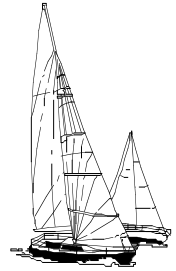


MONARCH BAY ASSOCIATION

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MARCH 2008



BOARD MEETING TO BE HELD APRIL 14TH

*The next Board of Directors meeting will be held on Monday, April 14, 2008 at the Lynch home, 140 Monarch Bay Drive. The homeowner forum will be held at **7:30 p.m.***

The Meeting Agendas will be available at least 4 days prior to the scheduled Board meeting and will be posted at the guardhouse. The Association is providing this information to the Membership in an effort to comply with recent legal requirements of SB 528 as well as to keep the Community informed of the topics that will be addressed at each upcoming meeting. Please note that due to the recent changes with regard to this statute, items that are not listed on the agenda cannot be acted upon by the Board of Directors unless the items are of an emergency or urgent nature.

LEGAL UPDATE

A Settlement was reached between the Monarch Bay Association and residents of the Estates at Monarch Cove regarding the two consolidated cases filed in Orange County Superior Court entitled Hearn, et al. v. Monarch Bay Association, and Shipp v. Monarch Bay Association.

In the lawsuits, Plaintiffs claimed that their predecessor-in-interest entered into an Easement Agreement with the Monarch Bay Club in 1989 which granted the homeowners of the Estates at Monarch Cove the right to walk across a small portion of Monarch Bay property to access the beach and Monarch Bay Club until June 29, 2020. The Monarch Bay Association contended that it did not control the property over which the purported easement runs and that the Agreement was invalid and unenforceable since the requisite consent for the Easement Agreement was never obtained.

The Parties successfully reached a compromise of the dispute in January. Plaintiffs agreed to dismiss the action and pay a portion of Monarch Bay Association's legal expenses, and Monarch Bay Association agreed not to interfere with Plaintiffs' use of the pedestrian walkway until the expiration of the Monarch Bay Club Sublease on June 29, 2020. The actions have now been dismissed in their entirety.

MOULTON NAME CHANGE

It has come to the attention of some of the residents of Monarch Bay that title to the Monarch Bay property was recently transferred to "MMB Management LLC." You should not be alarmed as this does not represent a change in ownership, but merely a change in the form of ownership. The LLC is made up of the members of the Moulton family and was created to enable the family to have a better mechanism to manage their property. This should have no affect on any of our homeowners.

HABITAT FOR HUMANITY ANNOUNCES THEIR **DECONSTRUCT SERVICE**

Remodeling? Why not save time and money – and recycle your items – with the Habitat for Humanity ReStore's expanded Deconstruct Service in Orange County?

Through Habitat's Deconstruct Service:

- 1. Donors have an opportunity to receive valuable tax deductions.*
- 1. Items are sold to the public through the Habitat ReStore and potential buyers receive huge discounts.*
- 2. Funds generated are used to build more affordable homes for local families.*
- 3. Usable items are diverted from overcrowded local landfills.*

Deconstruct is a win/win for everyone! Please contact us at least three to five weeks before you need your items removed. We will set up an appointment to come out to your home and review your items. Then we'll schedule a work appointment to come into your home, take your requested items out, and transport them to our Orange County Habitat ReStores.

The Habitat ReStores, Discount Home Improvement Centers, are retail stores open to the public and operated by Habitat for Humanity of Orange County. The ReStores sell quality new and gently used products to the public at deep discounts. Income generated from the Habitat ReStores are used to build affordable ownership homes for qualified families in Orange County.

To learn more about our Deconstruct Service, please contact Scott Bainbridge at (714) 434-6200 ext. 500. For more information on what we can accept, visit our website at www.restoreoc.org under the FAQ's tab.

PLEASE COME JOIN US AT THE SECOND ANNUAL **PROGRESSIVE “SHRED AND BREAKFAST”**

Just in time for spring cleaning and post-tax season, bring your boxes of old documents that need to be shredded that you haven't quite gotten around to yet.

We will have a professional Shredding Service on-site in our parking lot to destroy your documents while you watch and enjoy a continental breakfast with your neighbors.

Date: Saturday, May 17th

Time: 9:00 a.m. to Noon

Location: Progressive Community Management, 27405 Puerta Real, Mission Viejo

For: All Homeowners/Residents of your community managed by Progressive

Cost: Absolutely Free

If you have any questions, please contact Sherry Garces at Progressive Community Management by phone at (949) 582-7770 or e-mail at sherryg@progressivecm.com.

Directions to Progressive: Take Crown Valley Parkway just past the 5 Freeway, and turn left on Puerta Real, turn right on La Alameda, left into first driveway. We look forward to seeing you here!

DOG RULES AND SAFETY

The Monarch Bay Association Board of Directors has adopted the Orange County Code relating to dog licensing, vaccinations and leash laws as regulations governing the control of pets by Association members. We encourage owners to report violators directly to Animal Control at 492-1617.

The Monarch Bay rules also require that residents clean up after their animals when walking in the community. We are aware that the ice-plant area above the Beach Club Parking lot, which is under the control of the Beach Club, is a favorite spot of many Monarch Bay dogs to do their business. While it may seem like this area is a "free for all" area, it is not. Firstly, it is private property leased by the Beach Club. It has an impact on all of our residents, and specifically those that live directly across the street and get the odor in the breeze. And more importantly, it will eventually wash into our ocean and have a negative impact on our water quality and our quality of life in the Bay.

*Residents that have been approached by diligent neighbors asking for clean up have been met with such responses as: "it is no one's property so it doesn't matter"; "if the feces are farther from 6' in from the curb you don't have to clean it up"; "I'll get it next time"; etc... There is no interpretation needed, **all feces must be cleaned up by the dog owner when it occurs.***

It takes only seconds to pick up the waste in a plastic bag and dispose of it in a proper receptacle. There are extra bags in the guardhouse if you forget to bring one from home. Just stop by on your walk and ask the guard for one. Please be a considerate dog owner.

With regard to restraint of dogs, the City Code provides that all dogs when not in a private yard be on a leash not exceeding 6' in length and under the charge of a person competent to exercise due care, custody and control of such dog. Monarch Bay's - William Beck Park is not a dog park and dogs need to be restrained while in the Park. The City of Dana Point offers local dog park locations where dogs may play off leash. We encourage all dog owners to utilize these parks if you wish to allow your dogs to run unleashed.

These rules are for everyone's safety and quality of life. Please be courteous of your neighbors, it doesn't take much extra effort.

COMMUNITY REMINDERS

** MBA Rules state that "No unlicensed driver will be permitted to operate any motorized vehicle, including without limitation, golf carts and electric vehicles on Monarch Bay streets." This is for everyone's safety.*

**Every safety precaution should be used by golf cart drivers when driving in the community, such as not overloading the vehicle with people, obeying laws, stopping at stop signs, etc...*

** Please remember the speed limit in Monarch Bay is 15 m.p.h. For the safety of everyone, please drive safely and slowly.*

**To clarify a point in the recent Monarch Bay Club newsletter, children are permitted to dine in the bar area, accompanied by an adult, until 7:30 p.m.*

MONARCH BAY ASSOCIATION
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