



Newsletter June 2020

It's been eight months since our last Newsletter so we wanted to update all the members of the HOA.

First, we would like to thank all our friends and neighbors who strive to keep up the curb appeal of their home. Realizing how time consuming and expensive it is to keep the outside of our homes neat and well maintained, we are impressed at the effort many of you have made to do just that.

Now to the topics we wanted to go over:

ACOMPLISHMENTS:

- **Water Retention Areas (WRA) management.**
Another major task completed by Smithwell, our landscape management company focused on clearing the culverts in these very important areas. If you would like a list of what was done, please contact us and we will be happy to supply you with a copy of the detailed invoice.
- **Swale refurbishment.**
The swale located in Phase 2, behind lots 7 through 11 are the responsibility of the Mag Ter HOA. This area, which had degraded over time, was re-dug to ensure the health and safety of our Four Lakes neighbors who live below us.

- **Pressure washing, mailbox and tree maintenance.**

We extend our gratitude to Magnolia Terrace homeowners for completing this ongoing maintenance. We were hoping all homeowners would heed our requests for maintenance because we all have an obligation to keep up our properties. Truth is, while 60% of the community did what we asked, we had to send reminder letters to the other 40%. We know there is an expense to completing the tasks we ask, but we all know this is the cost of home ownership.

- **Trees.**

Trees were trimmed along Ridgewood and the entrances.

- **Duke Energy power poles and lighting.**

You may have noticed that most of the light globes on the poles were replaced. We contacted Duke about the condition of the bulbs and they acted pretty quickly to our request. Actually, anyone can report this so if you would like your bulbs replaced, go to their website and use their electronic media...it's very easy.

CONCERNS:

We would like to address some concerns we have regarding various issues:

- **Parking on the Magnolia Bluff cul-de-sac** has been an annoyance to some of your neighbors, Waste-Pro, ambulances and school buses. At times it can look like an over-crowded used car lot at the end of the street. While there is nothing in the Covenants to restrict parking on the street, the Montverde Muni-Code prohibits parking on the street at night and into the early morning. Whomever is parking there is lucky none of their neighbors have reported them to the Lake County Sheriff's office because the penalty is towing away of the offending vehicles, a fine, and then having the expense of retrieving the vehicle from the impound lot.
- **Landscaping.** It appears most of the neighborhood is doing what they can to keep up their landscaping. We know that Florida pests can really do a number on the grass and shrubbery but still, as written in the Covenants, homeowners are responsible for landscaping maintenance of their lots which includes the trees.

- **In regards to boats and business vehicles.** Please read the Magnolia Terrace Covenants and restrictions. Cars or trucks that display company names must either be garaged or parked where not visible from the street. Boats must be enclosed by vinyl fencing or high shrubbery.

ASSESSMENTS (Dues):

90% of the community paid their annual \$400 HOA assessment on time! Thank you, thank you, thank you! Of the remaining, there are still two late payments and interest we are waiting to receive. One home is also in pre-lien status.

ISSUES:

- **Children playing loudly and/or screaming.**
All of us are adapting to a cultural shift in noise levels. Especially now since the Covid19 virus is keeping all of us closer to our homes. More adults are working from home when they usually don't and children not in school are outside playing. Please, please, please be courteous of your neighbors by trying to keep noise levels down. We understand kids will be kids but also be understanding of the fact people are working from home and need some quiet time. On the flip side of this, children need a place to explore and play. As long as they are behaving, please find it in your hearts to be more tolerant. And if you feel your patience running thin, please have a thoughtful, courteous conversation with the parents. We don't think there is anyone in this neighborhood that would ignore a fellow homeowners' request. We are sure a compromise can be found to suit both parties. The last time we tried to intervene on behalf of homeowners, the HOA was blamed for the issue so we won't do this anymore.
- **Pet nuisances.**
We have had complaints of dogs continuously barking in the early morning hours, beginning at 6:00 am. Again, we prefer you address this with the offending neighbor so they know this is an issue for you. However, if your neighbor hears your dog barking, obviously you are even more aware so please be kind and courteous by quieting your pet.

- **Sign, signs, everywhere a sign** (*Five Man Electrical Band, 1971*)
Sorry, couldn't resist, especially since we are seeing signs everywhere and they are prohibited per Article VI, Restrictive Covenants. We've delayed mentioning to those with signs in their yard because it was uplifting to see the proud graduation and school signs, especially since the Covid virus season prohibited traditional celebrations, but it's now time to remove them, please. Also, the roofing signs have got to go. There are too many popping up everywhere and over time they turn into a lawn ornament because we forget they are there. Please remove them right away and if your roofing company has an issue with it, please ask them to contact us. As we're sure everyone knows, it's a presidential election year so please see sign requirements below.

[Section 6. Signs](#) No sign of any kind shall be displayed to the public view on The Properties, except only one sign of not more than one (1) square foot used to indicate the name of the resident or one sign of not more than four (4) square feet advertising the property for sale or for rent (in locations and in accordance with design standards approved by the Architectural Control Board), or any sign used by a builder to advertise the company during construction, and one sign not more than one (1) square foot used to advertise the security system provider. No sign of any kind shall be permitted to be placed inside a home or on the outside walls of the home or on any fence or tree on The Properties, nor on the Common Areas or on dedicated areas, nor on or in entryways or vehicles within The Properties. In addition, one (1) governmental campaign sign for each candidate of not more than four (4) square feet is permitted three (3) months prior to the election for which the sign is related and must be removed within seven (7) calendar days following the relevant election date.

- **Legal expenses.**
Just recently, the board was forced to sit through a pre-suit mediation for four hours due to a homeowner's complaint of deficiencies in the way we are running the board and keeping the records. Basically, not following the Governing Documents to the letter. Most of you may not be aware of the stringent accounting and legal requirements placed on the board by the State of Florida, the Covenants and the By Laws. Essentially, the complaints raised were a mish/mash of not nothing critical and mainly caused by the inexperience of the board members. Also, when we had received complaints from this homeowner (approximately 10 letters), the board remedied most of them immediately. One requires a process that

we're working through and another was a complete surprise to us because it was never mentioned in letters previously received. The majority of the issues were resolved, the aggrieved homeowner (a prior board member) was not satisfied to the extent he thought it imperative to hire a lawyer and bring suit against us. The State of Florida now requires mediation so after meetings with our lawyer, we were advised to participate. The reason we're informing you about this is to be transparent and to mention the associated legal bills were in the ballpark of almost \$3,800 in legal expenses. These were unplanned expenses and really blew our budget for this year. So, if you have been receiving emails or letters requesting landscaping or tree maintenance, please honor them without complaint as we are bound by law and our signatures to uphold the Covenants.

- **Replying to letters and emails from the board. (Warning – Drama and Harsh wording)**

We love hearing from the homeowners, even if it's criticism, we are always willing to listen. The majority of the emails we receive are overwhelmingly supportive. However, there are times when we receive complaints that are outwardly and unabashedly insulting with choice curse words sprinkled in. Does this surprise you?! It surprises us. Especially since we know the majority of homeowners in this neighborhood are professionals in their field and know how to address a business entity. Fair warning, we will not tolerate verbal abuse from anyone. We answer emails with the same tone and attitude as we receive them. Just so you know, we are not required to immediately come to your home regarding an issue that you think can't wait. We are not required to resolve personal disputes with your neighbors. Long standing board members have quit because of the things we have stated above. Because of this, we will not provide phone numbers of the board members so don't take it personal when we say no if you ask.

We know we sound like a broken record about this but in 2017 a property management company was almost invited to take over. What are the pitfalls of this? First, a ~30-40% increase in HOA fees. Also, if homeowners think we are too strict, a Property Management company is going to pretty much do the same work the board has been doing while adhering strictly to the Governing Documents and Florida law. Don't misunderstand, there will still need to be a Magnolia Terrace Board of Directors who will continue to have the necessary board meetings however, all detailed work will be handled by the property management company. So, the only difference you will see is an increase in your annual fee.

A reminder is warranted here. We do not get paid for any of the work we do and believe me, there is quite a bit of it. From ensuring the irrigation system is running correctly, to soliciting proposals, to producing invoices, paying bills, processing ACB requests, scheduling meetings, sending letters, etc. The current board members work extremely well together. We've established a great system of communication and flow of information. It's taken almost a year to get here and we think we have a good thing going but we've lived here long enough to know that whoever is on the board winds up being vilified by disgruntled homeowners who don't like being told what to do. Just remember, you accepted the Governing Documents when moving into this subdivision.

If this tone is upsetting to you and you think you can do a better job, or just want to try your hand at HOA representation, feel free to send us an email asking us to add your name to the ballot for potential new board members. Now is a great time because the 2020 Annual Members meeting is right around the corner and we would love to see some new faces on the board. Trust us, we will not take it personally if others want to step up and replace us.

We mentioned in the last newsletter that we were looking at some changes to the Covenants. The truth is, history shows that after much work done by the board, there is always a problem getting the signatures required for changes to pass. As it is now, we've only received approximately 20 proxies for the annual meeting. This is after mailing out 130 letters, and two reminder emails. One possible change we noted last time was to include a prohibition for sex offenders to purchase property in Magnolia Terrace. We would need to research the Florida laws and then come up with the correct verbiage and review with legal counsel before we could solicit signatures. If the membership feels strongly about changing or updating the Covenants, we would appreciate volunteers forming a sub-committee to put desired changes into action.

Post Office Box 560252 · Montverde, FL 34756
E-mail: info@magnoliaterracehoa.org

We apologize for this newsletter taking up so much of your time but we think we think what we've communicated is important.. Going forward, let's all continue to work together to keep Magnolia Terrace a family friendly and desirable place to live.

Sincerely,

Magnolia Terrace HOA Board of Directors:

Bert Hayne, President

Candi Keys, Treasurer

Carolyn Thompson, Secretary