



A Bird's Eye View

A newsletter for residents of Audubon Park • Durham, NC

SUMMER 2004

VOL. 3, NO. 2

Board Report

With the elections at the Annual Meeting in March, the Homeowners' Association (HOA) Board has two new members and one incumbent. The current Board members are:

- Jim Brooking, President, 5908 Solitude Way, jimbrooking@intrex.net, 572-9227
- Jeff Read, Treasurer, 5907 Whisperwood, jread@nomaco.com, 361-4388
- Gary Blais, Secretary, 8 Silverwood Court, gsb46@yahoo.com, 806-3288

We hope you will contact us with any matters of concern relating to the HOA.

What We Do

Why does Audubon Park have a homeowners' association? For two reasons: first, we all bought homes here. The purchase of our homes represents a significant investment – the largest investment some of us will ever make. It is the primary duty of the HOA to do its best to preserve and enhance the value of that investment. The tools used by the Board to preserve your investment are the *Architectural Standards & Control Specifications*, the *Covenants, Conditions & Restrictions* and the *HOA By-laws*. All these documents are on our web site. The HOA and all residents are subject to these documents, which have the force of law.

The second reason for the HOA is to try and make Audubon Park a nice place to live. A good appearance contributes to our quality of life and helps maintain our property values. We have a very active Landscaping Committee, and also contract with a company to trim the grass and tend to the landscaping in our common areas. Complementing this maintenance of the common areas are the requirements in our governing documents for each resident to take care of his or her own property, with appropriate measures in place to encourage compliance.

The HOA exists to preserve neighborhood property values and add to the quality of life in Audubon Park.

The HOA also supports social activities, including holiday get-togethers like the Easter Egg Hunt, a Halloween Party, and a Barbecue Picnic. We hope to expand these events and welcome your suggestions AND your help in organizing new events. Tennis ladder? Golf outing? If you can help put it together, the Board will try to support you.

Agenda

The new Board expects to accomplish much during the coming year. Here are some priorities:

- 1) Establish a better connection between the Board and residents.
- 2) Follow through on major capital improvements planned by earlier Boards.
- 3) Support activities that improve a sense of community.
- 4) Improve the management of Board-sponsored activities.

Meetings

Any resident is welcome to attend the Board meetings. The Board usually meets on the second Monday of every month at 7:00 p.m. at the Parkwood Branch Library on Revere Road. This depends on the availability of the meet-

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Information for Homeowners and Residents

Governance: All property owners in Audubon Park, as a condition of ownership, are members of the Audubon Park Homeowners' Association, Inc. (HOA), a non-profit North Carolina Corporation. The HOA Board of Directors is directly responsible for HOA governance in accordance with the HOA Bylaws. The Board contracts with Talis Management to perform day-to-day management, including collection of quarterly assessments, disbursement of funds and identification of problems needing Board attention. Other contracts are let to perform landscape and grounds maintenance, pool maintenance, etc.

Board Members

Jim Brooking, President, term expires Spring '05, 572-9227, jimbrooking@intrex.net
Gary Blais, Secretary, term expires Spring '06, 806-3288, gsb46@yahoo.com
Jeff Read, Treasurer, term expires Spring '07, 361-4388, jread@nomaco.com

Architectural Standards: The appearance of all property in Audubon Park is subject to standards published in the *Architectural Standards and Control Specifications*. All changes to the appearance of a home, lot or outbuilding in the development require approval by the Architectural Review Committee (ARC). Changes made without ARC approval may be required to be "undone" under force of law if directed by the Board.

Swimming Pool and Tennis Court Access: is controlled by electronic card key. A charge of \$25 is levied for lost keys.

Committee Chairs

Architectural Review: Myrick Peacock, 877-905-0579
Recreation: Brent Eischen, 361-9441
Landscaping: Don Rees, 484-7411/Gretchen Mauney
Tennis: Norvell Brown, 405-2114
Social: Vicky Terwilliger, 572-0292/Joanne Rees, 484-7411
Communications: Jim Brooking, 572-9227/Laura Ksyczewski, 544-4834

Web site: www.audubonpark.info. Contains HOA Bylaws, Architectural standards/procedures/forms, meeting minutes, archived newsletters.

Talis Management: Kelly Decker, Community Manager, 919-878-8787 ext. 255, KSDecker@talismgmt.com

Association Dues: \$87 quarterly, due Jan. 1, April 1, July 1 and Oct. 1 to: Audubon Park HOA, PO Box 1070, Charlotte, NC 28201. There is a \$10 late fee for dues not received within 30 days of deadline.

Address Changes: It is essential that non-resident home owners inform Talis management of their current mailing address. Failure to notify the Association of a current address does not relieve the home owner of responsibility for the property. If violations are observed on the property, the HOA notifies the home owner by mail to the home owner address of record. If the violations persist, significant fines can be levied on the home owner whether or not the home owner actually receives the notices. Unpaid fines may be collected by foreclosure and sale of the property by the HOA.

A Bird's Eye View is published quarterly by the Audubon Park Homeowners' Association.

Editor & Layout: Laura Ksyczewski

If you are a resident and would like to submit an article or ad for the next issue, contact Laura Ksyczewski at 544-4834, laurak8@verizon.net.

Board Report (continued from page 1)

ing room, so please check with a Board member if you plan to attend.

HOA Board Expanded

At the May 10 meeting of the HOA Board, the corporate Bylaws were amended to increase the number of directors on the HOA Board from three to five. This action was taken for the following reasons:

- 1) The amount of work the Board needs to do was a real stretch for three directors. Hence, some important work was delayed and decisions deferred because of lack of time. Having two more directors will lighten the load for everyone.
- 2) Having five people on the Board will help to ensure that the Board is more representative of the neighborhood.
- 3) Having a larger Board helps in case a director resigns his or her position, since the resigned director's responsibilities can be split four ways instead of two until a replacement director is found.

The same amendment to the Bylaws imposes a requirement that only HOA members who live in Audubon Park may become directors. If you would like to be considered for appointment to one of the new director positions, please call Jim Brooking at 572-9227.

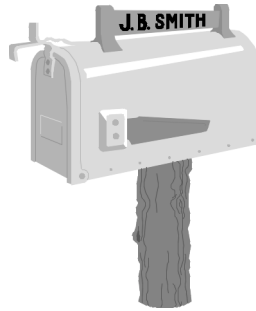
Financial Report

Good News! No new rates for 2005! We currently have around \$60K in our available cash account. Yes, that sounds like a lot. Last year \$30K was to be used for landscaping upgrades and a few other items, which the new Board has reviewed and approved. We are also looking into some of the following: tennis court lights, key access entry to the tennis courts (just like the pool), court resurfacing/repairs, additional landscaping, a volleyball court, playground upgrades (including better drainage), better funding of committees, funding of new committees, a tennis tournament and golf tournament.

As you can see, we have been looking into many things to better our community and bring us closer. If you have any ideas that you would like us to look into or would like to join one of our committees, please don't hesitate to contact us.

A Note From Talis Management

As the management agent for Audubon Park, one of Talis' responsibilities is to conduct routine property inspections. These are done to ensure the covenants and guidelines are being followed as well as maintain the appearance of your community. It has been noticed on recent inspections that there are many mailboxes in need of attention, both the post and the box itself. They either need to be painted (post and rusty box) or the box replaced all together. We have a maintenance person on staff who has offered to assist you. Please call Joe at 319-3450 ext. 22 and he will be glad to submit a reasonable price to perform the necessary work.



Houses in Need of Paint

We have recently noticed some houses in need of painting and/or washing. Rather than sending many individual letters to homeowners, we hope that this article will encourage you to take the time to inspect your property and address any painting or maintenance needs. If the paint on your house is powdery, moldy, light and thin, please repaint or wash it as soon as the weather permits. The Audubon Park *Architectural Standards & Control Specifications* require that any proposed changes in exterior colors, including siding and/or trim, be approved by the Architectural Review Committee (see article on right for more information).



If a homeowner does not cooperate and perform needed maintenance, Talis will send a letter. If the request to conform to community standards is ignored, the HOA can do the maintenance work and bill the homeowner. The Board does not want to take such drastic actions, but when a homeowner ignores a request for ongoing maintenance the Board has no other choice. All of this is done to ensure the upkeep of the neighborhood and maintain the highest property values. We thank each of you for taking pride in your community and for maintaining the property values of Audubon Park.

Architectural Applications

You may not realize it, but before you can make any addition, modification or landscape change to your home or property you must fill out an Architectural application. The specifications and criteria used to review your application are found in the *Architectural Standards & Control Specifications* and the *Covenants, Conditions & Restrictions* for Audubon Park. Copies of these documents are available from Talis and on the Audubon Park web site at www.audubonpark.info.

Submit the completed application form to Talis and they will forward it to the Architectural Review Committee (ARC). Every application package must include a copy of the foundation survey (plot plan). If this is not available, a plat, site plan, or reasonable facsimile which shows the location of the proposed alteration or addition, the existing building, and the property lines may be acceptable. Every attempt will be made to complete the review of each application within one calendar month. Please see the list of the top reasons applications are rejected below.

PLEASE NOTE: You must obtain approval in writing from the ARC before the start of any exterior change. The ARC is allowed up to 30 days to act on an application. Therefore, do NOT commit labor or materials until you have received written approval. In addition, please check with the City for any necessary permits.

Top Reasons Applications are Not Approved

- Submitted application is not complete.
- Fence style, missing post tops, or screening requirements not addressed for fence applications.
- Insufficient detail provided in application to enable ARC to make a decision (e.g. paint color not identified, size of structure not included).
- No indication if proper materials will be used (e.g. treated wood, rust resistant metal).
- Shed does not match house, or location of shed is not approved.
- No elevation drawings included to describe change.
- Proposed change is not in line with Audubon Park neighborhood guidelines.
- Fence is not on the property line, or no explanation of why it cannot be placed on property line.
- No plot plan to identify location of proposed change in relation to property lines or easements.

Neighborhood News

Durham's Animal Nuisance Ordinances

Here is the Durham ordinance applicable to pets:

"Nuisance means any act of an animal or its owner which annoys or disturbs rights and privileges common to the public or enjoyment of private property. The commission on more than one occasion of the following acts shall be evidence of a nuisance.

- (a) Gets into or turns over garbage containers.
- (b) Walks on and/or sleeps on automobiles of another.
- (c) Damages gardens, foliages or other real or personal property.
- (d) Habitually or continuously roams or is found on the property of another.
- (e) Unsanitary conditions so as to be offensive to sight or smell.
- (f) Eliminates on private property without permission of the owner.
- (i) Habitually or continuously barks, howls, whines or mews in an excessive manner.

It shall be unlawful for any animal to engage in any of the acts listed in Section 4-13(21)." [Article VI, Section 4-136.]

If you have a situation you think may constitute an animal nuisance, call the Durham County Animal Control department at 560-0630/0631. On a first complaint, the owner will be issued a written warning with suggestions on how to abate the nuisance. For more information, check out the Animal Control web site at:<http://www.co.durham.nc.us/common/db-dept.cfm?ID=1>.

To help with the pet waste problem, the HOA has installed two pet waste stations: one on Haventree by the pump station and the other on Solitude Way near the tennis courts. The Board asks for your cooperation and encourages all pet owners to use the waste stations to clean up the neighborhood, avoid health problems and help eliminate disputes between neighbors. It is our hope that by taking this approach to the pet waste problem we can avoid getting the animal control people involved. Let's all do our part to keep Audubon Park a great place to live.



Use of Audubon Park Recreational Facilities

The HOA Board has received a large number of complaints about instances of non-residents using the basketball court, tennis courts and swimming pool. We are exploring different options for restricting the use of Audubon Park recreation facilities to residents without breaking the bank. We are engaging the Durham Police Department for help in developing a plan to deal with this problem.

Until more permanent measures are in place, please let the Board know of your suggestions and concerns. The "Contact Us" form on our web site is an easy way to communicate with the Board and committee chairs. Please help out by doing the following:

- Do not "hold the door" to the pool unless you know those for whom you are performing the courtesy.
- If you see suspicious activities in our common areas, particularly the in the vicinity of the pool after dark, please call the Durham police and report the problem to them.

We strongly suggest that residents not challenge outsiders, but leave such confrontations to the police. Plans are underway to secure the tennis courts with the same type of lock as is used at the pool entrance.

Pool Rules

The pool will be open until September 12. The hours are from dawn to dusk each day. You should have received a flier in the mail with the pool rules. Please note that many of these rules are mandatory. Each homeowner receives two card keys which remain active as long as the homeowner's dues are current. A \$25 fee is charged to replace a lost or stolen card.



Neighborhood News

New Committees?

An active committee structure is in place to take care of the business and recreational activities the homeowners' association supports. We are grateful to the hard working members of the **Architectural Review**, **Landscaping**, **Recreation** and **Social** committees for their efforts in keeping the neighborhood looking good, and for providing fun things for us to do.

There are areas that are not now covered by committees but probably should be:

Safety & Security Committee: Work with residents and the Durham Police Department, private security contractors and Talis management to develop cost-effective programs to assure the safety and security of the neighborhood, including restricting the use of recreational facilities to residents, calming traffic flow, and other measures as appropriate.

Nominating Committee: Develop and maintain a list of qualified community members who are willing and able to assume leadership positions on the Board or committees. This list of nominees would shorten the process of filling Board and committee vacancies, and should provide better representation in HOA leadership from throughout the community.

Welcome Committee: Provide initial contact with new residents and be a source of information and support for those just joining the neighborhood.

If anyone is interested in working in these or other areas, please contact Jim Brooking at 572-9227. The HOA Board is eager to support resident committees who are making our neighborhood a good place to live.

Landscaping Committee Report

The Summer annuals have been planted at the corner of Solitude and Whisperwood, and at the pool. Next on the schedule are annuals at the entrance, additional mulch for the playground, and irrigation and footbridges for the jogging trail.

There are a number of struggling trees and shrubs slated to be replaced this Fall. The shrubs located in the center island at the Solitude entrance that lost leaves over the Winter are recovering. Any that do not recover by the Fall will be replaced.

If you are interested in participating please contact jdmrees@aol.com.



If you'd like to get more involved in the neighborhood, consider volunteering to serve on one of the committees:

Architectural Review: maintains the structural design of the neighborhood.

Recreation: oversees the pool and playground areas.

Landscaping: oversees maintenance of the grounds and common areas of the neighborhood.

Social: plans neighborhood parties and events.

Communications: maintains web site and produces newsletter.

For more information, contact the committee chairs listed on page 2.

Neighborhood Classifieds

If you have some ads for the Fall issue of the newsletter, please send your listing (including your phone number) to laurak8@verizon.net **by September 1, 2004**. This service is only available to Audubon Park residents and is free. Please keep your listings to 50 words or less.



4th of JULY Celebration at the State Capital

12:30-3:30 p.m. A great family atmosphere with historical re-enactments, music, food, dancing, children's crafts and more. Come and celebrate the

birth of this great Nation.

DINING ROOM SET

Formal hardwood dining room set. Very good condition. Table is 68" x 44" plus two 13" leaves; four side chairs plus two arm chairs, empire style; four-door buffet with two drawers; four-door china deck with lights. \$1,000. Brochure: <http://1roryplaza.com/565.htm>. Actual: <http://home.nc.rr.com/daye/dining.htm>. For more info, call 544-9913.

AQUARIUM

29-gallon aquarium with stand and hood, \$25. Call 544-4834.

GRILL

Large charcoal grill, \$20. Call 544-4834.

Residents' Access to Web Site <http://www.audubonpark.info>

The Audubon Park web site contains a Residents Only section. The logon ID for this section is "resident" (no quotes, lower case). The password has not changed. If you do not remember the password, please send an e-mail to jimbrooking@intrex.net.



Introducing OOH-LA-LA Pet Spa

Owned and operated by a neighbor offering over 15 years of pet grooming experience. Located right around the corner in Greenwood Commons. Call 572-6699.

SUMMER READING GROUP

Are you interested in a Summer book club? We could read a book and discuss it pool side? Or a study of the *Purpose Driven Life*, Rick Warren's NY Times Best Seller? If interested, please contact Renee at 806-3445, reenehope@mindspring.com.

MAH JHONG ANYONE?

We have 2-3 people interested in playing Maj Jhong. Does anyone play the American version and if so, are you interested in a weekly or bi-monthly game? Please contact Renee at 806-3445 or Joanne at 484-7411.

OUR CHILDREN ARE IN DANGER!

You can now protect your child from being lost, missing, or abducted by using a new and unique videotape registration service. It's now considered to be the highest level of child ID in America! For a FREE brochure call our RECORDED message at: (800) 452-2405.

Dues Reminder

Don't forget that the Association dues are \$87, due quarterly on July 1, October 1, January 1 and April 1. There is a \$10 late fee for dues not received within 30 days of the deadline.

Payments should be mailed to:
Audubon Park Homeowners Association
P.O. Box 1070
Charlotte, NC 28201-1070.