

June 2023 Dixie Springs ACC Newsletter

ACC Status

As advised by legal counsel, the ACC is continuing to operate. Amendment 5 is invalid and the ACC is working with the court system to get the amendment removed.

To see the legal documents associated with the court actions, see the following web page:

<http://dixiespringsacc.org/legal.htm>

CC&R violation types May 2023

- Renting one or more rooms in a house
- Landscaping
- Storing trailers, commercial equipment, RVs, vehicles on empty lots
- Structures on top of block walls
- Goats
- Poultry
- Running a concrete business out of a home. Damage to sidewalks and road.
- Renting a casita.
- People living in trailers on the house lot.
- Metal train container on lot

The ACC continuously receive complains from people about these issues. The people sending the complaints have nowhere else to turn to get help. Some have talked to the person with the violation only to be told to mind their own business.

If the ACC did not exist, people with problems would have to sue – which causes ill will, but more scary, costs a LOT of money. You are looking at \$5000 if there is no pushback, and \$30,000 or more if the suit is fought in court.

Therefore, if this last improperly filed amendment is not removed, be prepared for any or all of these violations near you. And be prepared to have to live with these violations, because there will be no entity to help you. The City of Hurricane does not enforce CC&Rs - they do not even enforce their own ordinances.

Yes, most people in Dixie Springs are great people that keep their homes looking nice and do their best to be good neighbors. However, there are 1390 lots in Dixie Springs. There is a percentage of people that will do what they want regardless of the impact on their neighbors and the neighborhood. As the community ages, there will be more problems. Some people, unfortunately, will take advantage of the lack of enforcement and purposely violate the CC&Rs any way they can.

If this fifth amendment stands, be prepared for ill kept homes and landscaping, people living in RVs and trailers, livestock, equipment stored on lots, etc. And be prepared to not be able to do anything about it. And be prepared to take a price hit if these violations are near you when you are ready to sell.

Community Action to Remove the Amendment

A group in the community are upset about the fifth amendment and are working to help remove the amendment. If you want to be part of this community group, you can email them at dixiespringsneighbors@gmail.com . You can also join the “Dixie Springs Community Forum (a place for respectful open dialogue)” Facebook forum.

ACC Board Election

The ACC was scheduled to have an election June 2023. We were really hoping that the legal issues associated with the 5th Amendment would be completed by now. Unfortunately, the court system has been very slow. The ACC has decided to wait to hold an election until the court rules on the pending actions to ensure maximum participation from the community.

If anyone would like to be on the ACC Board, or volunteer to help the ACC, please contact them at acc@dixiespringsacc.org.

Your Dixie Springs ACC