the brush was trimmed back along Capetown Village Road. Trustee Joe Stough searched out contractors, and accepted what we believed to be the best offer. That contractor also trimmed brush along Woburn, the culdesec on Somerville, and removed a dead tree from the culdesec at Winthrop and Belmont.

After the contractor completed his work, trustees Joe Stough and Larry Krausz, along with several volunteers, began collecting trash along Capetown Village Road, that was exposed by the removal of the brush. It's an ongoing project.

Over the next year, in addition to other projects, we plan to work on getting the fire lanes stripped as soon as the concrete is warm enough to do so. This

work was put out for bid, and a contract has been signed. The streets will be re-striped very soon, to mark the fire lanes. In addition, we hope to repair, and as necessary, upgrade the fire lane signs.

We hope to be able to replace the missing subdivision entrance sign on Capetown Village Road, with a new sign. If that happens, it will be because we have been able to recover adequate funds from the delinquent lot owners. If the funds are just not there, it may be necessary for this project to wait till next year.

And the largest investment we will again make in this subdivision this year, will again be street repairs. There will be replacement of additional slabs of concrete. Just how much concrete we be able to replace will depend on available funds. There was an incredible amount of new concrete poured here last year, and we hope to make another major improvement in our streets again this year. Street repairs will hinge on whether we get an agreement regarding Capetown Village Road, and work to repave that.

For the past year, we have all benefited from being able to go to the Cape Town Village South Subdivision's web site, and review our finances. As you know, each month, as City and Village Tax Office delivers to us our monthly report, we pass that statement along to a very important member of our team. That's Jason Vrable, our webmaster. And Jason posts that information there for all to see. Jason has been able to put together a great web site for our subdivision. There is a great deal of information about our subdivision, and services that is posted there. That web site is a great asset to our subdivision. Jason, would you please stand up? Let's all give Jason a big round of applause.

I know of no other subdivision that has a web site that provides the kind of information that is there for the world to see. Your trustees work to provide that information, so you can be assured that you know where every penny has come from, and how it is spent. It's your money, we are only your trustees.

I also want to make sure that Joe Stough and Larry Krausz know that all the long hours they have invested in improving this subdivision are well

appreciated. I asked these two gentlemen to come together, and see if we could turn this subdivision around.

These two gentlemen have worked tirelessly. They have spent many hours reviewing paper work, reviewing bills, and if correct, approving them for payment, collecting bids from contractors, collecting signatures, dealing with neighborhood issues, and solving the many problems that have come up. Patching pot holes, and dozens of other projects that we have completed. Just keeping up with communications between the three trustees, to keep us all informed, takes a tremendous amount of time.

Without these two gentlemen, what has happened here, would not have been possible. I personally want to publicly thank both Joe and Larry for all they have done. I could not have asked to have served this last two years with any finer, and more honorable gentlemen.

I have never worked with two community leaders ever before that reached the level of trust, and service that Joe and Larry have. Thank you both.

And then there are the many lot owners that we have come to over the last two years, and asked for your cooperation on many issues, to make this subdivision a better place to live. Many of you have given us your full cooperation. Thank you! Because without that cooperation, many of the things we have been able to do would not have happened. From helping us collect signatures, to removing derelict vehicles, or cleaning up your lot. From trimming a tree, to picking up trash along the streets. Giving your approval for things like streetlights, and other construction projects. Removing prohibited animals, that I'm sure was difficult. We didn't like having to ask for their removal, any more than I'm sure you wanted to get rid of them. And I even want to say thanks to all the lot owners that paid their assessments, and paid them on time. Without those funds, we would have been unable to do anything.

So, for now, as we see it, things just keep getting better and better, and isn't that what each and every lot owner wants?