

Agenda Discussion Items

(David Farnsworth)

Item #3

Sidewalk Cleaning

Legal questions that need to be addressed and resolved before undertaking the pressure washer cleaning of “ALL” non-common area Residential Sidewalks:

1. Is it legal to exclude Harmony neighborhoods F, H2, I, J, K, L, M, N, O, and future build-outs while those neighborhoods pay the same Assessments – do not receive a break on their Assessments – yet do not receive the same benefit as other neighborhoods in the community?
2. Can we account for the inequity in benefit that is received by individual property (home) owners who have corner lots with long (>175foot) sidewalks – for which they assumed responsibility when they purchased their property – compared with most other properties with short (<75foot) sidewalks?
3. Can the District, on its own volition & at any time, take over a maintenance responsibility assigned to a property owner in his/her Deed of Covenants? In other words, do we agree that “*the District can do whatever it wants, whenever it wants*” as has been expounded by one member of the Board?
4. If the District takes over the responsibility for cleaning private property sidewalks, will the HCDD be the recipient of “nasty-grams” from the HROA if the sidewalks are not cleaned properly; or will Notices still be sent to the property owner?