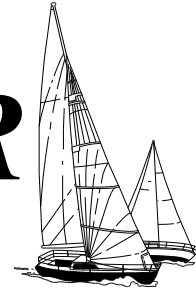


MONARCH BAY ASSOCIATION  
**BAY BANTER**

MAY 2004



**MOULTON LAWSUIT UPDATE**

*The slow and costly process of Discovery is continuing with each side producing documents requested by the other and answering Interrogatory questions.*

*The attorneys for all parties met for the first time with the assigned judge who encouraged them to employ mediation in an effort to reach a settlement. This possibility is being discussed.*

*The Monarch Bay Association Board remains receptive to settlement discussions. However, the Moultons have delayed clarifying their legal basis for bringing the lawsuit. They have yet to state what they hoped to achieve by dragging our community into this legal action. We are expecting to obtain more information from them in the near future.*

*Makar Properties, the owner of the Monarch Bay Club and St. Regis Hotel, has joined the lawsuit on the side of Monarch Bay Association and the other defendants so as to protect its interests.*

**SAFETY CONCERNS ON THE RISE**

*We wish to make you aware of some very serious safety concerns that we are experiencing in our community and urge your cooperation in reminding your children of these risks.*

*\* We have more golf carts in the community than ever before and are experiencing more problems associated with their use. Please remember that golf carts are not to be operated by un-licensed drivers at any time. All golf carts must be registered with the Association by having the owner complete the liability waiver form before receiving a registration decal. Please see the enclosed article republished from the Orange County Register about a teen's death in a golf cart accident.*

*\* Skateboarders must use caution when riding within the community and should not utilize private property for this purpose. Several neighbors report that the plants and hardscape in their front yards is being damaged by skateboarders performing stunts on their property.*

*\* We have experienced theft of items left in unlocked cars within the community including parking decals and CDs. Please lock your cars at all times.*

*\* Parents are encouraged to instruct their children not to place decals/stickers on community property (such as signs and fences). We like clean beaches, and clean signs too!*

## **NEXT BOARD MEETING TO BE HELD JUNE 14<sup>TH</sup>**

*The next meeting of the Board of Directors will be held at 7:00 p.m. on Monday, June 14<sup>th</sup> at 7:00 p.m. at the Lynch residence, 140 Monarch Bay Drive. Please note that the Homeowner Forum is held at 8:00 p.m. to provide homeowners with an opportunity to discuss issues directly with the Board, and not be concerned about delays if the Association's counsel is present at the beginning of the meeting to meet with the Board in executive session.*

## **THE BEACH CLUB REMINDS US TO...**

*With the Beach Club season in full swing, please remember:*

- \* No pets are allowed on the beach*
- \* Children must be supervised when in the bar*
- \* Surveillance cameras have been installed to help identify vandalism problems*
- \* Warning tickets are now being given for parking lot violations*
- \* There is no pedestrian access through the golf course gate, due to safety concerns and City Code violations.*

## **MONARCH BAY TERRACE ASKS FOR COOPERATION**

*Recently our Association was contacted by representatives from our neighboring Monarch Bay Terrace Property Owners Association (MBTPOA) and the Emerald Ridge Homeowners Association (ERHOA). They requested a meeting to discuss several view preservation concerns that their Associations had with our community. We had a very cordial and constructive meeting with our neighbors on April 1<sup>st</sup>, 2004.*

*The outcome of these meetings was an agreement on our part to allow Gina Watson, Chairperson of the MBTPOA View Preservation Committee, to begin contacting our homeowners on an individual basis to try to rectify some of our neighbors' concerns. These concerns fall into primarily three areas which are: 1) the shrubbery growing along the slopes between our community walls and PCH, 2) tall trees (primarily eucalyptus) growing on these same slopes, and 3) a small number of very tall trees within our community that have grown to block the views of our neighboring Association members.*

*To quickly alleviate any concerns that you may have, any expense associated with these efforts will be borne by our neighboring Associations, and not you as individual owners. Also, no work will be undertaken without your approval in writing. Any work will be performed by appropriately insured landscape contractors. We would ask that when Gina contacts you, that you be sensitive to our neighbors' needs and be willing to allow reasonable actions to help improve their views. Any proactive actions that you wish to take to reduce the shrubbery or tree height in the above concern areas is also most welcome.*

*If you should have any questions on this program, please contact Gina Watson at the MBTPOA telephone number (949) 460-6229. You should be hearing from Gina shortly.*

# **MONARCH BAY ASSOCIATION**

***c/o Progressive Community Management***

***27405 Puerta Real, Suite 300, Mission Viejo, CA 92691***

***(949) 582-7770, FAX (949) 582-7796 or by e-mail at [lisak@progressivecm.com](mailto:lisak@progressivecm.com)***

*Please note that the offices of Progressive Community Management will be closed on Monday, May 31<sup>st</sup> in observance of the Memorial Day Holiday. As always, emergency service is available by calling our regular business number and following the emergency paging instructions. We wish you and your families a very safe and happy holiday weekend!*