

Apache Wells Newsletter

July 23, 2007 Issue 70

Lawsuit

August 13, 2007 has been set for oral arguments to be heard for a Partial Summary Judgment in the lawsuit between the Save Apache Wells group and the Apache Wells Homeowners Association. The only issue to be discussed at this hearing is in regarding to the Apache Wells By-Law Article X Section 2, Paragraph D (1) covering special assessments, which reads as follows:

(1) Special assessments shall be approved by a two-thirds (2/3) vote of the Board at a duly called meeting at which a quorum is present, and by a majority vote of residential unit owners at a special election called and publicized for that specific purpose.

The Save Apache Wells group contends that a majority of all residential unit owners is required for passage of the proposal, not the majority of those voting.

The Courts decision is usually rendered within 7 to 10 days after the case is heard by the Judge.

Special Assessment Information

For your information, the special assessment money collected as of September 4, 2007 will be put in an interest bearing escrow account until the lawsuit is finalized. If the lawsuit is not settled in favor of the building the new community center, the money will be returned with the interest earned.

For those of you that have selected the \$50 per month plan for paying the special assessment, this can now be put on Surepay if you desire. Mail or bring a voided check with your request to the Homeowners office. **The new office address is 2223 N. 56th Street, Mesa, Arizona 85215.** Note this payment must be a separate item and not combined with your regular general assessment payment.

Even if you are now on Surepay for your general assessment payment, a new application must be submitted to have your special assessment paid by Surepay.

To use Surepay for the Sept. 4th payment, your request and voided check must be received by August 15, 2007.

For those planning to select the **deferred plan** for paying the special assessment, it is important to remember that interest applies to this option as it does to the \$50 per month option.

Assault Charge

Mesa Municipal Court found **Marlene Singer** innocent of the charge filed by **Walt Stromme** that he was assaulted by her at the April Apache Wells monthly homeowner meeting.

Help Wanted

Activity Director – A person or a team is needed to coordinate activities at Apache Wells. **Bud Morris**, who was off to a good start handling this position is moving back to Texas to be with family. If you are interested in this position leave your name and phone number at the homeowner office.

Bingo Coordinator -There is a need for a resident to be in charge of Bingo for the 2007-2008 season. If you are interested please either call or stop into the homeowners office and leave your information.

Newspaper subscriptions

If you are interested in ordering the newspaper before your return to Apache Wells in the fall please call:

Tribune at 480-874-2863 and give them Promo Code WV2007 and PM#26313

Arizona Republic at 1-877-736-7611 Promo Code 110904WV and 28XCAW.

If you do not provide the paper with the correct codes the association will not receive credit for your order.

Country Club E-Mail Newsletter

The Country Club has started a nice e-mail newsletter. If you are interest in receiving it send an e-mail to **Linda Smith** at lrsmith@awcc.phxcoxmail.com with your name and certificate number.

E-Mail Scam Alert

Peg Carter, the Good Neighbor committee chairperson, received the following alert from the Mesa police regarding an E-Mail Scam

Phoenix, Ariz. - July 11, 2007) Attorney General Terry Goddard is joining the Yavapai County Sheriff's Office in warning Arizona residents of an email scam circulating in the state that involves a threat to kill.

The sender of the email, with the subject line "get back to me immediately," claims to have been contracted to kill the recipient of the email. The email indicates the sender has a recorded conversation with the person who ordered the killing. The email also claims possession of photographs allegedly showing some sort of inappropriate behavior by the recipient.

The sender demands a payment of thousands of dollars immediately to retrieve the tape recording and photos and cancel the "hit." The recipient is warned not to contact law enforcement or leave their house after 7:30 p.m. **This is a scam!** It is being done to steal money from innocent people. If you receive an email like this, please notify local law enforcement (in Mesa call 480-644-2211) or contact the Attorney General's Office.

Obituaries

With sadness we report the following deaths of Apache Wells residents.

Ginger Carlson – July 13, 2007

Thomas Campbell

France Robinson (former resident)

Gene Krzycki

Margaret Shepler

Don Dubois – July 19, 2007