

HIGHLAND PARK 3 ASSOCIATION, INC.
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Property Mowing Policy

The purpose of this policy is to establish rules for mowing properties in the Highland Park 3 (HP3) neighborhood. The goal of the policy is to ensure our community maintains a high end look and feel which supports the high quality of life and peaceful enjoyment of homeowners in the community. For the purposes of this policy the terms “members” and “home owners” are defined as the property owners of lots in Highland Park 3 regardless of the owner’s current place of residence.

Property Mowing

Covenants for the HP3 Homeowners Association - hereafter, HP3A - require property owners to periodically mow their properties to “*maintain a park-like appearance*”. Mowing during the summer months reduces wildfire risk, controls noxious weeds, limits wind-blown-trash buildup, and helps control pests and rodents. In the event of a conflict between this policy and the covenants (Paragraph 16: MAINTENANCE OF PROPERTY AND GROUNDS) the covenants will be followed. The following policies apply to all property owners within HP3A:

1. Members of the Association are required to mow their lots during the summer months as needed to meet the objectives listed in the paragraph above and to stay in compliance with the covenants.
2. The Board of Directors will inspect lots no later than June 30th and again by September 15th to ensure the property owner has mowed their lot and will contact homeowners if the property is not in compliance.
3. The Board of Directors will coordinate two mowings with a private contractor in June and September. The Board will organize the mowing dates, but it is up to individual homeowners to contact the mowing company and set up payment. Members are encouraged, but not required, to participate.
4. If the Board is unable to identify a mowing contractor, the homeowner remains responsible for arranging June/September mowings. The Board will ensure homeowners are informed of this situation by May 15th to give homeowners time to secure their own mowing services, if needed. The mowing inspection dates will not change.
5. If additional mowings are desired, homeowners are free to contract with the same company, another company, or mow their properties themselves. In the event of a rainy summer, the Board will attempt to secure additional group discount mowings and inform homeowners who to call to set up payment.
6. Homeowners who participate in the June mowing will not be issued citations, warnings, or fines for covenant mowing violations in June/July/August. Homeowners who participate in the September mowing will be considered to be in full compliance with the September 30th covenant deadline for Fall mowing. Participation in the June mowing does not exempt the homeowner from mowing their lot to an acceptable height by September 30th.
7. Property owners are responsible for ensuring their entire property including the easements (e.g. the ditch and along the HP3A common use trail) is mowed. The Board will contract mowing of the Briargate easement and mitigate weeds on the common use trail in HP3A.

Mowing Policy Enforcement

Per the covenants, the Board of Directors is empowered to enforce the above rules. The purpose of late fees and fines is to encourage homeowners to get into compliance and resolve the issue. The Board prefers to moderate late fees and fines once members cure the issue, but is under no obligation to do so.

1. Failure to mow by June 30th. Members will receive a written notice and photographs from the Board of Directors with a 15 day notice to cure. The offending homeowner can cure the issue by producing a signed contract with a mowing company identifying the property will be mowed before the end of July. If the property is not mowed by

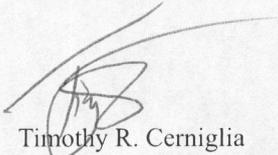
July 31st, the Board of Directors will issue a fine of up to \$1,000 enforceable by lien. Wildfires are a major threat to our community, and the Board has a low tolerance for homeowners who put the community at risk.

2. Failure to mow by September 30th. If a homeowner has not mowed their lot to an appropriate height by September 30th (generally 6 inches or less), the covenants state that the homeowner “...*hereby authorizes the HP3A to perform or hire such cutting done, and agrees to pay for the actual cost of such cutting, plus an administrative fee of \$100.00 to the HP3A for arranging the cutting.*” The Board of Directors will contract with a mowing company to mow the property and the Board is under no obligation to find the cheapest rate. The Board will notify the offending homeowner and provide photographs of the noncompliant lot. If the property owner denies the HP3A access to the property to mow, and does not mow the lot by October 15th, HP3A will assess a fine of \$1,500 in lieu of mowing.
3. Noncompliance with El Paso County Weed Mitigation Policies. The State of Colorado maintains a noxious weed program which El Paso County enforces in our area using random inspections. Lots found to have excessive growth of weeds may receive a notice from the County directing the property owner to get into compliance. Mowing the property is considered an acceptable mitigation method, and the property owner is required to fill out a form stating that mitigation was completed, the date completed, and the method used, sign it and return it to the County by the deadline provided. HP3A has no role in this effort, but the Board endorses the objectives of the program.
4. Members may appeal enforcement measures in paragraphs 1 and 2 above to the HP3A Board of Directors by providing an acceptable reason why the property was not mowed or by providing evidence that mowing occurred prior to the deadlines stated above. The Board reserves the right to relieve penalties if the homeowner is making an active, good faith, effort to get into compliance. The Board has little tolerance for property owners who claim they “did not know” about the covenant requirement to mow before the September 30th deadline.

This policy was published for public review on the hp3a.org website on: April 3, 2022

This policy was opened for public comment at the Board of Directors meeting on: April 19, 2022

APPROVED by the Board of Directors on: June 14, 2022 (public meeting)



Timothy R. Cerniglia
President, Highland Park 3 Homeowners Association