

HOMEOWNERS ASSOCIATION BOARD:

Michael Bogard, President  
Chris Coogan, VP/Treasurer  
Michelle Wind, Secretary



2025

Dear Homeowner,

Welcome to the neighborhood and to The Reserve at Mariana Butte Homeowners Association. We wanted to provide you with some information about the HOA.

Our HOA started in 1994 as Loveland expanded to the west and built the Mariana Butte golf course. We have 91 member lots in 3 subdivisions (1<sup>st</sup>, 2<sup>nd</sup>, and 4<sup>th</sup>). All are single family homes. The Reserve is one of several HOAs in the area surrounding the golf course. The Morey Nature Reserve (20 acres), and the "Ward property" (approximately 78 acres of nature conservancy) at the end of Cedar Valley Drive are owned by City of Loveland. Dry Creek flows through our HOA. The HOA is responsible for maintaining the common areas within the HOA, which consists of mowing, irrigation, weed control, and tree trimming.

As of January 2025, Board Members are:

Michael Bogard, President  
[mdbogard@outlook.com](mailto:mdbogard@outlook.com) (901) 240-6909

Chris Coogan, Vice President /Treasurer  
[coogan66@gmail.com](mailto:coogan66@gmail.com) (970) 302-1693

Michelle Wind, Secretary  
[michellewind@comcast.net](mailto:michellewind@comcast.net) (303) 330-1269

The Reserve has an active Architectural Review Committee, which is responsible for the general appearance of The Reserve. If you are planning any landscaping or exterior changes to your home, please contact a member of the Architectural Review Committee (ARC) prior to starting your project. The ARC will work with you on the plans and make sure they comply with the HOA Covenants. The current members of the Architectural Review Committee are:

Jason Hawk, Chair  
[jihawk66@msn.com](mailto:jihawk66@msn.com) (970) 215-8799

Diana Bogard  
[dlbogard@outlook.com](mailto:dlbogard@outlook.com) (901) 210-5513

Nancy Hashman  
[nancyhashman@gmail.com](mailto:nancyhashman@gmail.com) (484) 678-0604

If you did not receive a packet of information including Articles of Incorporation, Bylaws, Covenants, or Policies at your closing these items and more as required by state law regarding seller's obligations to buyers are available in electronic format. Please contact the Treasurer or Secretary by phone or email to obtain these records. The documents can also be found on the HOA website: [thereserveatmariabutte.org](http://thereserveatmariabutte.org).

There is an annual HOA meeting in January. The exact date and time for the meeting will be announced in a separate mailing. The HOA dues are collected once per year and are due on January 31. The amount is calculated each year and 2025 is \$170/year. The dues are low because our HOA is staffed purely with homeowner volunteers. If you are interested in volunteering for the HOA Board, the Architectural Review Committee or our various common area maintenance groups please let any of us know. We strive to work together to make this a great place to live.

Periodically, the HOA Board sends out emails to homeowners with pertinent neighborhood information. If you would like to be included in these mailings, please send an email to our VP/Treasurer so that we have your email address. Please be assured that your contact information will only be used for HOA business and will not be shared. Feel free at any time to contact a board member with questions or comments.

The Reserve at Mariana Butte Owner Information

February 2024

Pending Home Sales Information - The Covenants are important and are available in electronic pdf format. When we have pending home sales our Treasurer will provide realtors, title companies, and escrow agents, as needed. copies of the Covenants and other documents as required under Section 7 of the Colorado Real Estate Commission approved Contract to Buy and Sell Real Estate (Residential) as of January 1, 2019.

#### Common Areas, Out Lots, Rist Irrigation Ditch

The HOA is responsible for the maintenance of common areas, in some cases, areas not owned by the HOA. These are generally traffic islands which are landscaped and irrigated at HOA expense. These comply with Colorado CDOT law for visibility, obstructions, and signage.

In addition, the HOA owns several 'out lots', property too small or not acceptable to be used for residential construction. These are set aside as part of the general plan to be open space. They are to remain natural and free of noxious weeds. The HOA, if needed, arranges to have these weeds sprayed with Colorado and Federally approved chemicals. Some nearby owners have indicated they prefer to do this weed control themselves and the HOA permits that activity. The HOA also removes dead or dangerous trees in those areas. Some of the out lots are in Federal Wetlands areas which are tightly restricted and are under the administration of the Army Corp of Engineers. These are along Dry Creek which contains Waters of the United States of America.

George Rist Irrigation Ditch: On the west side of our HOA is the George Rist Irrigation Ditch. The HOA is responsible for about 300' of the concrete-lined ditch and bank areas. This includes all maintenance, repairs, and liability insurance (both work and costs). There can be water flowing in the ditch from April to November; and the ditch bank is used by many for walking. We strongly encourage parents to not let their young children play on the bank or in the ditch. For safety reasons do not let young children in the ditch area without an adult present.

Design: The general design theme of The Reserve is to be open, blending with natural conditions along this river area in Colorado. This is the reason there are no structures or landscaping demarcating property lines. This also provides for the free roaming of wildlife, which is plentiful.

Covenants: You should have received a copy when you purchased your property. In several cases these covenants have been superseded by changes in Colorado law (and clarified with written Board policy). As a new member, you may wish to have a copy of our Bylaws, Articles of Incorporation, recent Annual Meeting minutes, or recent member Newsletters. Please request these from our Treasurer or other Board Member. When becoming a property owner in our HOA you agree to comply with our Covenants and Colorado law for HOA's. As a new member of the HOA, we recommend you read our Covenants to prevent future misunderstandings. If you have questions, please contact a Board member. Conversations about our Covenants with Board or ARC members usually resolve any questions or issues which arise.

The outside appearance of properties is managed by the Architectural Review Committee (ARC). This includes anything visible, from roofs to building elevations to landscaping. Owners must contact the ARC to obtain approval before making any significant changes. Significant changes would be something visible. Sprinkler modifications, trimming, or replanting flowers aren't generally significant. Removal or replanting a tree would be significant. The Covenants, Colorado law, and Board written policies serve as a guide. The ARC can save owners a lot of work and expense with the town as well with their knowledge.

Property maintenance is the responsibility of each individual owner, not the HOA. This includes sidewalks, city-required trees, and retaining walls. Some of the 'tree lawn' trees are at maturity and there are several ash trees at risk for the Emerald Ash Borer. Without treatment these trees are at significant risk of dying off and are the responsibility of the individual homeowners. Please trim deadwood and keep them clear enough for people to walk under the branches that overhang a walkway by a minimum of 6 feet vertical per city ordinance.

**Annual Walk Through:** The board and ARC conduct an annual walk-about inspection, usually in late spring. The purpose is to observe safety issues, maintenance requirements, and covenant compliance. Any member who wishes to come on this inspection tour is welcome.

**The Board and Architectural Review Committee (ARC):** The board of directors consists of a President, Vice-President Treasurer, and Secretary. The terms are 3 years (staggered and elected at annual meetings). The Board is required to meet before and after the Annual Meeting and as needed. Agendas and minutes are recorded for each Board meeting. The Board uses email for communicating. The exceptions are a required written notice of the annual member meeting and the invoice for annual dues. ARC has 3 members appointed by the Board. The ARC and the Board serve without compensation. The HOA is organized as a non-profit corporation in the state of Colorado. The HOA files annual required documents with the state and federal government. It is common for other HOA's to have a Property Management Company perform these duties (at a high cost). Our HOA has always done this with volunteers.

**VP-Operations:** Presently the HOA does not have this as an official role, yet the work remains. We accomplish this via arrangements made by the board members working in teamwork with other homeowner volunteers. If you wish to volunteer to help let us know. These volunteer hours are valuable in reducing costs and add to our safety and aesthetics.

**Security and Privacy:** Per privacy laws and the requests of owners the HOA does NOT distribute personal information about residents. Many residents travel from time to time for extended periods. The HOA is aware of the services of the Loveland Police Auxiliary to provide property check while you are away. For other security matters you may have you are encouraged to contact Loveland Police. You are living in a golf community. Some homes adjacent to the Mariana Butte Golf course experience flying golf balls. Damage is the responsibility of the person who hits the golf ball. If you notice this, you can call the pro shop and they may be able to notify the golfer. Per the rules of golf, the homeowner property is treated as out of bounds so no golfer should be hitting from there. Glass, roof, and building damage, if not paid for by the golfer, are the responsibility of the property owner, not the golf course or HOA.

**Communications:** Usually, the HOA communicates to owners via email. If you wish to contact the HOA, email, or phone one of our Board members. Complaints, requests, or other items are best identified with specifics (including date and time), situation, and a way to reach you. Feel free to contact a board member with suggestions or concerns. The HOA can charge for using other means such as US mail, registered letters, etc. The HOA will email documents including minutes as attachments, typically in pdf format. In case of emergencies, the Board would like your phone number and email address. It is Board policy to not release this information without the homeowner's permission or legal requirement.

**General Counsel:** The HOA maintains a general counsel affiliation with Johnson Muffly & Dauster, PC in Fort Collins, CO.

**Insurance:** The HOA maintains general insurance coverage for common areas and for Board members. A person who may be injured on private property including a sidewalk on your property may look to you for relief. Each owner is responsible for their own property and safety, and not the HOA. Several of our homes are located adjacent to or within a flood plain and it is up to each homeowner to understand their location. Typically, homeowners' insurance does not cover flooding and you may want to supplement with separate flood insurance.

**Sidewalk maintenance:** Due to trees, frost damage, or other causes, sidewalks may move out of alignment, creating a hazard. The HOA may inspect this and notify the owners. The owners are responsible for correcting the situation. The HOA advises the owner to contact the City of Loveland before commencing work as you may be able to have the city

participate in the cost of remediation, up to 50%, under current city policy. Should a sidewalk matter remain unaddressed, accident or not, the city may issue a citation with a 30 day must-comply limit.

Documentation: The Board and ARC maintain our records. With appropriate requests from members for data or documents, the Board will generally supply those as electronic data files, not paper copies. The HOA does not have a requirement to maintain copies of individual owner plans. Such plans may be available from the original development time of a property. The city does maintain these plans. Their format is electronic scanned images. Whatever was drawn or stamped on a lot's plans will be on those documents, including rights-of-way, utility easements, water, flood, or other easements. The HOA has additional documents for out lots showing rights-of-way, among other data. You can also use the Larimer County land information website to see your location to flood plains and your deeds of sale documents ([Larimer County Land Information Locator](#)).

Welcome to the Reserve at Mariana Butte HOA.

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