



# DISCOVERY HOMEOWNERS ASSOCIATION

## NOVEMBER 2005 NEWSLETTER

### Discovery Board of Directors

- President – Randy Cubero – 599-4535
- V President – Gerald Farney – 599-0519
- Secretary – Sharon Davidson – 265-5641
- Treasurer – Eli Muhl – 262-0998
- ACC Chairman – John Dwors - 590-9460
- Covenant Comp.-Fred Porter- 599-5548
- Administrator – Jan Doran - 598-9075

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### President’s Corner Randy Cubero

#### President’s Corner

Dear Discovery Homeowners,

As President of the Association I have had the pleasure of recently reviewing our Discovery Subdivision’s Covenants. It is my belief, shared also by most, if not all, of the Board members, that we should attempt to update and make the Covenants more relevant to our present and future situation and environment. Our Discovery Covenants have been in effect since January 28, 1980. These Covenants establish the rules, conditions, restrictions and reservations for living in our Discovery Subdivision. The Covenants had to be initially approved by a majority of

Discovery Homeowners with established procedures for amending the Covenants when necessary. The Covenants are binding upon all Discovery Homeowners as an undisputable condition to purchasing a home in our Subdivision. Finally, the Covenants were developed with the sole purpose of enhancing and protecting the values, desirability and attractiveness of the real property in our Discovery Subdivision. The Covenants include seven Articles and in this Newsletter I would like to review for you the first two Articles. I plan on completing my review of all the remaining Articles in future Newsletters. I hope you find this information both interesting and useful as a conscientious Discovery Homeowner.

Article I Section 1. The single section in this Article deals with definitions of the common terms used in the Covenants. The inclusive terms defined are: “properties,” “lot,” “owner,” “declarant,” “living unit,” and “association.” Of particular interest was the term “living unit” which clearly refers to any portion of a building situated upon the properties designed and intended for use and occupancy as a residence “by a single family.”

Article II Section 1. This important section deals with the Architectural Control Committee (ACC) and its specific function. The original six members of the ACC are named in the section and are given the authority to approve or disapprove the plans and specifications to be reviewed by the committee. Moreover, there is also a stated stipulation that a majority of owners can change the membership of the committee, and can withdraw or restore any of its authority and duties.

Section 2. This section discusses the broad range of reviewable actions that shall be taken by the ACC in concluding its assigned duties. This generally authorizes the ACC to approve or disapprove the construction or alteration of any structure from simple mailboxes to accessory buildings on a lot and includes painting, repainting,

landscaping, site grading, and removal of trees, shrubs or even rock formations. It is also clearly stated that a Discovery Homeowner shall not take these aforementioned actions unless complete plans and specifications have been submitted in writing and approved by the ACC.

Section 3. This rather lengthy section describes the procedures for ACC approval or disapproval. As a default position is the ruling that in the event the ACC fails to take action on a particular Homeowner's request within 30 days after submission, approval of the request is automatic. The section states that a simple majority of the ACC is required to render its decision of approval or disapproval. Finally, as a benefit to the Homeowners, it outlines definitively that in the event of ACC disapproval, the ACC shall state in writing its reasons for the disapproval so that the objections can be met by Homeowner alterations acceptable to the Committee.

Section 4. This last section in Article II states that the ACC shall not be liable in damages to any person submitting a request or to any lot owner by reason of any action, failure to act, approval, disapproval, or failure to approve or disapprove with regard to such requests.

I will save Article III for the next Newsletter as it contains the "real meat" of the Covenants in USE RESTRICTIONS and deals with what Discovery Homeowners can and can not do. It is also the Article that can use a good update to make these restrictions and uses more relevant to our present and future.

More to come in our next Newsletter!

Warm regards, Randy

ANNUAL MEETING  
&  
SOCIAL

Wine, Cheese, appetizers, soft drinks,  
cookies

DATE: NOVEMBER 10, 2005

PLACE: WYNDHAM HOTEL

TIME: 6:00 P.M. – SOCIAL

7:00 P.M. – BUSINESS MEETING  
ELECTION

Presentation by Colorado Springs  
Police Department  
"Crime in Rockrimmon"



RSVP: Jan Doran – 598-9075

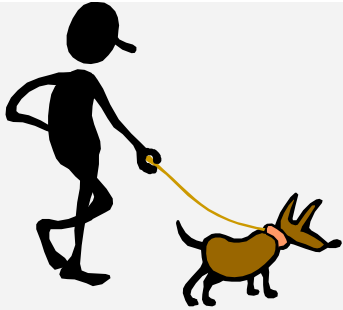
Or

[Jdoran1003@aol.com](mailto:Jdoran1003@aol.com)

Come and meet your neighbors and  
new residents. Bring your  
suggestions and your expertise to  
help make Discovery the best place  
in Rockrimmon to live.

SEE YOU NOVEMBER 10 !!!!

"Initiate Communications"



**“Dogs Rule”  
But Shouldn’t All the Time**

Dogs are our best friends and we want only the best for them. We love spoiling them and giving them what ever they want. And one thing they truly love is a nice, thick, lush lawn to use as their own personal bathroom. Now for the dogs, that’s the greatest; but for the grass it’s the pits. The urine is very acidic and kills the grass in short order. The feces on the other hand, well as we all know, is an instant magnet for the next person walking in the area (invariably, your neighbor - the property’s owner). Ah, what to do? What to do?

Well, this is one of those areas we will just have to disappoint our “best friend”. As we all know to use a leash with our pets when walking them around our neighborhood, please guide them to the nearest section of pavement, graveled area, or street gutter when they show the urge to relieve themselves. Follow-up by gathering their solid waste in a plastic bag and, upon your return home, disposing of the litter in your trash container.

Your neighbor will thank you, although “Fido” will be slightly irritated with your consideration for the neighbor’s grass. But, you will be forgiven, for there is always tomorrow and more lawns to hope for.

**SURVEYS**

**SIDEWALKS, CURB/GUTTER  
BUSHES & TREES**

The DHA Board of Directors recently walked the entire neighborhood to assess the condition of existing sidewalks, curbs and gutters for submission to the City Public Works Department.

Under the newly formed Pikes Peak Rural Transportation Authority (PPRTA) the City will replace damaged areas of sidewalks and curbs and gutters in conjunction with resurfacing neighborhood streets. Although the streets in Discovery are not on the current year’s list, we are hopeful that during 2006 they will be. Proactively, we will submit our list of damaged areas.

In addition to evaluating the sidewalk areas we took the time to note areas where trees and shrubs were blocking the walking areas. We would appreciate your assistance in clearing the sidewalks where overgrowth has occurred so that pedestrians can walk safely. It also enhances the appearance of the neighborhood and the home values.

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**BE CAREFUL  
THE BEARS ARE STILL  
IN THE NEIGHBORHOOD!**

Bears have been making the rounds of neighborhood trash cans and are looking for food for the winter. On Tuesday morning a mama and three cubs wandered across Wintery Loop on their way to the creek.

“Be Safe”

**Architectural Control Committee**

John Dwors, Chairman

The residents of Discovery have once again worked hard to make our community a beautiful place to live. Over the last several years, there seems to have been an improvement in the appearance of our neighborhood. There have been many beautiful landscaping projects and home improvements that have greatly enhanced our already beautiful community. These improvements have not only improved the aesthetic value of our neighborhood, but recent home sales have also shown that our homes have steadily increased in value. Thank you for making the effort to maintain your property. It pays off in many ways.

Two questions have come up rather frequently this past summer. One of them is the use and restrictions related to sheds and storage containers. Our committee has consistently denied the use of sheds and small storage containers on the lot of the homeowner. Many residents have expressed concern about the appearance of these items. Others have expressed a willingness to have these allowed, with the understanding that a small shed should be allowed if it is not visible from the street or by adjacent neighbors. If you have any additional thoughts on this matter, please let me know.

The other common question has to do with removal of small trees and ground cover that most likely is recommended by the FireWise guidelines. Our recommendation is that you should follow the FireWise guidelines and submit an ACC request for approval as well. In most cases some verbal approval can be given very quickly, but we would like to make sure that the natural vegetation is maintained. In these matters there is a balance of safety and aesthetics that most homeowners feel maintains the beauty of the neighborhood.

I would also like your opinion and ideas related to a revision of the current covenants. There has been discussion about revising the covenants in a way that maintains the integrity of the community, but also updates some of the guidelines to take into consideration of the new and very useful technical innovations in the home building industry. Call me with any ideas you feel would be helpful.

Finally, I would like to thank the members of the Architectural Control Committee. Fred Porter, Roger Boehnke, Charlie Janss, Don Newman and Bill Marbaker have worked hard to review over one hundred projects that have been submitted this year. I appreciate their commitment to our neighborhood and I'm sure you do as well.

“Enhance Values”

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Speeding

“Speed Limit 25 MPH”

On ALL neighborhood streets

Speeding continues to be a serious problem in our area. Several adjacent Homeowner Associations and Discovery are working together to address these problems.

A fine for speeding on neighborhood streets is costly. Delmonico Drive has a school crossing with flashing lights and fines are doubled for speeding.

“BE SAFE”



Approval for Home Improvements –  
“A Piece of Cake!”

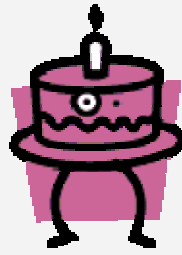
Gerald Farney, Vice President

Getting approval from the Architectural Control Committee for a change/improvement to your home or lot is the easiest part of any new home improvement project in Discovery. I know, because I have just completed my third major construction and landscaping venture in the past six years. But there are three simple steps to make this first and essential phase go smoothly from day one. And, you don't even need, to be an expert on the Discovery Covenants that you agreed to abide by when you bought your dream home in the Discovery area.

1. Look at a few of the near by homes and lots in our area as to the general style, house colors, landscaping, and size of the property. Will your project blend in? Enhance the value of the neighborhood? Proportionally fit on the size of your lot? Spark controversy from your neighbors?
2. Speak to your immediate neighbors regarding you plan. It's the neighborly thing to do and, as I have found, it also gave me some new ideas about my project to mull over and incorporate.
3. With a back of an envelope plan in hand, give John Dwors, Chairman of the Architectural Control Committee (ACC), or one of the ACC members a call with your idea. From my experience, this is a key step in getting your plan off to a good start with the ACC. Before you have spent a nickel on an architect, can of paint, shrub, or fence post you will have a very good idea as to what is acceptable and will fall within the Discovery Covenants.

That's it! Then fill out and submit the "Request for Approval of Proposed Property Improvements" that is attached to every quarterly Discovery Newsletter and, usually within a couple of weeks, the ACC will send your authorization to proceed. Let me tell you,

compared to getting a building permit from the city, this is a "piece of cake", and a whole lot less of a hassle, expense or time consuming.



"Enhance Values"

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### "Takin' It to the Streets"

Presented by City of Colorado Springs

YOUR City. YOUR Voice. YOUR Turn.  
Bring your comments to City officials as we're "Takin' it to the Streets" in your neighborhood on:

December 1, 2005, 7:00 p.m.

Fire Station 18

Vindicator & Centennial  
(behind Walgreens)

Mayor Lionel Rivera

District 1 Councilman, Scott Hente

Other elected officials and City Staff

"We want to hear you! Let your voice be heard when you attend this event."

The forum will provide an opportunity for citizens and media to converse with the Mayor, Council members and City staff about neighborhood and citywide issues.

refreshments provided



**BE AWARE !!!**

There have been some recent burglaries in our neighborhood during daylight hours.

At our Annual Meeting on November 10 there will be a presentation by the Falcon Division of the Colorado Springs Police Department on "Crime in Northwest Colorado Springs."

One of the recent burglaries occurred around noon and access was gained through an open window at the front of the house that was hidden behind tall bushes. The burglars made fast work (less than 15 minutes) of clearing out some valuables and left in an older van.

- Please take a few minutes to be sure windows and doors are locked when you leave.
- Take in your newspaper when it arrives and stop delivery if you're away on vacation.
- Let your neighbor know if you're planning to be away on vacation so they can be alert.
- Don't let your mail collect in your mailbox – it can be stolen too as well as a signal that your gone.
- If you see something unusual occurring or someone suspicious call the police to check it out.
- Don't intervene if you suspect someone is still in your home, leave and call 911.

**BE SAFE**

**COSMIX**  
Colorado Springs Metro  
Interstate Expansion

What does this mean for Rockrimmon?

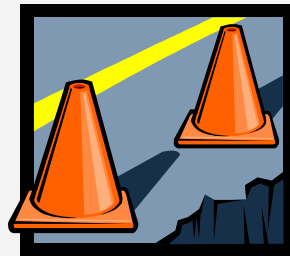
A letter was sent to Discovery HOA a few days ago to circulate information in our

newsletter about what will be happening as the project moves forward.

"Since the COSMIX project broke ground on June 30, 2005, construction crews have worked to widen I 25 to three lanes between Fillmore Street and Garden Gods Road. In only a few short months, crews paved the third lane and construction was extended north to Rockrimmon Blvd."

"With the project running smoothly, the COSMIX team is moving forward with design and construction of the new Nevada/Rockrimmon interchange. In addition, Rockrimmon Constructors is beginning work to improve the capacity and safety on Garden of the Gods northbound on-ramp. In the months to come, COSMIX looks forward to the completion of the Holland Park noise wall and the Ellston Street bridges."

The COSMIX Public Information Team can be reached by contacting Kiley Wiedeman at 476-4949 or [kiley@praco.com](mailto:kiley@praco.com). You may also access project information and leave questions or comments via our toll-free information line, at 877-267-6491 or website, [www.cosmixproject.com](http://www.cosmixproject.com)



**Enhance Communication  
Be Safe**