



MISSION VIEJO REPORTER

NEWS FROM THE MISSION VIEJO HOMEOWNERS' ASSOCIATION INC.

Vol. 02 No. 12

December 2009

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Mission Viejo HOA Fights to Keep Our Library Open

At the November 17, 2009 Mission Viejo HOA Board of Director's meeting attended by many residents, the Board decided to retain an attorney to seek a halt against the City's proposed action to close the Mission Viejo Library. The HOA believes the City of Aurora is in breach of a 1973 agreement the City made with the Mission Viejo Company that obligates the City to furnish library services for 50 years at this location.

The agreement, which is specific to the property on which the library now stands, is very clear. In part 7 it states, "The City, for itself, its successors, and assigns, hereby agrees to furnish library services to the citizens of Aurora for so long as the Property is used as a library, the minimum of which such will be for fifty (50) years." There are other attachments to this agreement that include ending dates that have expired, but those attachments were related to specific covenant restrictions and the City's ability to build the library. It is the HOA's opinion that these attachments do not invalidate the primary agreement.

The Mission Viejo community will be especially impacted if our facility, which is the second most used library in the City with over 220,292 customers*, is closed completely. The HOA believes that closing the library completely may also make it cost prohibitive to re-open the library in the future. It would also negatively affect Mission Viejo's residential property values.

The HOA continues to strive for a non-judicial resolution to this issue, but the HOA is prepared to take this issue to court if necessary. The Board and the community feel that the City is obligated to abide by this agreement. The HOA has been in contact with the successors of the Mission Viejo Company, Shea Homes L.P. and they are quit claiming the deed of the library property to the HOA. This action establishes "standing" for the HOA in the library agreement. The HOA holds no other intentions other than to keep the library open and serviceable to our community and the surrounding area at-large.

Please contact our elected officials to let them know that the City must honor their agreement to keep the Mission Viejo Library open for 50 years. We understand that the City is under great financial difficulties, yet we feel the City could find a way to keep the

continued on page 2

Annual Meeting Notice

The Mission Viejo Homeowners Association annual meeting will take place on January 19, 2010 at 6:30 p.m. in the cafeteria of Mission Viejo Elementary School. Please be aware that in order to be allowed to vote at our meeting, homeowners need to show evidence of membership. The HOA recognizes membership by your name appearing on our Mission Viejo Trash Program paid participant list, your payment of dues, your donation or community volunteer time to an HOA supported event or activity. If you do not fall into one of these categories, please send us your dues/donation or sign up for the trash program today! We are still soliciting volunteers to serve as Board Members for 2010-2011. Please let us know if you are interested so we can put your name on the proxy ballot.

**HAPPY
HOLIDAYS**

Celebrate the Holidays Mission Style!

The Mission Viejo HOA is looking for the best holiday lights in the neighborhood. To participate, just send us your name, address and a photo of your lights by December 15th. Only homes in Mission Viejo are eligible to participate. Join in on the fun!

Christmas Hayride in Mission Viejo

Come celebrate the magic of the Christmas season with an old-time van-pulled hayride through beautiful Mission Viejo filled with Christmas music and holiday magic. This memorable hayride is on December 20 from 6:00 until 8:00. We will meet at Holy Love church at 6:00. The hayride will begin with decorating the hayrack and selecting music for the CD player. The hayrack will wind through the neighborhood looking at the



homes decorated for the holidays. Please bring a Christmas treat to share at the end of the hayride. Hot chocolate and cider will be provided by the HOA and goodies to share will be provided by the people riding on the hayrack. In order to plan the hayride, we need to know how many people to plan for. If you and your family are planning to attend, please call **Elaine Lay** at 303-699-0657 by December 16. Children must be accompanied by parents. If you would like to see the hayrack before December 20, it will be in the parking lot of the library before the HOA meeting on December 15.

*"It's a helluva start, being able to recognize
what makes you happy."*

—Lucille Ball

Next HOA Meeting
Third Tuesday
December 15th • 6:30 p.m.
The Mission Viejo Library
Everyone is Welcome!

Keep Our Library Open, *continued from front page*

Mission Viejo Library open. Aurora's Citizen's Advisory Budget Committee recommended to the City Council in September of this year that the City could adjust its budget and thereby not impact the City's library services. Our goal is to keep the Mission Viejo branch, the second busiest library location as well as a community centerpiece, OPEN and SERVICEABLE based on the 1973 agreement signed by Aurora Mayor Paul Beck.

If you would like to contribute to our legal defense, please feel free to make an additional contribution to the HOA. Our Attorney for this issue, Mr. Robert T. Hoban, specializes in Real Estate and Eminent Domain Issues and works closely with the Colorado Private Property Rights Coalition. Mr. Hoban is kindly donating 75% of his time and fees to our efforts. However, even with this arrangement, our legal defense is completely unbudgeted, and the costs could easily grow to thousands of dollars. The HOA welcomes your contributions to help defray legal costs. All funds received will be kept in a separate legal account, specific to the library issue.

Check out our website at <http://www.missionviejohoa.org> if you would like to view a copy of the agreement, or to make an on-line contribution (via PayPal). You may also send a check to: the Mission Viejo Homeowners' Association Inc., 4255 S. Buckley Road, #110 Aurora, CO 80013-2951 Thank You!

** According to 2008 statistics as tracked by the Colorado State Library.*

— Todd McMahon Mission Viejo HOA President

Mission Viejo HOA Board of Directors

MISSION VIEJO
HOMEOWNERS' ASSOCIATION, INC.
AURORA, COLORADO



Todd McMahon, President
303-817-6932

president@missionviejohoa.org

Alan Engels, Executive Vice President and Treasurer
303-690-7063

execvicepresident@missionviejohoa.org

treasurer@missionviejohoa.org

Ron Costa, Vice President
vicepresident@missionviejohoa.org

Elaine Lay, Secretary

303-699-0657

secretary@missionviejohoa.org

Troy Haller, Board Member At Large
boardmember1@missionviejohoa.org

Tricia Roush, Board Member At Large
boardmember2@missionviejohoa.org

MISSION VIEJO TRASH PROGRAM

Pro Disposal, Inc., 303-791-3827

MISSION VIEJO HOMEOWNERS ASSOCIATION, INC.

4255 S. Buckley Road, #110
Aurora, CO 80013-2951

COMMITTEES**Neighborhood Watch**

Tom Tobiasen, neighborhoodwatch@missionviejohoa.org

Welcome Committee

Tricia Roush, welcome@missionviejohoa.org

WEBSITE

www.missionviejohoa.org
webmaster@missionviejohoa.org

The Mission Viejo Homeowners' Association Inc. is a state non-profit organization. The purpose of the Mission Viejo HOA is to unite the unit owners of the Mission Viejo subdivisions in Aurora, Colorado; to encourage civic improvements within said area, to encourage community activities including, but not by way of limitation, the beautification, maintenance, and general appearance of vacant and improved lots, streets, parkways, entrances, open and recreational areas situated within the area and used in common by its residents; enhance the safety of Mission Viejo; facilitate enforcement of any and all building restrictions, protective covenants, and to otherwise act in the interests of the members of the Association.

The deadline for articles and advertisements is the 15th of the month for the next month's issue except the Jan. issue which is Dec. 6th. **All articles must be approved by the editor for publication, or as space permits.** To submit an article, e-mail an attachment to Todd McMahon at president@missionviejohoa.org. All letters or articles need to include your name and daytime phone number. All articles must be approved by the Board for publication, or as space permits.

To place an ad, call Colorado Lasertype, 303-979-7499 or e-mail getinfo@ColoradoLasertype.com • www.ColoradoLasertype.com

Appearance of an advertisement in this publication does not constitute a recommendation or endorsement by the Association of the goods or services offered. The opinions expressed in this newsletter are those of the individual authors and not the Board of your Association. Neither the Board, publisher, nor the authors intend to provide any professional service or opinion through this publication.

**Keep Our HOA Strong –
Join Our Trash Program Today!**

Ensure that the HOA does not disappear like so many of the volunteer associations around us. Let's keep the Mission Viejo HOA viable. If you are not in the Mission Viejo HOA trash program, please consider joining. The program offers state of the art trash service for its participants, including Single Stream Recycling every other week. Pricing for the program is just \$64.00 for 4 month billing or \$176.00 for yearly billing (this equates to one free month of service a year)! Make the change today! Just fill out the form that is located in this newsletter and fax it in, or sign up on our website. It's easy to do and you will be helping your community. So come on, save some money, help solve our community's challenges and join YOUR homeowners' association.

Sign up Today**for the Mission Viejo Trash Program!**

Sign up on the Web or Use This Form



MISSION VIEJO
HOMEOWNERS' ASSOCIATION, INC.
AURORA, COLORADO



PRO DISPOSAL, Inc.

and



Once 775 participants are achieved, Pro Disposal, Inc. will pay \$2.00 for every paid participant per month to the Mission Viejo Homeowner's Association Inc.

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Comments: _____

Mail this form to: Mission Viejo Homeowners Association, Inc.
4255 S. Buckley Road, Aurora, CO 80013-2951

Fax it to: Pro-Disposal at 303-289-4374

Drop it off: In an envelope (postage-free) at the
Mission Viejo HOA mailbox (#110) in the
UPS Store located at 4255 S. Buckley Road,
Aurora, CO 80013-2951 in the Quincy Place
Shopping Center (just north of King Soopers).

Please make checks payable to Pro-Disposal Inc.

Bylaw Amendments

The HOA is proposing several changes to our Bylaws that will be voted on at our annual meeting. The changes are primarily needed in order to comply with State Law, requiring that our Bylaws are congruent with our Articles of Incorporation, and also to clarify membership eligibility. The following changes are proposed:

Types of Membership:

Membership in the Association shall be of four (4) kinds:

- Class A Owner/Occupant
- Class B Owner/Non-Occupant
- Class C Non-Owner/Occupant
- Class D Nonvoting Business Membership.

Those persons eligible for membership in the Association shall be eighteen years of age or older, either own or reside in a single dwelling unit located within Mission Viejo proper or the Quincy Creek sub-filing, or have business interests in or adjacent to Mission Viejo; and have timely paid such amounts of dues, donations, or have volunteered or are a paid participant in our Trash/Recycling Program as the Board of Directors or the Members shall direct.

Comment: This change re-establishes the wording of the HOA's bylaws to 1987, prior to the HOA's attempt to create a mandatory association for homeowners only. Past attorneys have pointed out that when the HOA was created, the Articles of Incorporation specified that the Association be made up of both residents and homeowners. The Board has also allowed residents and homeowners in the Quincy Creek sub-filing to become members, as well, since many of them are already participating in our trash program.

Voting Rights: One vote can be exercised for each dwelling unit in all matters where the vote of the Members is required or permitted by statutes of the State of Colorado or by the Articles of Incorporation or these Bylaws. The vote shall be divided in half between the Class B and Class C members for any dwelling unit for which there is both a Class B and a Class C membership.

Comment: This too re-establishes the Bylaw wording from 1987.

Dues: Dues shall be \$30.00 per year for Class A, B and C members. Class D (Business Memberships) will be \$150 per year. For Class A, B and C members, paid participation in the Association's Trash/Recycling Program will be recognized as constituting full membership so long as the Association's program is viable and any rebate program is benefiting the Association.

Comment: This clarifies dues and membership recognition. The full membership already voted in January at the 2009 annual meeting to set dues in lieu of participation in the HOA trash program at \$30 a year.

Removal of Officers: Any officer may be removed by a vote of 60% of the active Board of Directors, whenever, in their best judgment the interests of the Association will be served thereby.

Comment: This change clarifies the ability of the Board to remove an officer in case there are vacant seats on the Board to remove an officer.

"Happiness is a small and unworthy goal for something as big and fancy as a whole lifetime, and should be taken in small doses."

—Russell Baker



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Cherry Creek Schools News – December 2009

For information about Cherry Creek Schools, visit www.CherryCreekSchools.org. For questions or concerns about Cherry Creek Schools, contact **Tustin Amole** at **720-554-4475**.

PICTURE FOR PUBLIC EDUCATION FUNDING BLEAK

The financial future of public education funding in Colorado remains murky, Cherry Creek School Board Treasurer, **Jim O'Brien**, said in his remarks at the Oct. 12 regular board meeting.

"The State of Colorado has embargoed \$6.7 million in funding under the Public School Finance Act until January 2010," O'Brien said. "It appears unlikely that those funds will be released to the school district." The embargoed funds are in addition to the \$1.7 million the state took back from per-pupil operating funds already paid to the district in the last fiscal year. Tax revenue paid to the district also has fallen due to the current economic climate. During the last fiscal year, collection of specific ownership taxes declined for the third straight year, decreasing from \$16.8 million to \$15.9 million, representing a 5.36% reduction for the district. The school board has approved and the administration is implementing an \$8.6 million cost containment plan in the current budget to mitigate reduction in state revenue due to the economic downturn at the state level. General Fund administrative and non-classroom expenditures were reduced \$3.2 million and maintenance and some technology expenditures (\$2.5 million) were refinanced to the Capital Reserve Fund. Overall, annual Capital Expenditures were reduced by \$2.9 million for the current fiscal year. The picture for the 2010-2011 school year appears to be even more uncertain, O'Brien said. Read more at <http://www.ccsd.k12.co.us/News/Funding/>

CHERRY CREEK SCHOOLS COMMUNITY FORUMS

Sponsored by the District Accountability Committee

The Cherry Creek School District is asking the community for its input in creating a District Performance Plan. Although Cherry Creek Schools received the highest accreditation rating by the Colorado Department of Education, we are still striving for excellence and improvement. In addition, recent state legislation requires all districts in the state to develop new improvement plans. One of the goals in this process is to develop understanding and ownership of Cherry Creek's future direction and district goals among staff, parents, and community members. Please help us by attending one of the following community forums:

- 6 to 8:30 p.m. on Wednesday, December 9, 2009, Overland High School
- 6 to 8:30 p.m. on Wednesday, January 13, 2010, Smoky Hill High School

In the forums, participants will meet in structured small groups to discuss the future direction of the district and help identify district goals and performance indicators. All parents and community members are encouraged to attend. Please RSVP via reporter6@cherrycreekschools.org or **720-554-4935**.

CHERRY CREEK SCHOOLS HONORED FOR EXCELLENCE IN FINANCIAL MANAGEMENT

For the 13th consecutive year, the Cherry Creek School District has received the Meritorious Budget Award from the Association of School Business Officials International (ASBO). The award, presented in October, recognizes the district's Budget Department,

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Cherry Creek Schools News, continued from page 4

under the direction of Dan Huenneke, for excellence in the preparation and issuance of a school system annual budget.

Earlier this year, the Cherry Creek School District received ASBO's Certificate of Excellence in Financial Reporting. The award, which Cherry Creek has received every year since 1993, is ASBO's highest recognition for school district financial operations, conferred only to school systems that have met or exceeded the high standards of the Excellence in Financial Reporting Program.

The district also received, for the 17th consecutive year, the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. Both financial reporting awards honor the district's Accounting Department under the direction of Brad Arnold.

"These awards are evidence of the importance the Cherry Creek School District has always placed on sound financial management and strong stewardship of taxpayer resources," said Superintendent Mary Chesley. "They also reflect the high standards of the district and our Chief Financial Officer Guy Bellville, as well as the integrity and credibility of the district's financial departments and personnel."

IMPORTANT DATES FOR 2009-2010

- Winter Break: Dec. 21, 2009 - Jan. 1, 2010
- Spring Break: Mar. 29 - Apr. 2, 2010

The district's 2009-2010 traditional, transitional and 4-track calendars are available on the district's website at www.cherrycreekschools.org.

CCSD NEWS DELIVERED TO YOUR EMAIL BOX

Get the latest news from Cherry Creek Schools by signing up for the monthly Cherry Creek Schools Community eNewsletter. Subscribers will also receive occasional 'eBlasts' containing breaking news and emergency information. Go to www.cherrycreekschools.org and click on "eNewsletter" at the bottom of the page.

YOU'RE INVITED!

Smoky Hill High School

- December 2 7:15 p.m., Dance Concert
- December 3 7:15 p.m., Choir Concert
- December 8 7:15 p.m., Orchestra Concert
- December 12 7:15 p.m., Madrigal Feast
- December 15 7:15 p.m., Band Concert
- December 16-17 7:15 p.m., Choir Concert
- December 18 7:15 p.m., Improv Show

Door-to-Door Program Helps Residents Dispose of Household Chemicals

Getting rid of paint and other household chemicals is just a call away with the Door-to-Door Household Hazardous Waste Program.

Sponsored by Aurora Water and Curbside, Inc., the program provides a convenient, cost-effective way for residents to responsibly dispose of household chemicals, including paint, car batteries, used oil, spray cans and much more. And it only costs \$15.

Residents interested in participating should call **1-800-449-7587** to schedule an appointment, obtain a list of acceptable items and to receive a collection kit that holds the chemicals securely until pickup. Curbside staff can help older residents and those with disabilities prepare their materials for disposal. For more information, call **Mary Dawson at 303-739-7372**, email her at mdawson@auroragov.org, or go to www.aurorawater.org.

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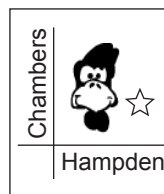
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Teen Services

To add your teen's name, please call **Colorado Lasertype** at **303-979-7499** and leave the following information: the **neighborhood you live in**, your age, phone number and the categories you would like included. Categories: **(B)** Baby-sitting * Red Cross Cert. for CPR **(L)** Lawn care **(S)** Snow removal **(P)** Pet & House sitting. No recommendation or endorsement of any of the names on this list is implied or stated by the homeowners association board or Colorado Lasertype.

Cyle C.	16	P/L/S	720-870-0916
Kim C.	16	B	303-981-3261
Trevor D.	12	P/L/S	303-841-5266
Christina G.	15	B/P	720-785-0272
Tyler H.	16	P/L/S	303-667-6566
Sara S.	15	B/P	303-518-8140
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Around Aurora

FIRST TUESDAY BOOK CLUB, Mission Viejo Library

Dec. 1, 7 p.m. (First Tuesday of each month at 7 p.m.)

Come read with us! Our First Tuesday Book Club meets on, you guessed it, the first Tuesday of every month at Mission Viejo Library (unless otherwise noted). All meetings are held at 7:00 p.m. New members are always welcome, and feel free to explore one of our other book clubs!

BEGINNING KNITTING FOR TEENS, Mission Viejo Library

Dec. 10, 3:30 p.m. Register online or call **303-326-8600**.

Learn the basics of knitting and begin a simple scarf for winter! Ages 13-19. Yarn will be provided. Please bring a pair of size 15 (10 mm) knitting needles. We will have a few extra pair, but not enough for everyone.

WINTER TALES, Mission Viejo Library

Dec. 15, 7 p.m.

Join us for hot cocoa and winter tales to warm up your winter nights. Ages 3 & up. Pick up a coin on the circulation desk.

JOHN ADAMS UNBOUND

December 26 – February 19

Tues. – Fri. from 9 a.m. to 4 p.m., Sat. & Sun., 11 a.m. to 4 p.m.
Aurora History Museum 15051 E. Alameda Pkwy Aurora 80012

Free admission. Hosted by the Aurora Public Library, in cooperation with the Aurora History Museum, this American Library

continued on page 7

CLASSIFIEDS

Classified ads are \$3.55/line. Call Colorado Lasertype at 303-979-7499 to place an ad. The deadline for placing a classified or display ad is the 15th of the month for the next month's issue (i.e., 15th of Sept. for Oct. issue), except the January issue, which has a deadline of December 6th.

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We closed our sports store after 20 years! Selling hats, jackets, golf shirts, t-shirts, sweatshirts and lots more all at wholesale prices and less! Adults, youth, toddler & infant sizes. Great for Xmas presents! Selling from our Meadowood home at 3400 South Nucla Way. Email Afaybik@com-cast.net or call 303-690-3084, 720-979-9244-Mike or 720-979-9223-Arlene. [12]

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Around Aurora, continued from page 6

Association (ALA) traveling panel exhibition explores images of President John Adams' personal library and illustrates how Adams shaped American history through his lifelong dedication to reading and books. Believing that an "ample and well chosen Assortment of Books" could serve both intellectual and political purposes, President John Adams (1735-1826) assembled one of the greatest private libraries in early America. The traveling panel exhibition is based on the gallery exhibition of the same name mounted by the Boston Public Library in 2006. The exhibit features photo-reproductions of books, personal objects, maps and portraits. "John Adams Unbound" has been organized by the Boston Public Library and the American Library Association Public Programs Office. The Friends of the Aurora Public Library is serving as a local sponsor. Contact 303-739-6600 for more information.

Mission Viejo HOA Financial Report

Alan Engels – Mission Viejo HOA Treasurer and Vice President

Beginning Balance 1/1/09 \$ 2,813.09

	Budget	Actual	Difference
YTD Income - Dues	\$1,710.00	\$3,083.00	\$1,373.00
YTD Income - Corp. Contrb.	\$8,000.00	\$6,836.35	(\$1,163.65)
YTD Budget Expenses	\$8,966.60	\$4,572.91	(\$4,393.69)
YTD Non-Budgeted Expenses	\$0.00	\$4,144.42	\$4,144.42
Current Balance 11/16/09		\$4,015.11	

National Stress-Free Family Holiday Month

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Parker Adventist Hospital welcomes **Jeffrey Turk, MD, Paige Turk, MD, Shauna Gulley, MD** and **Jeremy Armstrong, PA-C** of Timberview Clinic at Parker to our community of caring providers.

At Timberview Clinic at Parker, all of the physicians are **board-certified in both Internal Medicine and Pediatrics**. This extensive medical background gives each physician the expertise to diagnose and **treat patients of all ages** for a wide spectrum of conditions.

The providers are committed to patient education, whole-patient care and a **comprehensive, preventive approach**. Utilizing a state-of-the-art Electronic Medical Record, every patient has a consistent and comprehensive medical history that also allows for the **cross-reference of medications** to identify possible adverse drug interactions.

Timberview Clinic at Parker treats and manages routine, chronic and complicated illnesses and specialize in the following areas:

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