

# West Lochwood Civic Association

## Annual Report

2020

### Introduction

The West Lochwood Civic Association (WELCA) is for residents of the Lochwood neighborhood, located in a section of Unincorporated Jefferson County - District 1, surrounded by the City of Lakewood. The boundaries of the Association are Mississippi Avenue (approximately) to the North, Jewell Avenue to the South, Kipling Boulevard to East and Union Boulevard to the West. WELCA is subdivided into 6 separate filings (Filing 4, Filing 6, Filing 7, Filing 8, Filing 8A, and Filing 9). Please see the map of the area on our website ([www.welca-hoa.com](http://www.welca-hoa.com)) under the "Map and Covenants" section of the website.

The Organizational By-Laws for WELCA require that the Board of Directors prepare and distribute an Annual Report to the members at the time of the Annual Meeting (normally held in November (see Article V, Board of Directors, Section V, Annual Report). The purpose of this report is to the membership (WELCA homeowners) the condition of the Association and its property.

The West Lochwood Civic Association functions as a Non-Profit Incorporation under the Laws of the State of Colorado. Articles of Incorporation were filed with the Colorado Secretary of State on February 24, 1976.

The purpose of the Incorporation was identified as ***"to work toward the betterment of and to combat deterioration in its area; to aid, assist, represent and advance the interests of the residents and owners of its area of membership; to adopt, formulate and carry out any and all protective covenants necessary and proper for the accomplishments of the purpose set forth in the Certificate of Incorporation."***

### Board of Directors

The WELCA By-Laws provide for the election of a Board of Directors to manage the affairs of the Association. The By-Laws provide for up to 15 members on the Board. At the Annual Meeting members of the Association vote on who will serve on the Board for the coming year. Fifteen positions will be elected for the coming calendar year 2021. There are no term limit restrictions

governing how long someone may serve. All Board members serve on a volunteer basis with no compensation, other than reimbursement of expenses incurred that are approved by the Board.

There are currently ten active members serving on the Board. Table 1 lists those members and their contact information. There are currently five unfilled positions. At the Annual Meeting the new suite of members will be elected. At the December meeting the new Board will select the four officers allowed for in the By-Laws which are: President, Vice President, Secretary and Treasurer.

Table 1 shows that while the Board has representation from four of the Filings in Lochwood there is no representation from either Filing 6 or Filing 8A

## **Financial Condition**

WELCA is in good financial condition going into 2021. As of October 6, 2020 WELCA had \$11,438.49 available in checking and savings. Income for the year has been \$10,848.00 while expenses have totaled \$8,545.00. The budget for 2020 was estimated at \$11,000 from Dues. The January 1, 2020 balance was \$9,325.20

Higher expenditures occurred in Legal Fees (Altitude Law), for the legal advice and review of a sign policy (written by WELCA), and legal advice on other covenant enforcement type questions. Additional higher expenditures has occurred on printing and the bulk mailing distribution of the WELCA Newsletter to all Lochwood homeowners, and a slight increase in the cost of the Directors and Officers Insurance costs.

## **Common Properties and Maintenance Practices**

WELCA does not hold title to any actual real property assets in the West Lochwood community. WELCA has no clubhouse or swimming pools etc. However, there are a number of properties that are parts of public rights of way that require periodic maintenance, particularly in the summer season. WELCA does maintain these properties with emphasis on weed control, trash removal, graffiti removal, and other maintenance.

WELCA also maintains a number of signs, located at key entrance areas identifying to people that they are within the boundaries of WELCA.

WELCA is in the process of repairing some of the entrance signs that need patching and a fresh coat of paint from weathering. A couple of these areas will also get new landscaping. These areas are: 1) the traffic circle at the junction of South Quail Street, West Oregon Drive, South Robb Way, and South Queen Way. 2) Intersection of West Arizona and South Union Boulevard.

3) The intersection of South Union Boulevard and West Florida Avenue – once the new traffic signal (see next paragraph) at South Union Boulevard and West Florida Avenue is completed, WELCA will replace the entrance sign that was removed for construction of the signal.

## **Infrastructure Upgrades 2020**

The City of Lakewood began construction for a new signal light at Florida Avenue and South Union Boulevard in June of 2020, to help improve traffic flow in our community. The work has stopped or been delayed. We presume the project will resume the fall and winter of 2020.

## **Covenants**

Properties within the Lochwood Community as mentioned earlier, are subdivided into six separate filings which are governed by six different sets of covenants. These covenants are enforced by individual property owners with support from the WELCA Board of Directors. The covenants were created by the original developer, Wood Brothers Homes, and filed with Jefferson County. They are part of each residential property deed in Lochwood. At the purchase of your home the realtor provided a copy of the covenants for your filing. By signing the contract you agreed to abide by the terms of the covenants specific to the filing where your home is located. Most of the covenants are identical except for those governing Filing 9 and Filing 4. In 2015 the residents of Filing 9 approved a revised set of that are more tied to Colorado State Law governing Home Owner Associations and Civic Associations called the Colorado Common Interest Act (CCIOA). In May of 2019, the homeowners of Filing no. 4 voted in a similar, revised set of covenants that are more parallel to CCIOA. Copies of the covenants reside on the WELCA website <http://www.welca-hoa.com>.

Residents in Filing 8 and Filing 8A have expressed interest in a new revised/amended draft of covenants a couple years ago. But unlike Filing 9 and Filing 4 – no homeowners in Filing 8 and 8A have come to any WELCA Board meetings, or joined the WELCA Board to express interest or start the process rolling.

## **Covenant Enforcement:**

Covenants are enforced by actions of individual homeowners combined with assistance from the WELCA Association. There are two different methods of enforcement:

**1). For Filings 6, 7, 8, and 8A:** When a potential violation is reported the infraction is verified by the Board of Directors and the property owner is contacted and asked to correct the infraction. Typically the homeowner is given 30 days to fix the violation. Additional letters are written if the violation has not been addressed by the homeowner. The homeowner is encouraged to come meet with the WELCA Board to discuss mitigating factors or request a repeal of the

infraction. The strongest recourse for the WELCA Board is additional letters, or in extremely rare case, the potential of Small Claims Court.

## **2). Filings 4 and 9 (Amended, Restated, Protective Covenants):**

For Filing 4 and Filing 9 WELCA follows procedures in the WELCA Covenant Enforcement Policy and the policy is available on the WELCA website. This Covenant Enforcement Policy gives the WELCA Board more leverage through fines versus just letter writing to resolve covenant issues.

To summarize the procedures in Filing 4 and Filing 9: when a potential violation is reported (in writing) the infraction is verified by the Board of Directors and the property owner is contacted and asked to correct the infraction. The property owner is given a 30 day period of time to make the corrections before a second notice is sent. The homeowner (in violation) is allowed to appeal the violation, and talk to the WELCA Board, about any mitigating circumstances.

For Filings number 4 and 9, if the violation is not fixed within 30 days, a second notice is sent, with a \$100 penalty included in the notice. If corrections are still not corrected then a third notice is sent with an additional penalty of \$250 is assessed against the property. If the violation is not corrected, then a letter from an attorney may follow where WELCA is considering legal action in civil court.

It is NOT the goal of the WELCA Board to fine people to make money, or take homeowners to court. We want to work with all parties to resolve the violation, listen to both parties and be fair. If needed the WELCA Board can grant extra time to resolve an issue – if visible progress is being made to mitigate a problem.

**Jefferson County Zoning or Sheriff Department:** The WELCA Board uses Jefferson County Zoning in these filings (6, 7, 8 and 8A) for tall weeds or clutter being stored on a property as these are not directly written into our covenants. Similarly, any violation in the public streets (such as a parked trailers, or unlicensed car in the street) is reported to Jefferson County Sheriff Department. WELCA has no enforcement right in public streets, which are owned by Jefferson County.

There is estimated to be about 10% of the properties in West Lochwood community to have a covenant violation. Currently the WELCA Board is pursuing action via letters, and Jefferson County Zoning and Jefferson County Sheriff's Department on approximately six to seven total violations.

## **2020 Community Activities**

As part of the strategy to improve community betterment WELCA has, sponsored a number of community activities. These events in the past include sponsorship of a community wide garage

sale, both Spring and Fall neighborhood clean-up initiatives, and a Christmas Light decorating contest.

Due to the COVID-19 pandemic in 2020, the community garage sale was cancelled, as well as the Spring Neighborhood clean-up event. The cancellation was based on both Jefferson County Health Regulations and legal advice. These decisions to cancel events were made to protect both our community and the volunteer WELCA Board members from contracting Covid-19 virus.

- The Fall neighborhood clean-up was held on September 19, 2020
- The Christmas Lighting contest will occur in December. Judging the best Holiday displays will be held on December 12.

**West Lochwood Civic Association  
Board of Directors  
Contact Information  
Table 1**

| Name                         | Contact Information | Filing Number |
|------------------------------|---------------------|---------------|
|                              |                     |               |
| Earl Wilson, President       | 303.984.2641        | 8             |
| Mike Goddard, Vice President | 303.523.9656        | 4             |
| Bill Stout, Secretary        | 303.986.9557        | 4             |
| Jim Foster, Treasurer        | 303.989.3637        | 7             |
| Gary Frey (Newsletter)       | 303.986.0106        | 9             |
| Amy Skinner                  | 720.428.9476        | 9             |
| Lucidell Smoczyk             | 303.988.1546        | 7             |
| Dan Demello                  | 303.870.8134        | 4             |
| Lance Vogt                   | 303.328.5304        | 4             |
| Doug Mangles                 | 720.404.6507        | 4             |
|                              |                     |               |