

The United Associations of Heather Ridge

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Dear Heather Ridge Neighbor,

I would like to thank the hundreds of Heather Ridge (HR) neighbors who have joined together volunteering their time, professional services and money in the fight for our **mission: to preserve the open space, protect our property values and maintain our quality of life.** Without this united effort and over \$150,000 in pro bono (free) services, I am confident today we would be seeing the beginning of as many as 3,000 (low income, with more crime?) homes being added in the 90 acre area of the HR golf course. At this time we have been successful with our mission, but the threat will remain, and thus we must continue together and **vote YES on all nine of the ballot questions** to form the Heather Ridge Metropolitan District. Following is a brief history of the events leading to this election. Many know of our efforts and negotiations, but others don't, and I think it is appropriate for all to understand the extensive time and effort that has been devoted to preserve our property values and quality of life. **Voting YES on all 9 ballot issues DOES NOT increase your taxes!**

In April, 2005, Aurora city Councilwoman Molly Markert alerted the HR community that the HR golf course was for sale. The intent of the offer to sell was for a developer to "FILL-IN" the 18-hole golf course with multi-family housing. This news prompted the HR homeowners to meet to discuss the seriousness of the situation. In June, 2005, representatives of each Homeowners Association (HOA) surrounding the golf course **unanimously agreed to organize so as to become reactive to influence development and proactive to attempts to control the open space.** (The group agreed to the mission.) Preserving the 18-hole HR Golf Course in its present form would accomplish our goal. United Associations of Heather Ridge, Inc. (UAHR), a non-profit Colorado corporation, was formed in July, 2005 and the website UAHR.org was launched to keep the community up to date.

In August of 2005, a survey was mailed to 1,353 HR homes. Of the 536 who responded, 87% preferred the open space to remain a golf course, with 74% favoring formation of a special district to preserve the open space. **We were advised by the city and attorneys that our best defense was to form a special district.** This would allow us to form another layer of government, an umbrella over the property so that the city and any developer would recognize and understand that the UAHR was serious, becoming a legal political entity that remained steady to its mission. This will be similar to Heather Gardens, who formed a special district in 1983. After meeting with four attorney groups specializing in district formation, we selected **White, Bear, Ankele, P. C. (WBA)**. Mayor Tauer assisted us in retaining this law firm who offered their services pro bono until after the election.

October brought more developers and pressure from city leaders. The UAHR reactive group met with several developers. They asked the UAHR to compromise the mission and allow the golf area north of Iliff to become developed and the area south of Iliff to remain a 9-hole golf course. The reactive group held to the premise charged by the HOA representatives and remained steadfast in the mission. The UAHR believes that there have been at least 12 contracts for purchase of the golf course and many included transforming the open space into multi-family housing. The developers' motivation is that the 90 acre land is worth much more as land that can be developed than as a golf course —open space.

Serious political pressures continued, and at the recommendations of several professionals, including David Clinger, 1969 original HR planning consultant and Gary White (WBA), the UAHR retained prominent zoning attorney, Tom Ragonetti in January, 2006. Ragonetti agreed to represent us at 1/3 of his normal fee because of our strong organization and support. After placing Tom's picture on the home page of our website, developers began to present development options more consistent with the UAHR mission.

In May, Councilwoman Markert and I met with developer Jim Johnson who has a contract to buy the golf course. (We believe he is the 15th developer to have such a contract.) His development plans are consistent with the UAHR goals. On August 15, 2006, Johnson met with over 240 UAHR neighbors. He presented his rezoning plan and conceptual site plan. The UAHR supports these plans. The rezoning plan has been presented to the city and is scheduled for hearings, with a council rezoning decision due in the next 30 days.

Here are the logical questions:

- Q. If the HR golf course will be changed from R-2 (multi-family) to Planned Development golf course, why then should we form this special district?
- A: Mr. Johnson will be the sixth owner of the golf course since it was built in 1970. History suggests the probability is high that it will again be sold sometime in the future. The 90 acre golf course is much more valuable as land that can be developed, especially with the accessibility and convenience of light-rail. Future political pressure from developers

will try to influence council to again change the zoning. It will only take 6 council votes to change the zoning back to R-2. It is a certainty that this will happen unless we form the special district now.

Q. What will the activities/responsibilities of the directors be once the district is formed?

A. The primary job of the directors will be to do nothing more than remain vigilant, watchful and reactive of any land use changes. The directors will meet once a year, file required annual reports and report to the district members (UAHR neighborhood).

Q. What will the ongoing costs be to maintain an active district?

A: Costs are estimated to be less than \$3,000 per year. The state of Colorado requires special districts to meet once a year with the special district attorneys, file annual reports and keep everyone up-to-date. (This mailing alone, cost around \$1,200)

Q. Why do we recommend voting **YES to all nine questions** on the ballot?

A. If one of the ballot questions is defeated and in the future we need to vote on it again, it will cost a minimum of \$50,000 to put it on the ballot, not to mention the time and expense of the voter education process that has been done to this point.

Q. Why don't we wait and see what happens? Then if the threat reemerges, take the steps to form a district.

A. It is doubtful if we will ever again have the momentum from the community that we have now and the cost of the investment we have to this point would have to be duplicated. Pro bono services would no longer be available, and the cost will most likely approach \$200,000.

Q. How can you say **Voting YES on all 9 issues DOES NOT increase my taxes?**

A. The only reason for a tax is if money is planned to be spent. We embrace Mr. Johnson's rezoning plans to the city. He is spending his money to rezone the golf course from R-2 multi-family to golf course – open space. Furthermore, each director candidate has signed a notarized statement individually and collectively pledging that any spending/taxing issues will be brought before each district property owner for a majority vote for any spending/taxing decision. – This pledge will also be placed in the by-laws governing the district. (Signed and notarized pledge can be viewed on UAHR.org.) Since there will be nothing to spend money on, **Voting YES on all 9 issues DOES NOT increase your taxes.**

Q. What can I do to help the cause?

A. First you can **vote YES on all 9 questions** in the mail-in ballot; next you can encourage your neighbors to **vote YES**; come to the next town meeting and bring a neighbor; and finally you can make the one time \$50 or \$207 donation we asked all residents to contribute last year.

This threat of losing our open space over the last 18 months has been comparable to losing our freedom. Pressures from the parties have been challenging. We have been at war, and now we are on the threshold of victory. We have been influential and successful in creating a cohesive positive environment with all the parties involved: the city, the owner, the homeowners and the developer.

Developers look at our accomplishment of retaining zoning attorney Tom Ragonetti analogous to a 20 foot tall, 20 foot wide, 20 foot deep wall around our open space. Forming the special district will complete our open space protection by establishing a 50 foot wide and 50 foot deep moat accompanying the wall. Developers will see this and turn away from the Heather Ridge open space and will look elsewhere to invest.

The UAHR supports the current sales contract and rezoning efforts of developer Jim Johnson. The rezoning will complete our **reactive -- influencing development** goal. Now we must finish our June, 2005, HOA unanimous agreed to **proactive** objective. We must form the **Special District** by voting **YES on all 9 questions** to control our future. **Voting YES on all 9 ballot issues DOES NOT increase your taxes.**



Errol Rowland, President – United Associations of Heather Ridge, Inc.