



# Ashbrook Community Newsletter

Volume 4, Issue 1

January—March 2010

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## From The President

Sue Herr

I hope all of you had a wonderful Holiday. For those of you who missed the Christmas parties for the adults and children you missed a good time. Thanks to all who have participated..

We have many plans for 2010. Movies for the kids, another great night at Inflation Nation, a St. Pat's party for the adults the Easter Party (I hear we will having a special guest) and then on to our kickoff Summer picnic. We sure could use your help with these events and would welcome any volunteers to see that our activities continue. A BIG THANK YOU TO ALL OF OUR VOLUNTEERS. If any of you would like to join a committee or have any questions about our activities all of the access numbers are on the web at Ashbrookonline.com. If you do not have time to serve on a committee we can use your help at each event to set up and clean up.

Just a reminder to our less considerate dog owners, our common areas are for people too, so please make sure you scoop and remember, Chesterfield County zoning allows only two dogs per household.

We have some very dedicated volunteers who canvas our neighborhood to pick up trash that has been discarded on our streets so please make their task less difficult by not tossing your trash on the streets.

I have received numerous positive comments on the way our neighborhood has been improving over the past two years and I thank you for that. We ask your patience regarding the covenant enforcement as we are diligently working to bring all properties into compliance. This is a good thing for all of us.

Please join in the excitement of "A Better Ashbrook" and join one of our committees and be a part of our efforts to improve our community.

Many thanks to all of you who have participated in our efforts and attended our functions. Together we ARE making a difference.

Please feel free to contact any member of the board if you have any suggestions, concerns or complaints. We are here to serve!!

**GOLF TOURNAMENT ANYBODY ???**

WE HAVE HAD SOME DISCUSSION ABOUT ORGANIZING AN ANNUAL GOLF TOURNAMENT FOR THE ASHBROOK COMMUNITY. THE FORMAT WOULD BE "CAPTAINS CHOICE BEST BALL" FOR GROUPS OF FOUR. IT MAY BE A LITTLE LATE TO GET SOMETHING ORGANIZED FOR THIS SEASON, BUT IF WE GET ENOUGH INTERESTED PARTIES WE MAY BE ABLE TO BOOK SOMETHING FOR EARLY SPRING OF 2010. TO TRY AND GENERATE MORE INTEREST, WE WOULD ALLOW NON-RESIDENTS OF ASHBROOK BUT AT LEAST ONE RESIDENT WOULD BE REQUIRED FOR EACH FOURSOME. IF YOU ARE INTERESTED AND WOULD LIKE MORE INFORMATION, CONTACT BILL RUITENBERG AT 804-639-0532 OR E-MAIL [BILLANDJO94@COMCAST.NET](mailto:BILLANDJO94@COMCAST.NET).

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## BEHIND THE SCENES IN ASHBROOK

You probably recognize the names or know some of the folks on the ACA Board who volunteer a lot of their time for Ashbrook; but there is a group of residents who operate largely “behind the scenes” to make Ashbrook a much better place in which to live.

Let’s start with the “Roadside Clean-up Team: Carole Beatty, Cindy Copeland, Mike Dalton, the Provo family, and Pat Tavenner, who religiously walk the shoulders of the main roads at least once a week picking up all of the trash and garbage thrown out by inconsiderate motorists—do any of you remember 3 years ago before the Roadside Clean-up Team, when our roadsides stayed totally littered with trash, and how bad it looked? And Dallas Bell daily polices the playground and entire recreation area keeping those areas free of trash.

Then you have Buzz Pulsifer and Bill Ruitenberg who assist in locking and unlocking the parking lot gates, a job that must be done daily, come rain, snow, sleet, or whatever.

Catherine Crump volunteers a lot of her time monitoring the playground to make sure that users are Ashbrook residents or their accompanied guests, so that our facilities are not being used and taken over by outsiders who come in here and commandeer the skating area, use the soccer field and swings, and make it difficult for our kids to be able to use the equipment.

For many years Bill Walton has regularly checked the playground equipment to correct loose bolts, broken swing chains, etc., to make sure it is safe for the kids; and now he is being helped in this endeavor by Charles Bennett.

Stephanie Provo, Chair of the Social Committee, spends many, many hours planning, organizing, and ordering supplies for all of the social and recreational activities and picnics, and her husband Rob is the “official” projectionist for our family movie nights—and don’t forget Eric Wilson, and Mike and Leighanne Schuler who are the chefs for the BBQ’s and picnics.

William Megginson, now assisted by Les Hickory, oversees preparing the bi-monthly Ashbrook newsletter; Angela Day, Chair of our Finance & Audit Committee, has the responsibility of gathering all of the committee projections and putting together our Annual Budget for the Board to consider; and Jerry Oakley heads up our Lake Committee and oversees the lake maintenance and improvement projects. And Jo Ruitenberg, who co-chairs the Bldg/Grounds Committee, always makes time several times each year to help plan the landscaping improvements and flower planting.

Special recognition goes to Don Heldt, Chair of the Architectural Review Committee, who works many hours each month dealing with ARC applications, reviews proposed projects, interacts with the applicants regarding their projects, conducts the two meetings a month, and handles all of the paperwork involved.

Ed Rodriquez, assisted by his wife and daughter, manage all of the rental activity at the Community Center. Although compensated somewhat for this responsibility, they all go way beyond the call of duty in working with prospective renters with regards to the schedule, contracts, keys, doing the pre- and post-check of the center, and making sure it is stocked with supplies, and kept clean.

Plus, a huge thanks to those other residents and committee members who always show up when asked, to help with picnics, flyer distribution, functions, and projects.

Folks, it really takes a lot of hours and a lot of effort to make everything happen here in Ashbrook, so when you see these folks you may want to say “thanks”. The Board would ask you to consider volunteering to help in some capacity if you can, and be a part of our ongoing efforts to make this community be as good as it can possibly be.

### SPECIAL NOTICE:

**BOATS IN THE BOAT RACK MUST HAVE 2010 DECALS ON THEM BY JAN. 31.**

**PLEASE CONTACT SARA AT ACSWEST, 282-7451, TO PAY THE \$50 ANNUAL FEE AND GET YOUR DECAL. THANK YOU.**

# Treasurer's Report

Don MacQueen

As of Nov. 30, 2009, we had \$57, 248 in checking, and \$24,262 in our Money Market Account, giving us total funds available of \$81,510.

Our finances remain in great shape, and we have been able to initiate and complete many projects this past year, paying for each as we completed it. Several projects are in the 2010 budget and will be addressed as funds are available. All bills are paid with the exception of the incorrect, inflated invoice for the 2007 tax preparation by Mitchell Wiggins Company, which their manager has agreed to adjust. As soon as we get the correct amount, that will be paid.

The Board has decided to move our Money Market Account from BB&T to First Capital Bank as they pay more interest, and the paperwork to do this is in progress.

Through ACS West's and the attorney's efforts this past year, our dues delinquency has been reduced approximately 40% from where it was a year ago. As of Nov. 30, there was a total dues delinquency of only \$17,493. The attorney continues to file property liens on delinquent accounts and to pursue collection of the serious past due accounts through legal action and garnishment.

The CPA firm, Carlson Woo and Associates, is finishing up the review of the 2008 books, and is tying in the previous year, 2007, during which we had both Metro Management and Stellar managing us and did not have a CPA review done due to questionable records obtained from Metro Management. Once this review is complete and the CPA's recommendations implemented, we will go into 2010 knowing that probably for the first time in history, Ashbrook will be doing everything exactly correct in accordance with proper accounting principles and procedures.

Since the "new" board has been in place, we have never been able to get necessary info regarding what Federal or Va. tax returns had been filed in the past. Of course we filed for both 2007 and 2008. We recently authorized the CPA firm to act on our behalf with a limited power of attorney, and they found out that Federal Tax Returns were never filed for 1995, nor 1999 through 2006. Va. Tax Returns had never been filed for 1997 through 2006. They were able to use the figures from the Fed. return and file Va. for 1997 and 1998, and found the 2006 year end income/expense report so filed both Fed. and Va. for that year.

Through research in the old records, we have just found the year- end income/expense figures for 2003, 2004, and 2005, and have given them to the CPA to get those returns filed. We are still looking through what incomplete old records we have for the 1995 figures, and the year end income/expense reports for 1999 through 2002. There is no Fed. penalty for not filing, but Va. has a \$100 penalty for each return not filed.

All in all, we have had a very good year, everything is in order, and we look forward to reducing our delinquency even more during 2010 and perhaps finally getting to the norm for HOA's of about 3% to 4% , instead of the current 10%. If the 10 or so largest past due balances are collected this year, we should have no trouble hitting that goal.

As always, our financial books are open to members-in-good-standing, and if you need more info please contact me at 901-3924 or [bigsavingstravel@verizon.net](mailto:bigsavingstravel@verizon.net)



**This is the one that didn't get away !!! WOW !!**

Dave Mackenzie on Breaker Point Ct. caught this catfish right behind his home. It was 32" long and 16 lbs.

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**ASHBROOK COMMUNITY ASSOCIATION:  
GENERAL INFORMATION AND OVERVIEW**

(Please refer to the Recorded Documents, Bylaws, and Architectural Standards in your Disclosure Book for more detailed information)

Ashbrook Community Association is important to you. As the owner of your lot you are required to be a member of the Association. Other associations exist in almost the same form in many developments. Realtors and investment analysts agree that the market value of homes depends in large part on the effectiveness of such associations. Our Association is a non-stock corporation with certain duties and responsibilities to its members. These include maintenance and regulation of the common areas which are owned in common by all members. Payment for improvements and the maintenance of the common areas, as well as insurance on the common areas, is accomplished through assessments on each home. The quality and extent of the maintenance is governed by the amount of this assessment. Another key duty of our Association is architectural control. This is divided into two areas.

First, no exterior additions or changes are allowed unless there is prior approval by the Architectural Review Committee. The Association has the authority to have any exterior addition or change removed at the owner's expense, if an owner making such addition or change fails to get approval or does not comply with the approved plans. Secondly, each owner must be alert to exterior appearance of his/her home as the Association can restrict unbecoming features. Thus, Architectural control is a group effort to ensure architectural standards and harmony for the community. The specific legal construction of the Association and procedures for its operation are included in the Declaration of Covenants and Restrictions (hereinafter referred to as the Documents). These documents are recorded in the Clerk's Office of Chesterfield County. All owners should have received copies when purchasing their homes, as well as copies of the Bylaws and Architectural Standards for the Association. If, as a member, you do not have a copy of these documents, please contact the Management Company of the Association who will provide them. Association policies and guidelines made pursuant to these documents are included in this handbook. Updates and additions may be published from time to time.

**THE BOARD OF DIRECTORS**

The Board of Directors is charged, under the Code of Virginia and the Property Owners Association Act, to administer the Recorded Documents, Covenants, Bylaws and Restrictions of Ashbrook. The Board of Directors is a group of five representatives elected in accordance with the provisions of the Code of Virginia and the Association's Bylaws. The Board has been established to collect assessments, contract for services, and enforce regulations as authorized by the Documents. In addition, the Board works to promote projects and activities that better our community in general. The Board meets on a regular basis to discuss matters and make decisions concerning the community. All meetings are open to the membership and the Board encourages everyone to attend. Owners are encouraged to correspond with the Board about any concerns to be addressed at the meeting.

Members of the Board are elected to three year staggered terms. There is an annual election to fill expired terms. Interim Board vacancies are filled by Board appointment to serve out the term of the member replaced. After the annual election, the Board elects the Association Officers to serve for the upcoming year. Interim Officer vacancies are filled by Board appointment to serve out the remainder of the annual term.

**MANAGEMENT COMPANY**

It is the Board's responsibility to ensure that all Recorded Documents, Covenants, Bylaws, and Architectural Standards are followed, and the Management Company is instructed to carry out those responsibilities on behalf of the Board. The Management Company provides most of the operational activities for the Board and is on call 24 hours per day for the Association. It is important to note that the Management Company is an agent of the Board. The Management Company is hired by the Board, reports directly to the Board, and receives instructions from the Board.

Cont. on page 5.

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Unfortunately the Board sometimes has to take an adversarial role with a member and instructs the Management Company to send a delinquency letter or covenant violation letter informing that the member is in violation of the Association's instruments. It needs to be remembered that the Management Company is performing its job as defined by the Board.

The Management Company is a paid contractor of the Association. The Board hires the Management Company under a contract for a set number of years and periodically reviews the performance of the Management Company and compares its services with those of other established professional community management companies. The management fee charged to the Association is ultimately determined by the amount of time it takes to service our Association. The more services we request and the greater our time demands, the more we will pay for our management fees. The Association may contract with the Management Company to provide specific services. These services can include: Receive and deposit owners' assessment payments; process delinquent homeowner fees and late notices and act as liaison with the Collection Attorney; handle residents questions and complaints; send financial statements to the Board; send monthly copies of checks and bank statements to the Treasurer; contract for Association services and make payments in a timely manner; maintain books and forward them to the auditor; assist in the preparation of the annual budget; store Association records; prepare Certificate of Resale and Disclosure Packages for owners; advise and consult with Board as necessary on insurance coverage; follow through on insurance claims; meet with the Board for their meetings; attend Annual Members' Meeting; advise Board on Federal, State, and local laws which may affect the Association; seek methods to provide cost savings measures for the Association; open and close accounts, and transfer funds, in the Association's name; perform routine on-site inspections of buildings and grounds; inspect for covenant violations; handle complaints and enforcement of covenant violations; and continue to develop, present, and implement preventive maintenance programs.

### **MEMBERSHIP**

Every owner and tenant shall be a member of the Association.

### **VOTING RIGHTS**

Members (each home) in good standing shall be entitled to two (2) votes, except if a Family Dwelling Unit is occupied by a Tenant as his principal residence, the Owner shall be entitled to one (1) vote and the Tenant is entitled to one (1) vote. **INSURANCE** The Association carries general liability and property insurance on all common areas and community owned structures. It is each homeowner and tenant's responsibility to provide their own insurance covering their home, property, and liability.

### **ASSESSMENTS AND THE BUDGET**

The annual assessment is levied against each homeowner to finance the Association's budget. Special assessments may be required for specific capital improvements or emergency needs. Annual and special assessments, including any interest costs and attorney fees, are a continuing lien against each home until paid. Assessments are also the personal obligation of the owner of each home when the assessment is due. The annual assessment pays for the management fees, insurance on the common areas, common area lawn care, common area building maintenance, maintenance of walkways, exterior lighting, certain aspects of the Lake, bridges and docks, pavilion, recreation facilities, and other miscellaneous items, provided the assessment adopted by the Board and the funds available are sufficient to meet the need. A special interest bearing reserve account is established for long term capital improvements and unexpected expenses.

It is important to remember that the Association can provide whatever services the Members desire; however additional services or increase in the levels of service is passed to the owners through increases in assessment amounts. The annual assessment is due and payable on January 1 of each year. Members in good standing may pay in four equal quarterly installments due on January 1, April 1, July 1, and October 1. Any assessment not paid by the tenth day following the due date incurs a late fee of \$15.00, and a notice will be sent to inform the owner of the overdue payment. After 31 days a final notice will be sent to the owner and the account will be referred to the Collection Attorney. Interest and the Attorney's fees must be paid by the owner.

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### **ACCELERATED PAYMENT CRITERIA**

If two consecutive quarters' fees are more than 30 days late (and require action by an attorney) the requested judgment will be for an accelerated payment of the remainder of the year's assessment. The owner will also be responsible for all court costs and attorney's fees related to the collection process. In October of each year, the Finance and Audit Committee will meet to review the delinquent accounts and payment history of the past year. The accounts that have been routinely delinquent will not be permitted a quarterly payment schedule during the upcoming year. Notification of the accelerated payment requirements will be mailed to the affected owners by November 1.

Payment for the entire calendar year will be due in full on January 1 if:

1. Payment has been accelerated in the preceding year, or
2. Payment has been more than 30 days late three or more times in the preceding year.

### **COMPLAINTS AND OWNER'S RIGHTS**

Any Owner or Tenant who knows of a violation of the Ashbrook Covenants, Bylaws, Rules and Regulations, or Architectural Standards, has a right to force compliance through the Board or in Court. Violations or complaints should be brought to the attention of the Board or the Management Company. Refer to the Covenant Violations Process Section for more details.

### **PARKING REGULATIONS**

The following are not allowed to be stored or parked on any lot, common area, or street in Ashbrook: unlicensed vehicles and those with expired tags, dual-wheel vehicles over 6000 lbs. GVW; campers; recreational vehicles; house, livestock, boat, and utility trailers; school buses. See the Documents for more detailed information. Residents are asked to maintain off street parking for the safety of our neighborhood.

### **VEHICLE! TRAILER! BOAT! STORAGE**

Spaces are available, to members in good standing, for leasing in the locked storage corral. Canoes and small boats may be kept in the Boat Rack on the dam for a nominal fee. Call the Management Company for details and pricing.

### **RESALE OF HOMES**

To assure orderly collection of assessments, always notify the Management Company when you are planning to sell your house and, when it is sold, provide the Management Company with the full name, address, and the business and home telephone numbers of the buyer or agent for the buyer. In addition, at least ten days prior to the sale of your home, the owner (seller) must contact the Management Company and request a Disclosure Package, as required by the Virginia POA Act, to be prepared for the purchaser with information concerning the Association's financial status, the Bylaws, the Articles of Incorporation, Covenants, Architectural Standards, and Rules and Regulations (in selected excerpts from the Documents).

### **LEASES**

The homes in Ashbrook are single family homes and will have no more than one unrelated family unit per household. Leases shall be for a period of no less than six months. No home may be used for a rooming house, boarding house, or hotel. All leases must be in writing and provide that the rights of the tenants shall be subject to Ashbrook's Declaration and Restrictions, Association Documents, Rules and Regulations, and Architectural Standards, and such will be made a part of all leases. A copy of the lease shall be delivered or mailed to the Management Company. This will be strictly enforced.

### **NOISE**

Notify the Chesterfield County Police with any problems with excessive noise.

### **PETS**

Refer to the Ashbrook Recorded Documents and the Chesterfield County Code for guidelines and restrictions.

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## **SECURITY**

Notify the Chesterfield County Police with any problems with security. Please also keep the Ashbrook Safety/Security/Neighborhood Watch Committee apprised of any safety and security situations and concerns.

## **SIGNS**

See Section 28 of the Architectural Standards.

## **ASHBROOK LAKE**

Usage of Ashbrook Lake is restricted to Ashbrook owners and tenants and their accompanied house guests and is at their own risk. All others are trespassing. Swimming in the lake is not recommended. Ashbrook Lake is classified as a BMP for Chesterfield County, and flows into the Swift Creek Reservoir- one of the main sources of Chesterfield's drinking water-and as such NO gas or diesel boat motors or powerboats are allowed. Electric boat motors ARE allowed. Users must obey posted rules and regulations. No one may stock the Lake with any fish or other wildlife without written approval from the Board. No hunting or trapping is allowed at any time except by authorized personnel. Authorization must come from the Lake Committee and be approved by the Board of Directors, No floating docks or other structures may be built or moored out past ten feet of the water line from a lakefront homeowner's property. Since the Lake is a Chesterfield County BMP, before constructing any such dock or structure the owner must get a license from the Chesterfield County Right-Of-Way Department.

## **RECREATION AND COMMON AREAS**

Usage is restricted to Ashbrook owners and tenants and their accompanied house guests, and is at their own risk. Users must obey posted rules and regulations. (amended August 11,2009)

### **Ashbrook Community Association**

#### **Violation and Appeal Procedures**

WHEREAS, Section 55-513 of Chapter 26 of Title 55 of the Code of Virginia (The Property Owners' Association Act) empowers a Board of Directors to establish, adopt, and enforce rules and regulations respecting use of common areas and other areas of responsibility assigned to the association by the declaration, and, WHEREAS, Article I of the Articles of Incorporation of Ashbrook Community Association, Inc., states that the purposes of the Corporation is to transact all lawful business not required to be specifically stated in the Articles of Incorporation, and, WHEREAS, Article VIII, Section 4 of the 1985 Declaration, gives the Board of Directors the right of enforcement of these Covenants and Restrictions by any proceeding at law or in equity against any person or persons in violation and/or to recover damage against the land and to enforce any lien created by these covenants, and, NOW THEREFORE, the Board of Directors desires to create and establish a procedure by which the 1985 Declaration, Articles of Incorporation, Bylaws, and Rules and Regulations (the governing documents) can be enforced, and where community residents (owners [members] and tenants) can report their observations and make complaints regarding residents who appear to be in violation of the governing documents, and, Further, that the Board of Directors desires to establish a procedure by which facts and information pertaining to the alleged violation, are brought to the attention of the responsible Owner and that Owner be given a chance to cure an identified violation, and, Further, that if no such cure is made, the Board of Directors, or a committee appointed by the Board, on behalf of the Association, can review related facts and information, and attempt to resolve the matter, prior to an Owner or the Board bringing any legal action.

Cont. on page 8.

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**BE IT RESOLVED**, that the procedure is as follows:

1. Any Association Member who believes that another Member is in violation of the governing documents should first tell the Member their thoughts and request that the suspected violating Resident comply with the appropriate governing document.
2. If the matter is not corrected or the Member is uncomfortable addressing the suspected violating Member, the Association Member who believes that the Member is in violation should call the Managing Agent and inform him or her of the details of the matter. The Managing Agent should investigate the matter and, if it is of a minor nature, the Managing Agent will call the reported violating Member and request his or her cooperation in curing the suspected violation. Notes will be kept in the file related to any such conversations. If an emergency situation is reported, the member is to call the Managing Agent immediately. For example, a report is received that someone is cutting trees 12 inches in diameter on common area. In all other situations, the Member must write the details of their observations (including addresses, times, dates, telephone numbers, etc.) and deliver that report to the Managing Agent, Architectural Review Committee member or a Board member. All verbal or written reports by residents reporting suspected violations will be confidential and held in the Association files kept by the Managing Agent for the Association. The Managing Agent or the Board designee should then investigate the matter.
3. Upon receipt of a written complaint, a conference should take place between the Managing Agent, the ARC Chair or Board designee to review the matter. With the Managing Agent and ARC Chair's or designee's authority, the first Notice of Violation is to be mailed by the Managing Agent.
4. The Managing Agent is to monitor the situation and if no cure is made within 15 days or other amount of time as directed by the board, then the Managing Agent, as directed by the Board, may send out a second violation letter. Board retains the right to offer an opportunity to have a hearing to the owner. If the owner does not request a hearing as per the second violation letter, then the hearing may be waived and the penalty imposed.
5. If a hearing is requested, then as directed by the Board of Directors a hearing will be scheduled as per the Virginia Property Owners Act. The Managing Agent or the ARC Chair will present facts, and other information relating to the alleged violation and will review each of the notices mailed to the suspected violating Member. The suspected violating Member will present facts, and other information related to the matter. The suspected violating Member may also bring and be represented by an attorney.
6. Following the hearing, the Board of Directors or designated committee will review all facts and information presented and make a determination of what, if any, further action is to be taken. Any course of action determined by the Board, or designated committee, must be within the scope of authority and power available to them through Commonwealth law and the governing documents. Some options available to the Board are:
  - A. Removal of membership rights to the use of recreational amenities.
  - B. Removal of membership rights to vote.
  - C. Imposing a fine assessment of up to \$50.00 for a single violation or \$10.00 per day for any violation of a continuing nature. A fine for an offense of a continuing nature may be assessed daily from the date of the first notice of the violation until the violation is cured.
  - D. Waive the Imposition of a fine if the violation is cured before the date of the Hearing.
  - E. Pursue enforcement through the Commonwealth judicial process.

It is important to note here that the Board must be consistent with the imposition of enforcement actions. Also, the type and date of the Notice of Hearing, and by whom given, will be recorded in the minutes of the Board of Directors.

Any fine assessment will be added to the Member's assessment account and be collectible in the same manner as any other assessment.

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## SOCIAL COMMITTEE

We finished out the 2009 year with a great turnout for our Kids Christmas Party where we had Santa there for pictures, we had cookies, cupcakes, juice, and kids making crafts. We had the adult party and well, we don't know what went on there! Thanks to everyone who participated in the parties to make them a great success and to all of you who came out to enjoy them.

We have some great things in store for 2010 starting with Movie Night on January 22nd at 7:00 at the Community Center. We will be showing "UP" for anyone who is interested in coming out. We will provide popcorn and juice and all minors must be accompanied by an adult. In February, we will host another 1/2 price night at Inflation Nation from 6-8pm on Friday, February 26th. Come out and let the kids run off some energy for 1/2 price. Flyers are in this newsletter for all information.

We look forward to seeing you all out at the upcoming festivities of the new year and wish you and your families a wonderful New Year!

### HELP NEEDED

TAKE PART IN ASHBROOK!, JOIN OUR SOCIAL/RECREATION COMMITTEE, OUR BUILDINGS/ GROUND/LAKE COMMITTEE, OUR SAFETY/SECURITY/NEIGHBORHOOD WATCH COMMITTEE, OR OUR FINANCE/AUDIT COMMITTEE. PLEASE HELP US CONTINUE TO MAKE ASHBROOK A BETTER COMMUNITY. CONTACT OUR COMMITTEE CHAIRPERSONS FOR INFORMATION.

### ATTENTION: RETIREE'S AND "STAY-AT-HOMER'S"

OUR CLUBHOUSE IS HERE FOR THE ENJOYMENT OF ALL ACA MEMBERS. IF YOU WOULD LIKE TO GET A GROUP OF RESIDENTS TOGETHER FOR DAYTIME GAMES OR BRIDGE, MAH-JONG, BUNKO, CHECKERS, CHESS, QUILTING OR CRAFTS, KIDS PLAY GROUPS, OVER 50'S LUNCHEONS AND SOCIALS, ETC., YOU CAN USE THE CLUBHOUSE AT NO CHARGE!! OUR SOCIAL/RECREATION COMMITTEE WILL HELP YOU GET IT ORGANIZED AND RESERVE THE TIMES FOR YOU. CALL STEPHANIE PROVO AT 606-1566 OR EMAIL STEPHANIEPROVO@HOTMAIL.COM.

### SPECIAL NOTICE REGARDING PARKING

NO TYPE OF TRAILER, RV OR CAMPER, BOAT DUAL WHEEL VEHICLES OVER 6,000 LBS GVW OR BUS, CAN BE PARKED IN ASHBROOK DRIVEWAYS PER OUR COVENANTS, OR ON ASHBROOK STREETS PER RECENT INFORMATION FOR THE POLICE DEPARTMENT. ANY OF THESE VEHICLES PARKED ON ASHBROOK STREETS WILL BE REPORTED TO THE POLICE TO HAVE THEM REMOVED.

### ASHBROOK RECORDED DOCUMENTS AND BYLAWS

ALL OF ASHBROOK'S RECORDED DOCUMENTS AND BYLAWS, OVERVIEW AND GENERAL RULES, AND VIOLATIONS PROCESS AND PROCEDURES, ARE NOW POSTED ON THE WEBSITE FOR THE CONVENIENCE OF THE OWNERS AND RESIDENTS. IF YOU ARE SELLING YOUR HOUSE, COPIES OF THIS POSTED INFORMATION DOES NOT CONSTITUTE A DISCLOSURE PACKAGE TO BE GIVEN TO YOUR PROSPECTIVE BUYER. THE LEGALLY REQUIRED DISCLOSURE PACKAGE MUST BE OBTAINED FROM THE MANAGEMENT COMPANY.

### SPECIAL POINT OF INTEREST

PLEASE TAKE NOTE THAT AT THE BOARD MEETING ON TUESDAY, AUGUST 11, 2009, A MOTION WAS UNANIMOUSLY PASSED SETTING THE NON-COMPLIANCE PENALTY ASSESSMENT FOR RECURRING VIOLATIONS OF THE COVENANTS, RULES, AND STANDARDS, OTHER THAN FOR TRASHCAN AND GRASS CUTTING VIOLATIONS, AT \$50.00 PER INCIDENT AS ALLOWED BY THE VIRGINIA POA ACT.

## ARCHITECTURAL NOTICE

REMEMBER, BEFORE YOU START ANY PROJECT INVOLVING EXTERIOR ALTERATIONS, OR ADDITIONS TO YOUR HOME, COLOR CHANGE, STORAGE SHED, TREE REMOVAL AND PLANTING, LANDSCAPING, FENCING, PATIOS AND DECKS ETC., YOU MUST FILE AN APPLICATION WITH THE ARCHITECTURAL REVIEW COMMITTEE AND HAVE IT APPROVED. THE FORMS CAN BE DOWNLOADED FROM THE WEBSITE, OR OBTAINED FROM THE MANAGEMENT COMPANY. SEE THE ARCHITECTURAL STANDARDS SECTION IN YOUR DISCLOSURE PACKAGE..

## INFORMATION ON DELINQUENT DUES ACCOUNTS:

IN ACCORDANCE WITH THE DIRECTIVE IN ASHBROOK'S BYLAWS, AND AT THE INSTRUCTION OF ASHBROOK'S ATTORNEY, CHADWICK AND WASHINGTON, ALL ACCOUNTS THAT BECOME 60 DAYS DELINQUENT WILL HAVE A PROPERTY LIEN FILED AGAINST THE HOME AT THE CHESTERFIELD COUNTY COURT. THIS PROPERTY LIEN PREVENTS THE OWNER FROM BORROWING FUNDS AGAINST THE PROPERTY OR REFINANCING THE MORTGAGE, OR TRANSFERING OWNERSHIP WITHOUT THE LIEN BEING PAID, AND GIVES ASHBROOK PREFERRED CREDITOR POSITION IN THE EVENT OF DEFAULT ON THE MORTGAGE; PLUS IT GOES ON RECORD AT THE CREDIT BUREAUS. EVERY OWNER IS ENCOURAGED TO PAY THEIR DUES IN A TIMELY FASHION TO AVOID THIS COLLECTION ACTION AND THE ASSOCIATED ATTORNEY AND COURT FEES THAT WILL BE ADDED TO THE ACCOUNT.

ANYBODY UP FOR **CANASTA**? WE'D LOVE TO HAVE YOU! WE'RE STILL GOING STRONG EVERY 3RD THURSDAY OF THE MONTH. WE MEET AT THE COMMUNITY CENTER AT 6:30PM AND HAVE A GREAT TIME! WE BRING SNACKS TO SHARE, SOME DRINKS AND PLAY CARDS AND HAVE FUN. IF THIS SOUNDS LIKE SOMETHING YOU'D LIKE TO DO, JUST BE THERE! WE'RE ALWAYS READY TO WELCOME NEW PLAYERS.

## BUYING IN / MOVING OUT OF ASHBROOK

### BUYING IN ASHBROOK

SET-UP ASSESSMENT BILLING. CONTACT ACS WEST TO SET UP HOW YOUR ASSESSMENTS WILL BE BILLED. 282.7541. REVIEW ACA DISCLOSURE PACKAGE.

STATE LAW REQUIRES THE SELLER TO PROVIDE YOU WITH A ACA DISCLOSURE PACKAGE PRIOR TO CLOSING.

THE DISCLOSURE PACKAGE WILL DISCLOSE INFORMATION ON ANY CURRENT COVENANT/ARB. VIOLATIONS AND OUTSTANDING ASSESSMENTS FEES THAT MAY BE DUE THE ASSOCIATION WHICH YOU WOULD BECOME LIABLE FOR ONCE YOU CLOSE. INFORM ACA OF

NEW TELEPHONE NUMBER.

PLEASE CONTACT THE ACA AT 282-7451 SO THAT WE MAY INCLUDE YOUR INFORMATION IN OUR DATABASE AND TELEPHONE DIRECTORY.

### MOVING OUT OF ASHBROOK

ORDER ACA DISCLOSURE PACKAGE. STATE LAW REQUIRES YOU TO PROVIDE A ACA DISCLOSURE PACKAGE FOR A POTENTIAL BUYER WHO HAS SIGNED A CONTRACT. AS THE ACA HAS TWO WEEKS TO PUT TOGETHER THE DISCLOSURE PACKAGE, IT IS RECOMMENDED THAT YOU ORDER THE PACKET IMMEDIATELY

AFTER THE CONTRACT IS SIGNED. CONTACT ACS WEST AT 282-7451 OR PRICING AND ORDERING INFORMATION.

PROVIDE ACA WITH SETTLEMENT STATEMENT.

FOR THE ACA TO BEGIN BILLING THE NEW OWNER OF THE PROPERTY YOU ARE SELLING, YOU WILL NEED TO SHOW THAT THERE'S BEEN A LEGAL TRANSFER OF PROPERTY BY PROVIDING THE ACA WITH A COPY OF YOUR SETTLEMENT STATEMENT (HUD)

## REMEMBER

TRASH CANS NEED TO BE PUT UP BY NOON OF THE DAY FOLLOWING PICKUP. PLEASE COMPLY TO AVOID FINANCIAL PENALTIES.

### ROUTINE VIOLATION INSPECTIONS:

TRASHCANS--THE AFTERNOON OF THE DAY AFTER PICKUP, OR THE SECOND DAY.

GRASSCUTTING-- WEDNESDAY AFTERNOONS.

ROOF STAINS--MARCH OF EACH YEAR.

POWERWASHING OF HOUSES-- APRIL AND NOVEMBER.

## Needed: A Few Good Men and Women



The Safety and Security Committee is looking for a few good, dedicated men and women to serve as Block Captains for some of our street that do not have one at present. Don't let the name Block Captain keep you from serving your community. Block Captains are only asked to assemble a email or phone contact list for their street, and to disseminate information as need to their block as necessary. You will be asked to attend a meeting every other month or so, and to maybe help with the National Night Out. As you are aware, the last two years we have had an Ice

Cream Social for National Night Out, and it was a hit each year. We have lots of door prizes for the community to win, and had an overall good time. If you have looked online, then you know which street needs Captains. If not, I'll list them for you here.

The following Streets needs Block Captains.

1. Broadreach Drive
2. Halyard Terr.
3. Halyard Court
4. Shady Banks Court
5. Featherchase Court
6. Twisted Cedar Court
7. Twisted Cedar Drive
8. Winding Ash Court
9. Fernway Court
10. Fernway Drive
11. Ground Fern Drive

If you live on one of these streets and would like to join the safety and security committee as block captain, please contact Wm. Megginson @ 804-433-9109 or meggmobile@gmail.com

Our next meeting of the Safety and Security Committee is scheduled for

February 23, 2010. I'm hoping to have all our Block Capitan in place by that time, and I'm looking forward to seeing all of you there.

If by chance you are a present Block Captain and you have been inactive for the past year, and would liked to be replaced, let me know as soon as possible so that I may recruit someone to take your place.

## IMPORTANT NOTICE

As you know, in both the September and November newsletters residents were asked to look at their yards and make necessary repairs to bare spots, erosion, areas needing mulch, and other problems. An inspection of the lawns and yards in Ashbrook will soon be conducted, and "courtesy" letters will be sent out to residents whose lawns need serious attention, letting them know that repairs and im-

provements are necessary and need to be addressed by early Spring. At that time a follow-up inspection will be done and those problems that have not been corrected will be written up as violations. Please see Section 2 of Other Standards in the Architectural Standards section of your documents.

We are hoping that this "pre-inspection" will give everyone

plenty of time to bring their property into compliance so that violation action will not have to be taken. Please cooperate in making your yard and Ashbrook look better. Thanks,.

Don MacQueen, Chair of Violations Inspection Committee.

## AD'S

### Short Sale vs. Foreclosure - Do YOU Know the Difference

Hardworking people everywhere are having to make tough decisions that affect their financial future - not just today, but for years to come. If you don't know how to protect your rights and weigh all of your options, call me!

I am a real estate professional and a consumer advocate. It's my job and my privilege to help homeowners understand ALL of the information they need to make the best possible decisions for their families.

If you know someone who is affected by today's market changes and needs answers, call me. I can help!



**KATHY HOLE**  
Realtor®  
Certified Distressed Property Expert

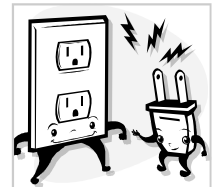
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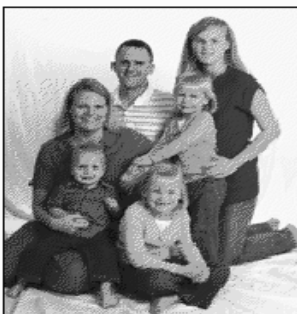
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[www.inflationnationparty.com](http://www.inflationnationparty.com)

Your Ashbrook Social Committee  
invites you to  
MOVIE NIGHT featuring  
“UP”

Friday, January 22nd

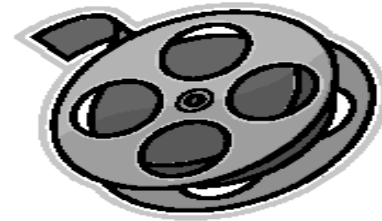
7:00 pm

at the Ashbrook  
Community Center

Popcorn and juice will be  
provided.

Grab the kids and come  
join us for a funny,  
family movie!

All minors MUST be accompanied by an  
adult. Any questions, please contact  
Stephanie Provo at  
[stephanieprovo@hotmail.com](mailto:stephanieprovo@hotmail.com) or 608-1566.



## BUILDINGS & GROUNDS

HAPPY NEW YEAR! All of us on the Buildings and Grounds Committee extend our best wishes to all of our residents for a Happy and Prosperous 2010!!

There's not too much happening for us this time of year. We did manage to get the erosion control project in along Shady Banks Dr. before the snow came. When the new grass grows in there it will certainly improve the appearance along that main thoroughfare. We've had some new shrubs planted around the Community Center and that should give a nice

new look to our renovated Community Center. We're still planning on giving a look at the walking paths around the west side of the new section during the winter months so as to evaluate the possibility of getting that project underway.

A great big special thanks go out to Rob Toman and Scott Dance for their time and efforts in constructing the bridge across the creek that runs behind Twisted Cedar Place. This is part of the unfinished walking paths we are considering completing this year, so their efforts have given us a head start on that project. So again thanks to Rob and Scott; AKA—

### “FRICK & FRACK CONSTRUCTION”!!

Don't forget, we still meet on the first Tuesday of each month at 7:00 P.M. in the Community Center. New members and new ideas are always welcome.

Co Chairs: Bill & JoAnn Ruitenber  
Lake: Jerry Oakley

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# Ashbrook Community Night at Inflation Nation!

**When:** Friday, February 26, 2010

**Time:** 6:00-8:00pm

**Where:** Inflation Nation, 10810 Paulbrook Drive, Midlothian (next to Skate-Away)

**Price:** 1/2 price tickets for residents only! Ages 1-4 \$3.00, Ages 5-12 \$4.00,  
Ages 13-17 \$5.00

**Everyone must wear socks including parents! Parents are always free with paying child.**

Contact Stephanie Provo if you have any questions at 608-1566 or [stephanieprovo@hotmail.com](mailto:stephanieprovo@hotmail.com).

Hosted by your Ashbrook Social Committee! Always looking for ideas to bring us together.



There are moonbounces, slides, obstacle courses, and an area just for 4 and under. Great fun for the whole family. Come take advantage of this great 1/2 price deal. Open to Ashbrook residents & their families. Check out their website at [www.inflationnationparty.com](http://www.inflationnationparty.com)



[www.ashbrookonline.com](http://www.ashbrookonline.com)

**Board Members:**

President— Sue Herr 804.639.6643 [buggymother@yahoo.com](mailto:buggymother@yahoo.com)

Vice President— Wm. R. Megginson, Jr. 804.433.9109 [meggmobile@gmail.com](mailto:meggmobile@gmail.com)

Treasurer— Don MacQueen 804.901.3924 [bigsavingstravel@verizon.net](mailto:bigsavingstravel@verizon.net)

Member— Catherine Crump 804.639.1928 [gannie7725@comcast.net](mailto:gannie7725@comcast.net)

Member— Bill Ruitenberg 804.639.0532 [billandjo94@comcast.net](mailto:billandjo94@comcast.net)

**Committee Chairs:**

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Lake— Jerry Oakley 804.739.8108 [oakleyg@comcast.net](mailto:oakleyg@comcast.net)

Social— Stephanie Provo 804.608.1566 [stephanieprovo@hotmail.com](mailto:stephanieprovo@hotmail.com)

Architectural Review Board— Don Heldt 804.639.0821 [djhheldt96@live.com](mailto:djhheldt96@live.com)

Finance and Audit— Angela Day 804.639.7252 [angela\\_day\\_ashbrook@yahoo.com](mailto:angela_day_ashbrook@yahoo.com)

Safety and Security— Wm. R. Megginson, Jr. 804.433.9109 [ashbrooknw@yahoo.com](mailto:ashbrooknw@yahoo.com)

Newsletter— Wm. R. Megginson, Jr. 804.433.9109 [ashbrooknewsletter@yahoo.com](mailto:ashbrooknewsletter@yahoo.com)

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ASHBROOK COMMUNITY ASSOCIATION

P. O. BOX 1648

MIDLOTHIAN, VA 23113

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