

NOTICE OF HOA MEMBER DUES CLARIFICATION 2019 BOARD OF DIRECTORS TO RETAIN LEGAL COUNSEL

(Omaha, NEBRASKA) -- The Elk Creek Crossing Homeowners Association Board of Directors / Officers wish to thank you for your patience. Interim President / Board member Brenda Jennings and Ann Smith, Board member / Secretary have spent the past month obtaining necessary clarification of the Covenants, Conditions, Restrictions and ByLaws in a process ongoing in order to provide accurate information, and to answer questions members may have raised at the February 7, 2019 Annual Meeting.

Acting within its authority, the HOA Board has agreed to retain Omaha real estate attorney Douglas Ruge for legal guidance.

2019 HOA DUES

\$60 / year is the annual assessment each lot owner is obligated to pay for the current fiscal year, as stated in a letter dated January 1, 2019. The due date was February 15. An unpaid balance will be charged a 12 percent late fee at 90 days, and other remedies as permitted under Nebraska law. The \$35 / yearly assessment each property owner was required to pay in years past, including 2018, was set in the late 1990s, according to the record keeper, the property management contractor P.J. Morgan Real Estate.

The Board's decision to raise annual member dues by \$25 to a total of \$60 / year in 2019 is in direct response to a number of factors, including, but not limited to, general price increases for ongoing maintenance and operational expenses over the past 20+ years, higher utility rates, costs for updated insurance coverage, legal fees, accrued membership delinquencies in the amount of \$7,106.28 (as of December 31, 2018), and to establish a reserve fund for planned and unplanned expenses.

Board Sets Annual Dues

The Covenants, Restrictions, Conditions and ByLaws (CC&R's) grant the Board the exclusive responsibility to set the annual assessment. A *special assessment levy* for large-scale projects would require member vote.

How to Pay HOA DUES

You may pay the invoice by check via U.S. mail or drop off cash/check payment in-person to the HOA's property management contractor: P.J. Morgan Real Estate, Attn: Liz Otto, ECC HOA, 7801 Wakeley Plaza, Omaha, NE 68114. Office hours: M-F 8 am – 5 pm.

Convenient Online Bill Pay

ECC lot owners may also render payment online by ACH/E-Check or debit card: \$1.95 transaction fee applies. Credit cards are also accepted: Visa, MasterCard, Discover or PayPal with 2.5 percent transaction fee. *Payment is facilitated by P.J. Morgan Real Estate, and its software provider.*

Board / Officers Statement

The volunteer Board of Directors / Officers represent the best interests of lot owner/members, and remain committed to transparency and accountability. Moving forward, the Board shall continue to receive legal guidance in order to obtain clarification of the CC&R's and ByLaws, for such matters pertaining to compliance, governance, assessments, property and financial management in order to give the HOA and its members the best guidance while ensuring Elk Creek Crossing operates responsibly. Again, these volunteers thank you for your patience and understanding.

Published March 10, 2019 at ElkCreekCrossing.com

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