



OAK CREEK GAZETTE

ANNOUNCING . . .

Oak Creek Association Homeowners Meeting

Next annual meeting will be held on **Thursday, March 26, 2015, at 7:00 p.m., Orange Township Hall, 1680 E. Orange Road** (west of S. Old State).

Purpose

- Election of Trustees
- Presentations and Open Discussions
- Ballot Results

Election of Trustees

The Association is required to have an annual meeting for the election of trustees. There must be 3 trustees. David Cherry resigned as trustee as of 2/28/15. Bruce Kullberg was appointed to complete Dave's term which ends 3/31/15. Any interested homeowner is eligible to be a candidate. If you have a desire to help maintain our community and are able to make the time, please consider contacting us about being on the ballot. The time commitment for a non-officer trustee is about 4 hours a month. A trustee who also assumes an officer position has a time commitment approaching 8 to 12 hours a month. To be included on the printed ballot, nominations must be received by March 22, 2013 at P.O. 626, Lewis Center OH 43035, or by email. The term is for one year from 4/1/14 to 3/31/15. There is no monetary compensation for the position of Trustee. There is a modest compensation for association officers. As of the mailing of this newsletter, the candidates are as follows:

Gloria Gaskey--Current President (5 year) and Trustee (9 years). Resident since 1997. Vice President of Interstate Heritage Agency.

Nelson Katz--Current Trustee (2 years) and Vice-President. Former Orange Township Trustee 2008-2011. Software Engineer for 35+ years. Resident since 2000.

Third Trustee - OPEN

2014 Trustees and Officers

Gloria Gaskey
Chairman & President
(614) 846-0717

David Cherry
Trustee,
Vice-President
(614) 839-6562

Nelson Katz
Trustee,
Vice President

Brian Steyer
Vice-President,
Operations
(740) 518-1031

Randy Green
Treasurer
(740) 548-0319

Oak Creek Association, Inc.
PO Box 626
Lewis Center, OH 43035-9626
www.oakcreekassociation.com

Inside This Issue...

- Current Practices of Deed Restrictions & Enforcement
- Upcoming Neighborhood Garage Sale
- Speeding In Our Neighborhood | Treasurer's Update
- Updates on Powell Road Trail & the Widening of S. Old State

Respect Our Neighborhood and Help Keep It Beautiful

Please keep your yard trash free, and clean up after your pets.

Thank you!

Neighborhood Garage Sale!

Start collecting all your stuff!
It time again for our Annual Neighborhood Garage Sale. It will be held this year on Friday & Saturday, **June 5th and 6th** from 9am - 4pm each day. There is no fee to participate.



The garage sale will be sponsored by your Oak Creek Association. Also, other local neighborhood associations will be participating on the same days to help attract more buyers. Garage sale will be held rain or shine.

Lawncare - It's Your Responsibility

Not taking care of your lawn is a violation of your Deed Restriction. It means cutting at a minimum of every 7-10 days during the growing season, fertilize and TREAT FOR WEEDS in the lawn and beds, trimming bushes, picking up trash and debris, and cleaning up after pets. Please be considerate of your neighbors.

Treasurer's Update

Invoices for the 2015 dues were mailed in late January and are due by February 28th. The annual dues remain \$150 and the amount has not increased in several years. We have budgeted approximately \$60,000 for maintenance of the common areas and other Association expenses for 2015. Thank you for paying your dues promptly.

As you know, by virtue of owning property in Oak Creek, you are automatically a member of the Oak Creek Association. Association dues, like real estate taxes, are assessed on and directly tied only to the property and subject to similar collection processes. In other words when you purchase a home, it comes with dues and taxes.

Payment of dues is not contingent on any other factor. If you have not already done so, please pay instantly by credit card or e-check by accessing our web site, then clicking on the Paypal logo on our homepage at www.oakcreekassociation.com OR make your check in the amount of \$150.00, payable to Oak Creek Association, Inc. and mail to Oak Creek Association, Inc., PO Box 626, Lewis Center, OH 43035.

DEED RESTRICTIONS OVERVIEW

If you do not have a copy of your deed restrictions, you can access them from our web site at www.oakcreekassociation.com. It is very important to review the deed restrictions before building, planting, fencing, etc. In addition to the deed restrictions, Orange Township has additional restrictions that should be checked for your own protection (call 740-548-5430 x 124). If you have any questions, the trustees will gladly address or assist with your concerns. We do require that any complaints regarding deed restrictions violations (1) provide the nature of the violation, (2) provide the property address, and (3) be put in writing and mailed or emailed to us. If you wish to receive a response from us, include your name, address, and phone number so we can contact you in a formal manner. Below are Do's and Don'ts:



QUICK GUIDE TO WHAT WE MUST DO AND WHAT WE CANNOT DO

- Cut your grass and clean up clippings afterwards.
- Treat your lawn for feeds (crabgrass, dandelions, clover, etc.).
- Maintain planting beds. No beds overgrown with weeds and no planting allowed to grow out of control.
- Cannot have campers, trailers, boats, RV, or commercial vehicles in the driveway or on the street more than 24 hours in a month.
- No undrivable vehicle can be in front of premises for more than 7 days.
- No outdoor clothes drying.

Continued on next page...

QUICK GUIDE TO WHAT WE MUST DO AND WHAT WE CANNOT DO

- No trash receptacle in view of public from street or abutting properties. Trash is not to be put out prior to the evening before - this would be Thursday (except holidays, then Friday), and after 6:00 p.m. For pick up next day. Trash is NOT to be put on the side walks. It is also recommended that if a storm or high winds are pending, do not put trash out until the storm passes, keeping your trash from blowing all over the neighborhood. Promptly remove empty trash receptacles from sight along with any remaining items.
- No street trees. Trees cannot be planted between the sidewalk and the street.
- No sheds or storage structures.
- Fencing must meet your specified deed restriction.
- No trade, business or commercial activity shall be conducted on any lot, nor shall anything be done which may become an annoyance or nuisance to any of the owners of any lot in the subdivision.
- No painting, repairs, or structures, etc., are allowed which may be viewed as an eyesore to any of the owners of any lot in the subdivision. (This is the reason the builders had restrictions on all buyers as to the colors they were allowed to choose for siding, shutters, doors and roofs.



Township Violations:

- **Trash Collection:** Please let your new neighbors know that Orange Township requires we use Rumpke to collect refuse. Every resident must contact Rumpke like they do AEP, etc., to contract with them. There is a fee for trash-pick up. The township will allow a resident to opt out only if they can prove they have a legal way of disposing of trash. Example, a resident owns a business and pays for a dumpster and collection, and takes their trash to work. They have to supply receipts and contracts, etc. If a resident puts his trash in another's yard for pickup or puts trash in someone else's receptacle, CALL RUMPKE at 1-800-828-8171 and ask for JACK. Rumpke has to initiate the complaint to Orange Township for the Township to take action.
- **Multiple Families:** We are single-family dwelling community. This does not mean that our children or parents don't live with us. But it does mean that several families cannot reside in a house that is not built to accommodate them. If you have a concern, write the Zoning Department, Orange Township, 1680 E. Orange Road, Lewis Center, OH 43035.*
- **Parking:** If residents are parking in areas marked as "no parking this side of street." Please contact the Sheriff. If residents are parking in their driveways so as to block the pavement, again, contact the Sheriff.
- **Business out of the Home:** If a resident is conducting a business out of their home and create problems to surrounding residents, although it is a deed violation, it is also a Township violation. Notify us, but also write Zoning Department, Orange Township, 1680 E. Orange Road, Lewis Center, OH 43035. *

*The Township has an attorney, Mike McCarthy. Using the Township's attorney limits our legal expenses and the Township has a "Bigger Hammer." However, we are not afraid to take legal action against a resident on behalf of the Association. On all issues, we want to be prudent with spending our funds. We try to write letters, call, and visit first. We will work with a resident so long as they work with us.

Current Practices on Deed Restrictions and Enforcement

Over the last few years, due to a change in the law, Home Owners Associations were given the authority to charge an Enforcement Assessment to residents who violate the Deed Restrictions as outlined herein. The same collection options are available to the Association for collection of Enforcement Assessments as for Dues Assessments to include and not limited to collection agencies, liens, and foreclosures.

The Board of Trustees found a need to seek legal counsel in adopting enforcement policies relative to certain deed restrictions.

Continued on next page...

Article I, (N) states: “BOAT, TRAILER AND VEHICLE PARKING: No truck, boat, camper, recreational vehicle or commercial vehicle shall be parked or stored in front of or on any lot unless it is in a garage or other vehicle enclosure out of view from the street and abutting properties; provided, however, that nothing herein shall prohibit the occasional and nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed 24 hours in any period of 30 days or the use of a temporary trailer during the initial construction period as described herein.” On October 13, 2014, a policy was adopted to say the Board is not going to enforce the restriction to vehicles with respect to the standard size, unmarked, pickup truck or van which has come to be used as a common personal/passenger vehicle. The Board, however, will consider any type or size vehicle to be commercial provided (a.) it has commercial/business signage displayed, unless the signage is magnetic and can be and is removed when the vehicle is in view; (b.) the primary design of the vehicle is for commercial use to include and not limited to size and style, tool boxes built into the side of the vehicle (van, truck, etc.) or tool boxes added to a trunk bed; or (c.) commercial equipment is visible. The only exception is that a standard size, unmarked pick-up truck may have ladder racks.

With respect to Article I, (P) SIGNS, On 9/22/14 the Trustees adopted the policy not to attempt to enforce restrictions to signage that is of a temporary nature (displayed less than 30 days, at intervals of not less than 60 days), professionally done (hand written only acceptable for yard/garage sale), and of acceptable size (5 square feet except for special occasion banners, i.e., graduation, congratulations, etc.) Trustees will, however, enforce and limit the number of commercial signs permitted on a property to one (1).

On 9/22/14 the Trustees also adopted a policy with respect to Article III, (B), 7. Foreclosure. It was resolved to begin Foreclosure proceedings if dues, interest and fees have remained unpaid for a period of 10 years from date of the initial lien, once it is established that the homeowner is collectible and after re-filing a new lien for the then current indebtedness. The property owner is responsible for all legal costs incurred in the process.



House for Sale?

In 2005, Oak Creek Association (OCA), followed the practice of other Homeowner Associations, and adopted the policy of charging a Transfer Fee at time of closing. The Transfer Fee was instituted for \$100 and has remained unchanged. The fee offsets Association costs incurred with record maintenance and assists in keeping the dues low. The Transfer Fees collected are reflected in the Budget in each November Newsletter. Whenever a house is preparing to close, the title agency contacts the OCA and requests information about the dues, liens and transfer fee and the Association responds. The OCA has no control over whether the Buyer or Seller is charged the fee. You should check with your realtor or title company.

Speeding in the Neighborhood

We are once again receiving reports of speeding in our neighborhood. At the January 5th Orange Township Trustee Meeting, one of our residents reported a number of sightings of vehicles speeding down Oak Creek Drive. She sighted the fact that there were no Stop Signs along the stretch and the fact that Oak Creek Drive was a cut through to other neighborhoods. This is an especially dangerous situation because of the many children coming to and from the elementary school that lies along that stretch. There was also discussion regarding the apparent lack of respect by reckless, speeding drivers.

The end result of the meeting was that the resident was encouraged to contact the Delaware County Sheriff's Office. A Request for Engineering Assistance was requested by the Orange Township Trustees to the Delaware County Engineer. And, the township will be checking on a previous three-way project that would include flashing lights around the school zone.



This is not only a problem on Oak Creek Drive, but speeding continues to be a problem throughout out development. And with the weather breaking, there'll be more children outside, so please **slow down!** There are children at stake. Let's keep our neighborhood one of the safest in Delaware County!

South Old State Road Widening Project – UPDATE

Here is a quick update on the South Old State Road Widening Project. We contacted Ryan Mraz from the Delaware County Engineer's Office. Ryan is the chief engineer in charge of this project. Here is what he reports:



His best estimate right now, is that Right-Of-Way (ROW) negotiations will begin sometime after May. Appraisers are getting assembled at this time.

Actual construction is not likely to begin until late fall of 2016 and would hopefully be completed by winter of 2017.

Traffic will be maintained throughout the duration of the project, with the exception of some possible short term closures at some of the intersections. Exactly when those will be, will be determined once construction begins, but they have complete signage and message boards to give plenty of notice.

Resources

• Ohio's Financial Crisis Resources - Information on lowering monthly payments, locating safe and affordable housing, find a job or training, repair your credit, how to create a budget, plus much more, please access the Financial Crisis Resources at www.savethedream.ohio.gov/financialcrisis.aspx

• Senior Citizens Inc. of Delaware County - To provide motivating activities to help active older adults remain a vital part of Delaware County through education, recreation, socialization, exercise, and wellness. www.delawareseiorcenter.org

• Wondering what outdoor activities are scheduled for parks in Delaware County this spring and summer? How do you report a pot hole? Where do you file permits or licenses? For this and more, access www.delawareohio.net.



Our Association Web Site - Keeping in touch with your **Oak Creek Homeowners' Association** and up-to-date on neighborhood happenings just a click away on your computer. Access new features such as local news, current real estate listing and statistics for our neighborhood, previous newsletters and minutes from meetings, legal documents, file a complaint, plus much more! Many of the Internet links found in this newsletter are available on our web site. All this and more is available 24 hours a day, 7 days a week at www.oakcreekassociation.com.

IMPORTANT NOTICES

- Annual Homeowners' Meeting

Thursday, March 26, 2015 @ 7:00 p.m.

Orange Township Hall

1680 E. Orange Road, Lewis Center, OH 43035

- Election of Trustees



Oak Creek Association, Inc.
P. O. Box 626
Lewis Center, OH 43035-9626