



May 22, 2015

Dear ***, ,

I find it only fair for me to tell my side since the Property Owners Association has told you deliberate untruths. I shall start with Druid Hills HomeOwners Association(I am President) and the Property Owners Association (POA) are both voluntary associations in this subdivision. The Druid Hills HOA does not collect dues but the POA does. POA has battled me since they illegally formed in 1985 stating they got the majority consent to form, that is not true. Fact is people in our subdivision did not want an association, the POA. I know this I was at that meeting. Homeowners stomped out.

I have all supporting documents to back what I am telling you, filed with Teller County Clerk and Recorder for your review.

In the POA letter their statements are in red

1. **Druid Hills Property Owners' Association was created in 1971, Untrue**
2. **It was created through the legal process of filing covenants and plats with the Teller County Clerk and Recorder.** The Developers did this not the POA that was not in existence until 1985.
3. **The Second Amendment to Declaration of Protective Covenants (Druid Hills - Filing One)" was recorded on June 29, 2001 at Reception No.520066 in the office of the Clerk and Recorder of Teller County, Colorado (hereafter referred to as the "2001 Declaration"). The 2001 Declaration states that it replaces and supersedes the Original Declaration in all respects.**The" 2001 Declaration" of Covenants did not have enough votes to pass. In 2001
4. **The 2001 Declaration was then amended by a document entitled "Amendment to Declaration of Protective Covenants for Druid Hills Filing No. 2" recorded on July 31, 2002 at Reception No. 536825 (hereafter referred to as the "2002 Amendment") which made all of the restrictions and obligations contained in the 2001 Declaration effective as to all of the lots in Druid Hills Filing 2, and also created additional restrictions and obligations with respect to the Filing 2 lots only.** Filing 2 opted out by voting in 2002 against any obligation to any association

formed in the Druid Hills Subdivision from that date to present having the majority vote opposing the POA.

5. **One owner, Diana Foraci, attempted to change these covenants by filing her own documents and has claimed that the POA covenants are invalid.** Diana Foraci formed the Druid Hills HOA in 2015 supported by 39 members, My covenants supports the original covenants that are still in affect that ran with the land the developers wrote in 1971.

6. **Her challenges were evaluated through a lawsuit she filed in January of 2019, 19CV30002. The Court heard evidence from the POA as well as from Ms. Foraci March 20, 2019 and entered an oral judgment on that date finding that the POA documents were valid and enforceable.** The bench trial was over a Spurious Lien against me for POA dues owed. Nothing else. No judgment of documents were ever being enforced. Only for me to pay attorney fees. That I attempted to pay in person cash money and later by check to their attorney both attempts ignored by the defendants the POA. I later filed the POA did not respond with the Clerk and Recorder of Teller County. The judge sided with the POA because they were in business for so long and nobody opposed them. He also restricted votes in court that proved their formation and covenants were invalid. The judge did not ever get to hear I was not a member and it was a voluntary association. The POA based their lien against me on their covenants that were also invalid.

7. **The Druid Hills Property Owners' Association is a valid association and the dues for the Association are mandatory.** They are not mandatory the POA would have had to get 100% of approval as all lots were sold in the Druid Hills Subdivision. This never happened, we as homeowners, property owners were invited to join the POA being voluntary.

First, in order to create a mandatory association there has to be 100% participation in the association. That is to say the deed restrictions creating an association must have been recorded before any property was sold to a buyer or any property which was sold would have to sign a consent and joiner agreeing to be a member of the association. A mandatory association cannot have less than 100% participation because that would mean not everyone is a mandatory member.

Only when 100% of the lot owners agree Once all lots are sold they are bound to the association. This never happened

8. **Colorado Law as well as the Declaration for the POA provides that losing parties are made to pay all the attorney fees of the winning party should the Association have to file a lawsuit against an owner to obtain payment.** What law forces people to join an association against their will, bullied until they pay? The POA waits once they put liens on properties for the owner/victim to fight. The 13 Liens had no name or address just "To Whom it May Concern". Most paid and sold their properties having enough anguish put on them. The three people that attempted a court hearing out of the 13 liens backed out because the lien and attorney fees financially increased putting a burden on the victims. That is illegal. In addition, the POAs law

firm Altitude Law had their own mediator confront the victims saying they did not have “a leg to stand on”. That is illegal. For the mediator should be a neutral party by law. Therefore, this violation should be reported to the Bar Association against Altitude Law.

9. While the Association understands that Ms. Foraci has posted information about the documents she created and understands that she has tried to create her own Homeowners Association, those documents do not replace the Property Owners Association documents and it is questionable that the documents attach to any property other than her own. I have been slandered, bullied and had my character assassinated for decades by the POA. That is unconscionable to spread rumors to get someone to move out of the Druid Hills Subdivision that oppose them. My credentials speak for me with Integrity I am registered and licensed with the Secretary of State as a non-profit Corporation in good standing since 2015. Also registered with D.O.R.A. Department of Regulatory Agency, and licensed with the Federal Government, file a 990 ever year. My Trademark licensed with the United States of America as the Druid Hills HOA representing this subdivision. As a business owner, I educate homeowners of their civil rights to the best of my knowledge, bring clarity to what is happening in our subdivision. My website is <https://aboutdruidhillshoa.com> free of charge to all.

10. All owners within the Druid Hills Property Owners' Association must pay their assessments. Failure to do so can result in late fees and interest and attorney fees should the Association have to take legal action to collect what is due. The Association would prefer to not have to turn over delinquent accounts to the attorneys but will do so if owners refuse to pay what they legally owe. There is nothing legal about the POA tactics. If a property owner wishes to join then they are obligated to pay dues. Land up for sale that the seller is paying dues does not obligate the buyer to pay dues based on the covenants. Since the POA covenants did not pass then there is no reason for me to worry in buying your property here in the Druid Hills Subdivision.

11. Teller County Courts have already determined the Association is valid and the dues are mandatory. Untrue no such mention about dues being Mandatory by the courts.

Well I hope this helps and we can go forward in the sale of your property as I would be the “Stewart of the Land” keeping it safe for the animals that reside and visit your property often.

Respectively,

Diana Foraci

Diana Foraci