

# AWARE

## APACHE WELLS ADVOCATES FOR REUNITING AND EDUCATING

**MISSION STATEMENT:** To reunite Apache Wells homeowners with integrity.

**GOAL:** To reunite, educate and preserve our community.

AWARE is a fully organized, independent group who will be providing additional, periodic and accurate information about our community. This includes special meetings, email, flyers, press releases, and website. AWARE is independent of the Apache Wells Homeowners Board. Our opinions do not reflect approval or endorsement of the AWA Board.

### **POSITION STATEMENT**

During a SAW August meeting, a decision was made to recall members of the AWHOA Board by circulating a petition in accordance to the State of Arizona law. The recall petition was to be circulated quickly. SAW's legal council should have told them that they are attempting to abridge the voting rights of the majority of our community.

The AWHOA Board is democratically elected by a majority of homeowners voting "...of which three shall be elected annually to serve a three (3) year term" per AWHOA Bylaws (Article V, Section 1, A. (1) page 14). "The voting shall be by ballot with plurality vote determining the election" (Article V, Section 3, B of Bylaws). Each member of SAW and the rest of the community have the right and responsibility to be informed and cast their vote.

The homeowners also have the right and responsibility to nominate qualified and dedicated people to run for the AWHOA Board. Each Board member voluntarily accepts responsibility for a Standing Committee, such as Pool/Spa area, Arbitration, Maintenance, etc. Saw has supported one AWHOA Board member who has publicly disavowed, at the SAW June 21, 2007 7pm meeting, the responsibility for his stated area of the Pool/Spa. Board members are volunteers who are dedicated to representing all members of our community to the best of their ability.

Some members of SAW have stated partial truths, spread rumors and in some cases have supported outright lies. These less than honorable methods will be challenged. We intend to set the records straight.

SAW has stated on their website ([www.savesapachewells.com](http://www.savesapachewells.com)) that they want to "extend an olive branch" and heal the community. Healing is not accomplished by recalling the AWHOA Board members and in the process negate a democratic vote and governance by the majority. Our United States President and Congress are elected by a majority vote and in some cases up to 49% have been on the losing side and yet abide by that decision.

AWARE supports our AWHOA Board and also accepts the right of SAW to disagree, provided it is in an honest and honorable manner. AWARE'S mission is: To reunite Apache Wells homeowners with integrity. The AWARE Steering Committee would expect the community of Apache Wells to be sufficiently informed before making decisions. Realistic solutions are necessary to provide our community's needs.

SAW must be challenged to help heal this community by providing written, constructive ideas the entire community can support.

If you do not wish to receive further information from AWARE, please call one of the following people:

Don Voita

Steve & Kaira Daughton

Pat & Leon Fourcade

Joyce & Mike McInturff

Pat & Phil White

Norm & Carol Fritchie

Faith & Ron Engel

Sharon Gordon

Nancy King

Carol Story

Bobbi DeGeer

Carolyn Agcc

Patch Black

Bev Fourcade

Dorie Ray (not in phone book)

9-11-07

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## SETTING THE RECORD STRAIGHT

Statement #1: August 21, 2007 SAW Meeting: AWHOA paid twice the appraised value for the Cancer Building

Fact: Both the buyer and the seller obtained appraisals from certified appraisers. One appraisal was higher than the purchase price and one was lower than the purchase price. Neither was half of the amount paid for the property.

Statement #2: The AWHOA Board used AWHOA property as collateral to obtain a loan for the Cancer Building. Walt Stromme – August 21, 2007 SAW Meeting

Fact: The real property described in the Deed of Trust is exactly the same as the property described in the Special Warranty Deed conveying the Cancer Fund of America property to Apache Wells Homeowner's Association, Inc. There is no other property encumbered in this transaction. It is a matter of public record.

Statement #3: Bob Domit's letter to the residents of Apache Wells, dated July 26, 2007 and published on SAW Website Opinion Page, contained several inaccurate costs for the buildings being constructed at 56<sup>th</sup> & McKellips. When he was asked to explain these costs by another homeowner, Bob Domit admitted he had made some mistakes and he said he would write a correction letter.

Fact: Bob Domit's original July 26, 2007 letter has been changed to reflect increased costs: (1) "two new buildings that total 26,000 sq. ft. that were built for \$273,000 each" was changed to "two new buildings that total 26,000 sq. ft. that were built for \$1,326,000 each". (2) "So as you can see, the total cost of the whole thing will be under \$1,200,000" was changed to "So as you can see, the total cost of the whole thing will be a little over \$3,300,000". The only indication that the letter has been "updated" is an Editors Note at the bottom of the page. It doesn't indicate what has been changed in the letter, only that it has been changed. In addition, it is buried in its original July 26<sup>th</sup> slot in the Opinion Page. \$2,100,000 is a significant increase, particularly when Bob Domit has used the inaccurate figures to repeatedly hammer away at SAW meetings about the cost of the proposed Community Center. It seems a more appropriate and responsible way to publish the corrections would be to write the correction in an Editor's Note in date sequence rather than change the original letter. Was this an intentional misdirection?

Statement # 4: In at least 2 letters published on the SAW Opinion page, references were made to increases in our "monthly dues".

- Lynn Rees letter 9-4-07 "the failure of the board to adhere to the bylaws, CC&Rs, etc. the most glaring example is the raising of the monthly dues by 10% each of the past 15 or so years".
- Joe & Sandy Davis letter 9-5-07 "After 2000, the Board raised monthly dues 10% every year because they could"

Fact: 15 years ago, 1992, the monthly general assessment was \$16.00

1993	\$17.00	
1994	\$17.00	No change
1995	\$18.50	
1996	\$20.00	
1997	\$22.00	
1999	\$22.00	No Change
1998	\$22.00	No Change
2000	\$22.00	No Change
2001	\$22.00	No Change
2002	\$24.00	*Discount option offered
2003	\$26.40	*Discount option offered
2004	\$29.00	*Discount option offered
2005	\$31.90	
2006	\$35.00	
2007	\$38.50	

\*A discount of one month's general assessment was offered if you paid your fee for the next calendar year prior to the 1<sup>st</sup> of January.

**Fact:** Monthly general assessments were not raised by 10% in each of the past 15 years or every year after 2000. **In several years the monthly general assessment was not increased at all.**

Statement #5: SAW Opinion page, Joe & Sandy Davis letter, 9-5-07: "If they raise it another 10% next year, that would add another \$345,000".

Fact: "It" in the above sentence refers to our monthly general assessment, which in 2007 is \$38.50. If the AWHOA Board voted to increase the monthly general assessment by 10% (as allowed by our Bylaws), that would equal \$42.35. A maximum increase of 10% (\$3.85) would not come close to \$345,000, it would be (\$3.85 per lot X 1412 lots X 12 months) \$65,234.40.