

# Legendary Hills meeting notes

## January 23, 2003

Steve Leonard, 2150 Legendary Drive, moderated the meeting held at 6:30 p.m. at Liberty Christian Church. Susan Leonard took the notes you find below.

### Rezoning Issues for area between Legendary and Indian Creek

Various attendees shared the following information:

1. Darren and Paula Sparks are asking to rezone approximately 27 acres from AG (agriculture) to B-4 (heavy business) to allow a go-cart track, miniature golf course, and other outdoor amusement amenities on the west side of Highway 37 South, just south of Indian Creek.
2. According to the Ellis family, who own property on the other side of the creek, DNR has stopped all development of the area, which totals 50 acres. They have been informed that DNR has filed suit against Mr. McDonald, the original owner of the property, as a result of the clearing and brush pile and their effect on the creek.
3. The Sparks' attorney is Dale Coffey.
4. **The zoning hearing will take place Tuesday, January 28, at city hall (adjacent to the firehouse) at 7 p.m. Legendary Hills homeowners should plan to attend. Numbers make an impression on the Zoning Board.**

### Reorganization of our Homeowners' Association

As we began discussion of this issue, Steve gave some background on past dealings with Mike Wolfe, Legendary Hills' developer. The homeowners in general, and Stan Mattila and Steve Leonard, in particular, have found dealing with him has not been easy.

The following is a summary of the many opinions and ideas expressed by the group:

1. Mike Wolfe sent everyone a note with the last dues statement, stating that he is retiring. Questions were raised as to if, and how soon, he can do so.
2. According to the current Homeowners' Association documents, Mike still retains one vote per un-sold platted lot. No one had information as to how many of the platted lots are unsold.
3. Several questioned the matter of "green area" and the differences between what Mike told potential lot buyers and what is actually platted as green area.
4. Trash collection was confirmed as coming from the Bloomington office of Republic. It was changed to Mondays as of January 1, 2003. Homeowners were not notified. Some requested a list of holidays that would affect collection, since these caused some confusion in the past.
5. Legendary Hills begins at lot 1, not at Highway 37 or at the gate. We may still have to maintain part of this area in order to maintain our own property values.
6. Sewer use questions arose due to a belief that the Colliers, owners of the acreage on the west side of Legendary Drive at the entrance, had requested permission to subdivide their acres for additional homes. According to those present, the mayor had denied that request, due to the sewer system's already being at capacity.
7. At one point in the past, an ad hoc group of homeowners from Legendary consulted Martinsville attorney Phil Smith about "taking over" the Association. He advised that we not do so at that time, but submitted a list of concerns to deal with when appropriate. Various people volunteered to bring in other associations' documents for use in future deliberations.

The following issues were brought forth to be considered and dealt with as we move forward:

1. We must retain an attorney to assist us in creating the documents. The attorney must first advise us as to how we can dissolve the existing Association. Current Covenants, By-Laws, and Articles of Incorporation contain inconsistencies that we must avoid in our new documents.
2. We will need donations from all property owners to pay the attorney's fees. From a few years ago, the local group of homeowners has \$100 to \$150 in an account, but this will probably buy less than an hour of attorney time.
3. We will need various committees in the future, such as Budget, Maintenance, etc. These committees must begin to plan for both present and future needs.
4. We must determine exactly how much it costs to operate the Legendary Hills Homeowners' Association, based on documents from Mike Wolfe. We will need check registers and annual reports filed by Mike with the state on behalf of the Corporation, as well as verification from utility companies, the city and county, and subcontractors for trash collection, snow removal, lawn service, road repair and other maintenance.
5. A group must meet with Mike to negotiate his withdrawal from the Association and his financial responsibilities. This group should also attempt to determine Mike's plans for un-platted lots between Legendary Hills and Highway 37 and for the property he still owns leading into Legendary Hills.
6. Although some reliance on volunteers may be necessary at the outset, we will probably need to contract out for basic services in order to guarantee their continuation.
7. Eventually we must elect officers and a board, and perhaps hire a property manager.

The following volunteered to serve on a Steering Committee:

David Ellis, 2525 Legendary Drive  
Gary Jensen, 1115 Dogwood Court  
Steve Leonard, 2150 Legendary Drive  
Larry Patrick, 2175 Deer Lake Drive  
Tim Spears, 2285 Legendary Drive  
David Sutherlin, 2400 Legendary Drive

Brenda Ellis volunteered to contact attorneys.

Steve Leonard will set a time and place for a meeting of the steering committee.

This committee will:

- Contact an attorney
- Set a voluntary assessment to pay for the attorney
- Call a general meeting to share their progress
- Meet with Mike Wolfe

A list of the 26 households represented at the meeting follows.

**Please do not forget to attend the Zoning Board meeting on January 28.**

Homeowners attending:

Santiago, 2540 Legendary Dr.  
Wells, 2510 Legendary Dr.  
McNeely, 2500 Legendary Dr.  
Alkire, 2480 Legendary Dr.  
Henning, 2460 Legendary Dr.  
Sutherlin, 2400 Legendary Dr.  
Shinkle, 2380 Legendary Dr.  
Wood, 2365 Legendary Dr.  
Seger, 2375 Legendary Dr.  
Corlett, 2405 Legendary Dr.  
Heidenreich, 1156 Dogwood Ct.  
Ellis, 2525 Legendary Dr.  
Cress, 2280 Legendary Dr.  
Gillespie, 2230 Legendary Dr.  
Callahan, 2200 Legendary Dr.  
Leonard, 2150 Legendary Dr.

Spears, 2285 Legendary Dr.  
Grow, 2295 Legendary Dr.  
Jensen, 1115 Dogwood Ct.  
Tallent, 1015 Legendary Ct.  
Davis, 1045 Legendary Ct.  
Elliott, 2345 Legendary Dr.  
Collier, 2550 Legendary Dr.  
Martin, 2030 Deer Lake Dr.  
Powell, 2080 Deer Lake Dr.  
Kenney, 2170 Deer Lake Dr.  
Patrick, 2175 Deer Lake Dr.  
Brown, 1248 Deer Lake Ct.  
Piercefield, 1215 Deer Lake Ct.  
Hoff, 2025 Deer Lake Dr.