



Longhills Village Property Owners Association

Longhills Village POA Newsletter

Summer 2014

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LONGHILLS VILLAGE POA ANNUAL MEETING ON SUNDAY, AUGUST 17, 2014

The annual meeting of our neighborhood's POA is **Sunday, August 17, 2014** from **2:00 pm-4:00 pm** at the **Benton Event Center**. The meeting is in Room 1 which is to the left when you enter the front entrance. Neighborhood information including progress on the Lindsey purchase and development of the Longhills golf course will be discussed. There will be snacks, drinks and door prizes! Hope to see you all there!

LONGHILLS – LINDSEY HISTORY

Some residents may be unaware of or have forgotten the background on Lindsey's efforts to purchase the Longhills golf course. The following excerpts from previous neighborhood communications are presented to help clarify what has transpired since 2011.

July 19, 2011 – Bud Busken advises the LHV POA board that Longhills Inc. (the golf course owners) had entered into a contract to sell the golf course to Lindsey and Associates. Previous efforts to sell the golf course had failed, and in 2007 the Benton Parks Commission had decided against purchasing and operating the golf course.

July 28, 2011 – The LHV POA board meets with the management group from Lindsey to review their plans as summarized in a neighborhood newsletter and plan – excerpts follow:

Lindsey is a large developer with 30 years experience and 137 properties in multiple states similar in concept to their proposal for Longhills. All apartment renters undergo credit and background checks, and no apartments will be low-income subsidized housing. Lindsey personnel were adamant that their properties are well supervised and that any bad elements are run off. Their current plans are to realign the golf course by replacing new holes to facilitate the construction of 780 apartment units - built to condominium codes, so that they could potentially be converted at a later date. The two-story, 12 unit buildings would be similar to those at Hurricane Lake. The two apartment areas will each have a pool and clubhouse. The two and one bedroom apartments of 1100 & 600 sq. ft., with an estimated occupancy of 1200 residents, would be fenced and landscaped. Two additional entrances will be added for apartment access from Longhills Road. Phase I apartments are expected to be completed in 1.5 years and Phase II should be completed in 2.5 years.

If the sale goes through, closing would take place on January 5, 2012. The golf course, which would be renamed the Links at Longhills and maintained at 18 holes, would be closed for 9 months to a year. The course drainage and sprinkler systems would be expanded and the greens changed to hybrid Bermuda. Holes 3, 5, 8, 9, & 14 would be new. Plans for a retention pond by the tee at #11 and dredging and expansion of the retention pond on #12 should provide needed flood relief. Current golf course members would have full rights at Hurricane Creek during the golf course construction period. The existing pool will remain and swimming lessons will continue to be available. The junior golf program will continue. Plans for the existing pro-shop and maintenance facilities were not complete.

Nov.15, 2011 - Lindsey holds a meeting with LHV residents to explain their plans and answer questions.

Dec. 13, 2011 - Lindsey's zoning request is approved by the P&Z Board.

January 9, 2012 - The first meeting is held with the Benton City Council.

January 23, 2012 - The second scheduled Council meeting is cancelled after the discovery of a 1986 covenant restricting the use of the golf course.

April 12, 2012 – Longhills Inc. executes a release of the covenant that applied to golf course property.

July 17, 2012 - A meeting is held with 60+ residents of LHV whose property falls within the area covered by a covenant that was involved in the transfer of property between the golf course and Longhills Properties LLC., when the subdivision was developed in 1999. The initial 1986 golf course covenant, which restricted the use of Longhills property to a golf course, was released by Longhills Inc. several months earlier. But, in the process it was discovered that some LHV lots were also impacted by the covenant, and there existed a cloud on their property title, which could not only impact the sale of their property, but also any potential sale to Lindsey. Lindsey stated that if all residents affected by this covenant do not agree to sign a release, then he would no longer pursue the purchase of the golf course.

Mr. Lindsey and his project team advised that in order to encourage a resolution to this issue and address previous concerns of LHV residents, he had agreed to revise his plans, moving all apartments (now three story) to the West side of the main entrance. A separate entrance would be provided to the apartments from Hwy. 5 reducing apartment traffic from the main entrance. The golf course will remain 18 holes, with significant improvements in irrigation, green redevelopment, new cart paths, and pro-shop renovations. The addition of a large lake with fountains along the entrance to the golf course will significantly improve property appearance. It would take at least eight weeks for re-submittal to the city and at least four months until construction would start. Total project construction would take about two years. The back nine of the golf course would stay open initially.

Bud Buskin advised that they had for over five years not been able to sell the golf course. He feels that Lindsey's current proposal is the best option for the residents and the city. He again confirmed that the golf course had lost money for several years, and that Mr. Lindsey is the only buyer interested in the golf course. Mr. Lindsey stated that the only way he can be successful with the golf course is through the financial support from the apartments.

Oct. 1, 2012 – The golf course and swimming pool closes after years of declining membership and financial difficulties. Lindsey is asked by Longhills Inc. to consider renewing the contract to purchase the golf course while the owners continue to obtain releases. Lindsey prepares an addendum extending the sales contract for six month. Lindsey “to sweeten the deal” subsequently stipulates in writing that “no multi-family developments shall be constructed on the Longhills site, east of Augusta Drive during his lifetime.”

Jan. 13, 2013 – After twelve property owners refuse to sign the covenant release, Longhills Inc. announces that they are seeking a declaratory judgment asking the court to stop enforcement of the covenant, allowing the sale to Lindsey to proceed. A court date in is set for April 2013.

April 2013 – the hearing date is postponed to January 2014.

July 2013 – The POA board's attempt to hold a meeting between Longhills Inc. and the 12 property owners in an effort to expedite a resolution to the covenant lawsuit is rejected on the advice of the parties' lawyers

August 2013 - Longhills Inc. asks their lawyer to explore the possibility of mediating a resolution to the dispute. Negotiations which included representation from Lindsey continued over the next several months.

September 2013 – A tentative agreement is reached with all but one property owner.

February 14, 2014 – Judge Schrantz refuses to force the holdout property owner to comply with the mediated settlement agreement and covenant release and sets a trial date for July 2014.

May 5, 2014 – A tentative agreement is reached with the holdout property owner contingent on project approval by P&Z (August 12) and the Benton City Council (August 25).

2014 BUDGET vs.YTD ACTUAL

INCOME	BUDGET	JUL. YTD
FEEs COLLECTED	1000	
DUES COLLECTED	37500	37070
TOTAL INCOME	38500	37070
EXPENSE		
ACTIVITIES	3000	1474
COLLECTION FEES	500	
COMMUNICATION	500	117
LANDSCAPE & MAINTENANCE	10000	5062
PROFESSIONAL FEES MAINTENANCE	750	275
REPAIRS	8000	4409
POSTAGE PRINTING SUPPLIES	500	207
SPECIAL PROJECTS	3000	1400
TAX PREP	0	0
UTILITIES - ELECTRIC	2000	1093
UTILITIES - WATER	3500	1395
TOTAL EXPENSE	31750	15432
NET ORDINARY INCOME	6750	21638
ENDING BALANCE	43813	58701

LONGHILLS VILLAGE BILL OF ASSURANCE

The LHV Bill of Assurance, which you received and signed for at the closing on our home, details the conditions under which we live in this great neighborhood. This document and the board bylaws establish the guidelines under which the board operates. The full Bill of Assurance document, along with other POA information, can be viewed on our website longhillsvillagepoa.weebly.com.

The following items covered in the Bill of Assurance are the compliance issues requiring the most frequent attention:

- Dogs must be in a fenced yard or on a leash, and the city code limits four pets per household. No pets, including cats, should be running loose in the neighborhood!
- All trash receptacles, wheel barrows, mowers, etc. should be stored out of sight (street or golf course).
- Vacant lots should be mowed and maintained on a regular basis. Owners will be given one notice, and if not mowed within 30 days the board will have the lot mowed, and the owner will be billed. Vacant lots should remain free of debris, and are not to be used as dumping grounds by residents or builders.
- Boats, trailers, RVs, and other like items must be parked out of view.
- Residents are prohibited from parking in the street. And it is against the law for our visitors to park facing the flow of traffic, on a sidewalk, within 15' of a fire hydrant, and within 30' of an intersection with a stop sign.
- Landscaping is to be completed before a new home is occupied.
- Lawns and landscaped areas should be maintained on a regular basis. There should be no dumping of grass clippings or landscape cuttings into curb inlets or drainage structures.
- No structure on any lot shall be erected or altered until plans, including landscaping, have been approved by the architectural control committee. A structure includes fencing, basketball goals, swimming pools, and satellite dishes, which in no event shall be placed in front of a dwelling.

Although not specifically covered in the Bill of Assurance, the most frequent complaints we hear from our neighbors are:

- Residents speeding through the neighborhood (especially in areas where children are playing).
- Residents talking on cell phones or texting while driving and not stopping at STOP signs.
- Residents not cleaning up after their pets while being walked or controlling nuisance barking.
- Off-road motorized vehicles (ATVs, unlicensed motorcycles, golf carts, etc.) driven on empty lots, streets, yards, or the golf course.

Most non-compliance issues are corrected pretty quickly after notification, which we appreciate. However, there are always a few compliance issues that are not corrected, even with follow-up notices. These property owners are then billed \$35 a month until their compliance issues are corrected.

Property dues of \$150 are billed in January, and are due within 30 days. If not paid on time, late fees of \$15 are assessed on the next billing. If dues are not paid within 90 days, a property lien is filed. Late fees, filing fees, and interest will also be assessed on the lien when the property is sold.

NEIGHBORHOOD CRIME WATCH

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Longhills Village organized our Crime Watch November 29, 2010. Most of the crimes occurring in LHV have been car vandalism, and usually these cars are unlocked. Previously these incidents were not reported to the police, because they were considered to be "minor or just vandalism" - but this is still breaking and entering, and that is a felony. Always report these events, even if the value or damage is minimal; the police need a record so they know where to focus their patrols. The following preventive actions are stressed:

Park your car in your garage.....

Lock your home and vehicle doors.....

Close your garage door when not in use.....

Keep valuables out of sight - take inside or lock in the trunk.....

Break down boxes of valuable items by your trash.....

Keep bushes trimmed around your home.....

Leave your lights on or install motion-detector lights.....

Consider installing an alarm system.....

Avoid any outward indication that you are not at home (vacation, Holidays, etc.).....

Get to know your neighbors and share contact information, and most importantly: Be aware of unknown/suspicious vehicles and people - write down your observations in detail (car or person description, license number, etc.), and immediately call the police and provide detailed information. The emergency number is 911, and the non-emergency (dispatch) number is 778-1171.

We communicate criminal or suspicious activity to our residents through our neighborhood email system. We now have < 98% of our residents email addresses, and also report other items of interest by email. Therefore, it is very important that the POA have your email address. You are asked to contact Ken Quick quick_ks@sbcglobal.net or Bob Russell boblinruss@att.net to send out a crime watch notification. A copy of our neighborhood email notifications are also sent to Lt. Russell and Sgt. Tidell who are our police department contacts regarding neighborhood crime watch activities.

Crime Watch and No Soliciting signs have been installed at all entrances to LHV, which means that no one can solicit in our neighborhood. Some solicitors operate under a city of Benton Privilege license and others operate under a license issued by the city clerk's office requiring a criminal background check, a valid ID, and a \$20 permit fee. If a solicitor comes to your home, tell them there is no soliciting in LHV, ask them to leave, and if they do not leave, call the police non-emergency number 778-1171 for their follow-up. Permitted companies are advised by the city clerk of the neighborhoods which do not allow soliciting, and she would like to know of any companies disregarding this notice by calling 776-5908 or 317-5920.