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July 2015

Dixie Springs Community Newsletter

<http://dixiesprings.org>

DIXIE SPRINGS PARK STATUS

The volunteer work for the Dixie Springs park will not be needed until September. I am glad that we will not have to be working on the park in the heat of the summer!

The contractor will not be seeding the park until the first of September. As the time gets closer, I will work with the city to get another schedule for our help.

Thanks for your patience but I think this delay is good. We will be working outside during a cooler time and we no longer need to lay any sod.

The work we are doing is for the second phase of the park. There are other phases that will follow. I am collecting ideas for what the community wants for the next phase. If

you have any desires for the next phase, please email me at NancyLCrowley@outlook.com. As a community, we will look at the suggestions and get a prioritized list. I am not promising that we will get all or any of what we want, but we can talk to the city about it and hopefully have some influence on the next phase.

So far, I have received the following requests for the next phase of the Park:

- Pickel ball courts
- Splash pad
- Fenced dog park

NIGHTLY VACATION RENTALS

As I stated in the last email, the survey results were not strong enough to change the CC&Rs to not allow nightly rentals in Dixie Springs.

Everyone in the community should familiarize themselves with the rules and report violations promptly. The rules are detailed in the June newsletter on the Dixie Springs web site.

For those of you that are concerned about this, the City of Hurricane is meeting with the Planning and Zoning

department to discuss nightly rentals in Hurricane. They will meeting on 22 July at 6 pm at the City offices. You may not be able to speak but you should be there if this concerns you. If you do not get to speak, you can go to the next City Council Meeting and speak then.

This issue has been on the news. There are other people in Hurricane who do not want nightly rentals in residential neighborhoods. They wanted to speak at a City Council meeting but they were put off until the meeting on 22 July.

DIXIE SPRINGS AND AREA ACTIVITIES

Skeet Shooting

Every Wednesday at 9 am, meet at the Purgatory Clay Sports range for fun shooting skeet. Contact Karl at kjcarlton@yahoo.com if you have any questions.

Hurricane Community Choir

The choir will have a pot luck on 2 Sep and rehearse on Wednesday evenings at 7 pm starting on 9 Sep. Contact NancyLCrowley@outlook.com for more information.

Pickle Ball

A number of residents go every Tuesday and Thursday at 7 am to play Pickleball. They play at the courts by the High School. Contact Dianna Guinn at ddguinn@msn.com, 801-772-8269.

Ladies Luncheon

The ladies of Dixie Springs meet for lunch on the first Tuesday of each month at noon at the Sand Hollow Golf Course restaurant. Come join us!

Motorcycle Trail Bike Riders

We have started a small group of trail bike riders that go on short trips around the area. Please see this web site for more information: trail90utah.com.

ATV

Contact Debbie at dhohens@sbcglobal.net or Mike at mikemunsell65@yahoo.com if you would like to join the community ATV rides.

Weaving

Calling all weavers, spinners and "want to be" weavers and spinners! We meet the first Monday from Oct to May at 5:30 pm at the Washington Branch of the Washington County library system, 220 N 300 E, Washington Utah. We will be having educational sessions, study groups, comradery and fun! If you have any questions, email NancyLCrowley@outlook.com

Motorized RVs

If you have a motorized RV, join the Red Rock Rovers! They are a great group that plans great trips 4 times per year. For more info, go to <http://www.redrockers.org/>.

PARK TREE DONATIONS

The following people have donated at least \$100 to the tree fund. Thanks!!!

Nancy Crowley/Rod Martin

David Edgar

Helga and Ed Hernandez

Jeff and Kelly Bowcut

Allen and Lori Johnson

Leo and Gloria Silbernagel

Larry and Sue Callahan

Patrice and Roger Couch

Emili Jones

Adam Jones

Don and Luann Goodpaster

Donn and Barbara Larson

The Sudweeks Grandchildren

Neil and Wendy Christiansen

Rex and Dinah Woods

Sandra and Mike Hardman

Gordon and Rose Card

Kevin and Laree Olson

Jens and Jan Traeholt

KJ Carlton

Richard and Lorraine Gross

Marie and Daniel Sanchez

Tyler Jones

Jan Hergesheimer

Fred Clark

Greg and Jannis Gardner

Martin and Mimosa Cain

Guy and Nancy Russell

Rose and Henry Pape

Dane and Cathy Stewart

Nate and Heidi Braack

Patricia and Roger Wilson

Michael and Diana Pales

Peter and Bella D'Engenis

Robert and Robin Carter

Timo and Judy Jones

Abigail Jones

The Leedy Family

Brent and Linda Clark

Mike and Deanna Sudweeks

The Herron Family

The Baker Family

ATV TRESPASSING ON PRIVATE PROPERTY

We have a situation here in Dixie Springs where persons who appear to be primarily minors without adult supervision are driving ATV's on and across private lots. Hurricane City ordinance 7-1-8 clearly defines and regulates off highway vehicles, where they may operate and driver age restrictions. The ordinance lists the approved designated streets and states that "a person may not operate an off highway vehicle on any street within the city of Hurricane for any purpose other than to gain direct access to the streets designated as off highway vehicle routes". None of the streets or private lots in Dixie Springs are designated as off highway vehicle routes.

I personally have ATV's and dirt bikes driving across my vacant lot at least once a week and sometimes with as many as 6 vehicles in trail. I called my insurance agent and was told that if an injury occurs on my vacant lot even if a "No Trespassing" sign is posted, the liability is on the owner of the lot.

Trespassing on the lots is reckless, irresponsible, and potentially dangerous especially at the travel speeds I have observed. It is illegal to trespass on private property, and charges may be brought against a trespasser. I was advised by Hurricane Police Department to call non-emergency dispatch @ 435-627-4999 the next time this occurs. I personally have no interest in policing other people's conscious decisions for their activities with regard to other OHV infractions, but I am willing to report trespassing because it places liability on the lot owners.

OHV operation is a fun activity and the vast majority of our riders here are responsible and respectful. Carelessness is only being carried out by a few. Parents need to educate their kids about responsible riding so the privilege to enjoy this fun activity is not spoiled.

A concerned resident.

CLEANING UP AFTER YOUR DOGS

Just a reminder to pick up after your dogs even on the vacant lots. There are lots of homes and lots of dogs and we will have a mess in our community if we all do not clean up after our dogs.. Please be considerate of your friends and neighbors.

RECOMMENDED VENDORS

This is a new section in the newsletter for vendors that are personally recommended by someone in Dixie Springs. We will not take ads or information directly from the vendors.

Hairdresser. There is a hairdresser that has a shop at her house in Dixie Springs. She does a great job Patty Jo Schiffman, 435-757-6641.

Recently I had my large metal gate redone by Gate Solutions, Inc. They did a great and thorough job. I would recommend them to anyone who needs some metal work

done. Gate Solutions, Inc., John Merrihew, owner, 1503 E. Midway St., Washington, UT 84780

I finally found an appliance repair man that I can trust, is super knowledgeable and cheap!! Mark Latham 435 215 5644

DIXIE SPRINGS CC&RS

Recently, there have been a number of questions about the CC&Rs. I know that reading the CC&Rs is not much fun so I thought I could take a part of the CC&Rs each month and discuss that part. The text in bold is text from the CC&Rs with the latest modifications included.

Questions: Who can change the CC&RS? How are the members of the ACC appointed?

As of this writing, only the developer of Dixie Springs can modify the CC&Rs. The developer also appoints the people on the ACC. The developer has these responsibilities until the developer has sold 90% of the properties he owns or until the end of 2025.

The Declarant in the CC&Rs is the developer:

Article II, Architectural Control and Building Restrictions

Section 1. Architectural Control Committee.

Subject to the right of the Declarant to perform the duties of the Architectural Control Committee (hereinafter sometime referred to as "ACC"), The Declarant shall have the right to appoint members to the Architectural Control Committee, the function of which shall be to insure that all exteriors of homes and landscaping within the property harmonize with existing surrounding and structures. The committee need not be composed of owners. If such a committee is not appointed, Declarant shall perform the duties required of the committee. The Declarant shall have the right to appoint members of the Architectural Control Committee until the happening of either of the following events, whichever comes earlier:

(1) when ninety percent (90%) of the Lots owned in the project by the Declarant are sold, or (2) on December 31, 2025; a majority of the owners of the Lots, parts of portions of the property subject to the Declaration shall elect and appoint members of the Architectural Control Committee, which committee shall thereafter have jurisdiction over all of the properties subject to this Declaration shall be vested with the powers described as follows:

Once the developer hands over the management of the community to the owners in Dixie Springs, the community will need to elect the members of the ACC and manage any changes to the CC&Rs:

Article VI, Amendment

Section 1, Declarant's Right to Amend

Until all portions of Dixie Springs Subdivision are developed, or until the right to enlarge the project through the additions of tracts or subdivisions terminates, whichever event last occurs, Declarant shall have, and is hereby vested with, the right to unilaterally amend this Declaration and/or the Plat as may be reasonably necessary or desirable: (i) to adjust the boundaries of the Lots; (ii) to more accurately express the intent of any provisions of this Declaration in the light of the existing circumstances or information; (iii) to better ensure, in light of the existing circumstances or information, workability of the arrangement which is contemplated by Restrictive Covenants; (iv) to facilitate the practical, technical, administrative or functional integration of any additional tract or subdivision into the Project in subsequent phases or on certain Lots in subsequent phases; or (v) to confirm the underwriting guidelines of major secondary market investors in order to facilitate the availability of financing.

Section 2. Lot Owners Right to Amend

Subject to Section 1, the Declaration may be amended during the first ten (10) year period by any instrument signed by not less than seventy percent (70%) of the Lot Owners, and thereafter, by an instrument signed by not less than sixty percent (60%) of the Lot Owners, which amendment shall be effective upon recordation in the Office of the Recorder of Washington County, State of Utah. Prior to any material amendment this Declaration, written notice shall be sent to all holders of first mortgage liens, setting forth said amendment and advising them of the date that the Owners will vote on said amendment.

Depending on the sales of the developer's lots, the time the control goes to the committee may be coming soon so, as a community, we should start thinking about how we will take on those responsibilities. Right now, I do not know if that time will be in a year or years from now.