



Leilani Community Association

NEWSLETTER

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A MESSAGE FROM THE PRESIDENT

By Al Dettweiler

Happy New Year to all and hopefully a better 2009. The good news is that your Board of Directors decided to leave the annual lot assessment as it was at \$75.00 due to the present world economic conditions. This decision may create some difficult decisions for the board this year. We, as a board, have no idea what our cost for the operation may be. We hope that it will not increase by more than 10 percent. We will have to be very careful with our annual budget this year. We plan on working on removing Albizza tree roots from under our newly paved roads this year as one of the major projects. Also, the board has decided to remove the two tall pine trees located near the association building. Due to the height, they may become a hazard during a high wind event.

The second week of January was the start of the community C.E.R.T. (Community Emergency Response Team) training. There were about 16 members of Leilani Neighborhood Watch and 6 members of the Kapoho Community. This will be a 4-Saturday event and all members completing the course will be certified. We, the members of Leilani Community Association, should be proud of the neighbors who take the extra time to be involved in their community by devoting their time and effort to make Leilani the community it is.

The board at their last monthly meeting, agreed to add 3 picnic tables with canopies to the grounds. They will be built by Richard Willing, the new Neighborhood Watch co-ordinator. Rich was also the person that made it possible to add another restroom to our park facilities. The community center also has a small library of paperback books as well as hard covered. One of the members of the Neighborhood Watch, Linda Woertendyke, volunteered to organize the books. A big Mahalo for her hard work!

This past year has been a productive year for the community. We replaced the water catchment tank due to the old one leaking and the concrete

block deteriorating. The community center has an additional restroom installed. The stone rock wall around the community center building entrance has been completed. Exercise bars have been installed in the playground equipment area.

It has been a pleasure being your President for the past two years and we have a lot to be proud of being members of the Leilani community. Remember the General Membership Meeting, Saturday, March 21, 2009 at 2:00 pm at the Rec Center, 13-3441 Moku Street.

ANNUAL BALLOT

by Jean Kristanko

The ballot for the Board of Directors 2009-2010 is enclosed with the newsletter. We would appreciate it if you are also mailing in your annual assessment check, to please mail it separately. The ballots are not opened until the election and therefore your check will not be posted to your account until after March 21, 2009.

Wymond Wilds has requested in his newsletter article that lot owners give their input for the Associations 'property in common'. This comment sheet may be put inside the ballot envelope or mailed with the assessment check.

RECREATION REPORT

By Mark Hauanio

Our latest project for the Leilani Estates Park was the Jungle Gym Apparatus. A big Mahalo goes out to the following volunteers who have made this project happen: Richard Willing, Russ Shultz and Wymond Wilds.

Another project was the painting of the pavilion floor. Many thanks goes out to George Kelly for helping with the prep work and also to Jay Bondesen for his help with painting.

We are presently working to see if we can get more recreational equipment for our community.

Again all the work is done by volunteers within the Leilani Estates Community.

TREASURER'S REPORT

By Richard J. Robbins

As I believed the Association has been able to survive these difficult economic times with flying colors. Your Board of Directors is proud to say that we "tightened our belts" a little but yet made several improvements in our facilities during the year. We are also happy to report that the community association will end the fiscal year in the "black."

As done in the past, the surplus will be deposited into the Road Contingency Fund. This was established years ago by the LCA to help the shareholders with resurfacing of roads in the future. Hopefully, the distant future.

As most of you know, Leilani Estates, Section II, is the only fully paved subdivision on the Big Island. It is an accomplishment that those of us who live here each and every day are most proud of. Many of the residents and property owners will tell you it is the primary reason they selected Leilani Estates over other areas of the Big Island.

The "mahalo's" go out to many who call Leilani home. Our Neighborhood Watch Program is known as the best of the Big Island - second to none. Our ability to have newspaper and the mail delivered to our homes is something other areas of the island wish for. Those of us that are fortunate enough to take advantage of the Ocean Time Warner services are most happy customers. So you see, we do have a lot to be thankful for.

Hats off to each and every one of our volunteers and best wishes for continued peace and happiness in paradise.

PUNA COMMUNITY DEVELOPMENT PLAN

By Jean Kristanko

County of Hawaii Planning Department has copies of the final Puna Community Development Plan that was adopted by ordinance by the County of Hawaii. Printed copies are available from the Planning Department for \$16.00 each, phone 808-961-8288 or write to 101 Pauahi Street, Ste. 3, Hilo, Hawaii 96720. CDs are also available for \$5 each, that contain the final Puna CDP as the Appendices and Related Documents. All of these documents are also available online at: <http://www.herc.info/community-planning/community-development-plans/puna/draft-plan-recommendations>

ENVIRONMENTAL REPORT

By Mark H. Hauanio

We are presently seeing a lot of the invasive plants that are taking over the forest appear in our subdivision. Some of these are the Maile Pilau, Buffalo Grass, Miconia and the Albizzia. These plants are rapidly taking over the areas in Leilani Estates. If you have any of these plants on your property, please remove it if you can. Otherwise you can call the Leilani Estates main office for information.

Besides the plants, we have the Coqui Frogs and now Fire Ants. Information is available at Leilani Estates office.

The community trash clean up will be set up on a quarterly basis. If you are interested in helping us keep our community free of trash, please watch for our notices and come out to help. We are trying to get community involvement. All environmental work is done by volunteers.

The County of Hawaii has a list of persons willing to come in and trap feral pigs. Please contact them at 808-961-8264 for the list.

The trash pickup dates are as follows: February 21 - May 16 - August 15 - November 21. These are all Saturday mornings. We meet at the Leilani Rec Center, 13-3441 Moku Street, at 7:00 a.m.

Please come out and help keep Leilani clean.

LEASH LAW

By Al Dettweiler

For years, the Board of Directors has sent letters to animal owners concerning violations of the Hawaii County Leash Law. Recently the BOD took its own initiative and passed a "zero tolerance" type law concerning this issue. Basically, you are required to leash your pets at all times when leaving your property. No resident should allow dogs to run freely along streets in Leilani Estates.

Due to the number of complaints received, we have had to report violations of such to both the Humane Society and the Police Department. Unfortunately, residents found that continued disrespect for said laws resulted in fines being levied by the proper agencies.

THIS & THAT

By Richard J. Robbins

LEILANI ESTATES WEB SITE:

A debit of gratitude is owed to Tim Georges (a property owner and hopefully someday a resident). Tim has done an unbelievable job developing and maintaining the site for our community association. He has also continuously updated the site and added new features over the years. Please take a look: www.leilaniestates.org.

Mahalo Tim from all of us that live in our piece of paradise.

LIBRARY:

Mahalo Nui Loa to our Neighborhood Watch Program for all their hard work. The NWP recently took over maintaining the library in our association building. Additional shelves have been added and the books all put in alphabetical order by authors - what a job! Please, when returning books, place them in the box labeled for returns on the floor.

Mahalo Linda Woertendyke for a great job done!!

PARK FACILITIES:

Don't forget your board has been working hard adding features to our facilities. In the playground, a new work-out unit has been added for adults as well as children. At the pavilion, we have a barbeque pit that will help those who would like to prepare food while enjoying the park. The walking path now has resting places around its 1/3 mile track. Several benches and a picnic table have been installed. Please make use of the outdoor display board. It can be utilized to advertise your garage sale and services that you may have to offer fellow residents.

THE NEIGHBORHOOD WATCH

By Rich Willing

Leilani Estates continues to be a great, safe place to live, thanks to the many Neighborhood Watch volunteers that patrol our streets day and night. If you reside in Leilani and are not already a member of the Watch Patrol, we need a little of your time and energy to help us to keep this a secure place to live!

We initiated a monthly community garage sale occurring at 7:00 am the first Saturday of each month that has been enjoyed by many, so be watching for the next on February 7th to dispose of those extra Christmas presents.

Our monthly meetings continue to be the last Tuesday of each month at the Community Center with

LEILANI MEMBERS

By Wymond Wilds

This is an inquiry for what you would like for the Associations 'property in common'. Recently there have been a few additions to the park areas. A climbing apparatus in the children's area. The first day after completion, adults were using it for chin ups. Apparently we need an adult system for exercise.

The "master plan" called for a dozen fitness stations along along the perimeter paved walking trail. This would have chin up, sit up, queens chair and other stations. Much of this type apparatus could/would be fabricated, a cost savings. Much of the recreational items come out of a special fund. Once installed, it becomes a maintenance item to be maintained or replaced.

Our walking tracks original section needs to be resurfaced as it was built using rejected standard roadway paving (no charge). Many people have been taking advantage of this track as it provides level paved walking/running minus the vehicle interference.

We are requesting your input for the pavilion. A dance took place on a Saturday evening. Attendance was good for a first-time event. Another is planned in the future.

The athletic field could be enhanced. Soccer or football could be laid out. With your encouragement and support, the appropriate goal posts could be acquired and installed.

Please write and enclose with your ballot, your ideas. All suggestions will be considered. Safety, maintenance and installation cost have help determine that a swimming facility is not plausible at this time.

our next meeting scheduled for January 27th, so please join us to discuss current issues or to simply become a member of our team.

Thanks to the Puna Community Policing officers and to all Leilani Watch volunteers for a very good 2008 as we roll into an even more challenging 2009!

Our email contact is: leilaniwatch@live.com

GENERAL MEMBERSHIP MEETING

Leilani Community Association will hold the General Membership Meeting on **Saturday, March 21, 2009**, at 2:00 p.m. at the Rec Center, 13-3441 Moku Street. All members are welcome and encouraged to attend.

SYNOPSIS OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The following is a brief synopsis of the above Covenants, as they pertain to all and any improvements. The complete text, as recorded in the Bureau of Conveyances, State of Hawaii, in Liber 6446, was issued to all property owners at time of purchase.

1. **ARCHITECTURAL COMMITTEE:** Before any building, garage, wall, fence or any other improvement is constructed or maintained upon the lots or any alteration made thereto, a **duplicate set of plans** and specifications relating to said construction work shall be submitted to the Architectural Committee. (Addressed as above). One set must be the County approved plans, which will be returned (see also item 16).
1. ARCHITECTURAL COMMITTEE. Certificate of Extension Of the Architectural Committee Of The Leilani Community Association. Liber/Page 23129/783 Recorded May 1, 1989).
 2. **SINGLE FAMILY RESIDENCE:** All lots shall be used for only single family residence, with only one such residence being permitted on any such lot.
 3. **GARAGE:** Every residence shall have a minimum of a 2-car garage or a 2-car carport, which shall be considered as part of the residence.
 4. **MINIMUM SIZE:** No residence shall be constructed which contains less than 800 square feet of livable ground floor space, exclusive of porches, lanais and garage.
 5. **HEIGHT:** No improvement shall be constructed that will exceed 18 ft. in height from the highest point of land within the perimeter of the structure.
5. HEIGHT. Residences and other structures built on lots must be built so that the highest point in elevation of the structure must be 18 ft. or lower from the highest point of land in elevation on that lot. (No. 92-115 Finds of Fact, Conclusion of Law, Order Granting motion for Partial Summary Judgement; Judgement Recorded June 10, 1993).
 6. **TEMPORARY OR SEPARATE IMPROVEMENTS:** No trailer, mobile home, tent, shack, garage or other outbuilding shall be constructed prior to or during construction of a residence.
 7. **NUISANCE:** No noxious or offensive activity shall be carried on upon any of said lots, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
 8. **MATERIALS:** All materials used in the construction of any improvement upon any portion of the lots shall be new materials only except that used decorative or structural materials may be used to enhance the appearance of the improvement.
 9. **FOUNDATIONS:** No conventional sub-floor framing shall be exposed from any side of any residence. All sub-floor framing shall be concealed in a manner acceptable to the Architectural Committee.
 10. **DRIVEWAYS:** Driveways shall be a minimum of 12 feet wide at the street and shall be paved during or prior to completion of a residence.
 10. **DRIVEWAYS. Driveway is area between a lot owner's home and the boundary line adjacent to the roadway, the term "paved" allows the use of any smooth surface. (Civil No. 6865 Findings Of Fact, Conclusions Of Law and Judgement Recorded September 28, 1982).**
 11. **ROOFS:** Cedar shakes, cedar shingles, clay tiles, composite materials or metals, shall be among some of the approved roofing materials.
 12. **ANIMALS:** Only dogs, cats or other household pets may be kept on any of said lots, provided that they are not kept, bred or maintained for any commercial purpose and are otherwise kept in accordance with the zoning ordinances, rules and regulations otherwise applicable.
 13. **SIGNS:** No signs of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent; or signs used by a builder to advertise th property during the construction and sales period.
 14. **RUBBISHAND TRASH:** None of the lots shall be used or maintained as a dumping ground for discarded or old vehicles, rubbish, trash, garbage or other waste. No such material shall be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean sanitary condition.
 15. **ALL CONVEYANCES SUBJECT HERETO:** All deeds, mortgages, agreements of sale, leases, or other conveyances made or delivered by any legal or equitable owner of any lot or interest therein shall be subject to the same covenants, conditions and restrictions as in this Declaration set forth whether expressly contained in such conveyances or not.
 16. **BUILDING PERMIT:** No work shall be commenced on the construction of any improvement until such building permit has been obtained from the Building Department of the County of Hawaii as required by law or ordinance.
 17. **COMMUNITY ASSOCIATION:** Each owner shall be a member in good standing of the LEILANI COMMUNITY ASSOCIATION, a Hawaii nonprofit corporation, and shall pay all assessments levied and billed according to law. Unpaid assessments shall constitute a lien against subject property, which may be enforced by suit for money judgement or may be foreclosed by the Association in the same manner as a real estate mortgage may be foreclosed.
- COVENANTS RUNNING WITH THE LAND.** The covenants, conditions and restrictions shall run with the land, and are of record with the Bureau of Conveyances of the State of Hawai.

ADDRESS SERVICE REQUESTED

Pahoia, Hawaii 96778

P.O. Box 361

Leilani Community Association

