



River Oaks Newsletter

VOLUME 2, NUMBER 10

JANUARY 1991

Annual Meeting IV

8 PM, Thursday, February 7
at Johnson School,
25 700 Continental Drive

Mark your calendars now for the Fourth River Oaks Annual Meeting! The meeting will be held at 8 PM on Thursday, February 7, in the Multipurpose Room at the west end of Johnson School, 25 700 Continental Drive in Warrenville.

This year we will have an exceptionally interesting and upbeat agenda. In addition to the election of three new Board members and reports from all of the Board committees, there will be three important presentations which should be of great interest to all residents:

Anden Issues: The Board will report on the latest developments in the negotiations between River Oaks, the City of Warrenville, and Anden, aimed at getting River Oaks the public improvements and amenities promised by Anden and required by City ordinance.

Property Taxes: The tale of the Great River Oaks Tax Revolt and its likely outcome, will be told to us by our own intrepid task force of tax busters.

Our River: Jim Kleinwachter, the Central Section Coordinator for the West Branch Project of the Conservation

Foundation of DuPage County, will speak to us about the condition and care of our river.

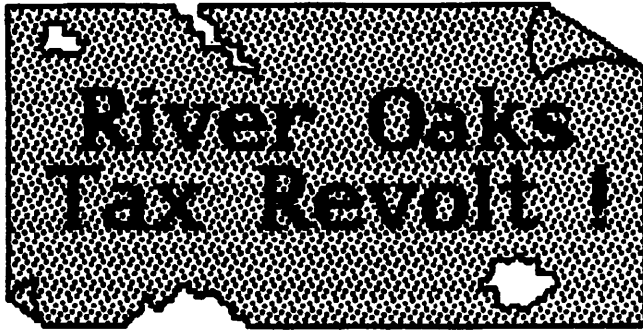
.... So, you see, there'll be a lot of good reasons to make it to the Annual Meeting! February 7! 8 PM! Johnson School! Be sure to be there!

BOARD NOMINATIONS

At present there are a total of three River Oaks homeowners who have accepted nomination to run for the Board of Directors at the Annual Meeting on February 7: Millie Murphy (Lot 1), Tom Sinnott (Lot 53), and Cheryl Soelke (Lot 42). If anyone else would like to nominate themselves, or someone else, please let Veronica Williams, chairman of the Nominating Committee, know as soon as possible. Please remember that all nominations are confidential, and all nominees are contacted privately to see if they are willing to accept the nomination. Nominations from the floor at the meeting will also be accepted.

The nominees will be running for three seats that will be vacant on the Board, as the terms of Bob Modene, Linda Saxton, and Veronica Williams come to a close. These seats each carry a three-year term, and the responsibility of an office or committee chairmanship. These responsibilities will be determined by the new Board when they meet in February for the first time. In order to vote for these three Board positions, a

homeowner must be present at the Annual Meeting, OR must give his/her proxy to someone else to vote in their stead. Attached to the mailing that was sent to each homeowner about the Annual Meeting and the proposed budget was a proxy form. If you are not planning to attend, and wish to have someone else vote for you, please fill out the proxy form and return it to Linda Saxton, secretary of the Board, by February 5. Please remember that there is only one vote per household.



On January 9, 1991, Joe Williams and Tom Sinnott met with the DuPage County Board of Review to present River Oaks' appeal of current real estate assessments. Also present at the meeting were: Don Altier, Chairman of the Board of Review, Bill Davis of the Board, Enid Kuehner of the Board, Charlie Kaelin, Winfield Township Assessor (NOT a member of the Board) and Ted Erickson, an employee of Kaelin's office. All those presenting evidence were sworn in, Enid read the Appeal numbers of all residents included in the group appeal into the record. The meeting commenced on schedule at 1:00 PM. The meeting was recorded by the Board.

Altier opened the meeting. Joe Williams presented the narrative outlining our demands to the Board. It was made clear that the presentation covered River Oaks as a whole, not individual properties within the subdivision. The thrust of our case is two-fold: that proper assessment levels in River Oaks as a whole should be 87% of current assessments, and that River Oaks should be considered as a unique assessment district, or at least should be

considered with other sub-divisions of a similar nature for assessment purposes.

Tom Sinnott presented the factual evidence in our exhibits. Altier was curious as to why we had included so much information relating to fair market value and distressed sale. It was pointed out that the Assessor had defined some sales in River Oaks as "bad sales", and that we disagreed with this determination. A rather animated discussion ensued as to the proper definition of "distressed" or "bad" sale. Joe made the point that it was the price of the sale versus accepted fair market valuation that determined a distressed sale rather than the conditions leading up to the sale. In other words, if a property sells for a fair market value, the fact that the property was unoccupied or even foreclosed prior to the sale does not automatically mean that it was a "bad sale". Tom noted that the over assessment of the two sales Kaelin characterized as "bad" were less than the over-assessment of two other sales that Kaelin considered good, and that in any event, the assessment level of the two "bad sales" (approximately 37.5%) was nearly identical to the general over-assessment level of River Oaks (approximately 38%).

After our presentation Kaelin distributed appraisals from Pappas, an independent appraisal firm, which he had commissioned in December, 1990. Kaelin stated that the appraisals covered all models in River Oaks. We pointed out that he had forgotten one of the two Ashford models; Kaelin said they were the same. It was then pointed out that one Ashford was a 3 bedroom house, while the other had 4 bedrooms. Only the 4 bedroom model was in the appraisal group. The purpose of the appraisals was to generate figures for "generic" type of the Ashford, Dover, Briarwood, and Coventry models without basements. Kaelin mis-stated the basis of the appraisals (i.e., he said that the generic appraisals did not include fireplaces or central air conditioning). The appraiser was

Tax Revolt! cont'd.

to submit the value of the houses as of January, 1990. Interestingly, the appraiser noted that houses backing up to either Highway 59 or the apartments were less desirable than other locations. Neither Joe or Tom accepted the appraised values as completely accurate, noting that all River Oaks' actual sales prices were lower than the appraiser's "market value", however, Altier observed that the appraisals were more in support of our argument than Kaelin's assessments.

Some time was spent reviewing various aspects of the exhibits (that tabulated and evaluated the assessments for all sales of single-family homes between \$140,000 and \$185,000 for 1989-90 in our assessment district), especially as they related to gross dollar over-assessment and the relative assessment levels of River Oaks versus the rest of our assessment district. While considerable effort was expended by the "Assessment Taskforce" to correlate addresses with parcel numbers, all discussions revolved around addresses or models!

Altier complimented us on the delivery and content of our presentation. After about 40 minutes the recorder was turned off, and the discussion went "off the record". Kaelin admitted that River Oaks was over assessed and the Board, while saying that they could make no statements at this time, did not dispute Kaelin's statement. The general tone of the meeting was non-adversarial. Kaelin blamed past River Oaks over-assessments on "part time summer help", but generally was forthcoming even with information which did not support his assessments. Kaelin, while agreeing to the fact that we are over-assessed, did not agree with our position of a general reduction to 87% of current levels. (This reduction would be equivalent to a complete roll-back of the latest ('90) re-assessment and a roll back of 50% of the 1989 re-assessment.)

Kaelin expressed interest in attending a River Oaks homeowners meeting. We informed him that the Annual Meeting of 2/7/91 would be a good time to come, and that it would be beneficial to all parties if he would provide us with a

list outlining the meaning of the short-hand codes found on property owners assessment sheets. We recommend that the Board issue Mr. Kaelin a formal invitation to attend the annual meeting.

The DuPage County Board of Review will issue its decision on our assessments in March or April ('91). The meeting was amiably adjourned about 2:00 PM.

All in all, we feel that the meeting went satisfactorily. It appears that the assessor does not rely on actual sales to the extent we feel is reasonable in determining fair market value. It was apparent that the assessor sees, or believes he sees, any number of circumstances which can cause a sale to be classified as "bad". The burden of proof definitely rests with the taxpayer. Any dispute involving specific procedures used in determining an assessment, reliance on outside appraisers, etc. would most likely have to be pursued in another venue.

It was also apparent that Anden did not provide consistent information to the assessor's office as to the nature of construction of many homes within River Oaks. We urge all homeowners to check their assessment cards for errors. It was also apparent that Kaelin is resistant to assessing River Oaks as a unique entity. We believe we will most likely end up grouped with Fox Hollow for future assessments. We will have to wait until the Board hands down its decision to see how much our assessments will be lowered.

Tom and Joe would like to extend a very large thank you to Becky Christiansen for her untiring help and exhaustive research in tracking down the large volume of information which made our case possible.

... Submitted by Tom Sinnott

ANDEN UPDATE 5: THE CITY COMES THROUGH !

There has been a very significant development in the Board's efforts to enlist the City of Warrenville's aid in seeing to it that Anden completes its promised public improvements and landscaping work in River Oaks.

The City recently sent the Board copies of the letters from City attorney Barry Moss to the Anden/ESR Corporation and to Anden's bonding company, American Motorists Insurance Company, placing a demand against Anden's guarantee bond and requiring Anden and the bonding company to remedy deficiencies in the subdivision. The letters were accompanied by a detailed report from a City-sponsored engineering survey of River Oaks performed in late November and early December, 1990.

A complete transcript of the City's letter to Anden follows:

December 11, 1990

*The Anden Group
2401 West Hassell Road, Suite 1565
Hoffman Estates, Illinois 60195*

*Re: River Oaks Subdivision
Warrenville, Illinois*

Gentlemen:

Please be advised that the City staff and City Engineer of the City of Warrenville have conducted inspections of the public improvements in the River Oaks Subdivision. The City staff and City Engineer have identified numerous deficiencies in workmanship and materials with respect to said public improvements. Enclosed is a copy of the Engineer's report.

Also enclosed is a copy of Warrenville's Ordinance No. 828. Please be advised that you have not complied with the terms and conditions thereof. Further, you have not remedied certain problems pertaining to sump pump discharges and pertaining to the construction and

maintenance of retaining walls. You have also failed to repair and replace the public improvements specified herein.

Demand is therefore made upon you by the City to correct immediately the deficiencies identified in the City Engineer's report, to comply with the terms and conditions of Ordinance No. 828 immediately, and to correct immediately the problems pertaining to sump pump discharges and retaining wall construction.

You are further advised that, concurrently with this letter, demand has been made upon American Motorists Insurance Company as surety under its guarantee bond.

Very truly yours,

*MOSS AND BLOOMBERG, LTD.
Barry L. Moss, City Attorney
City of Warrenville*

The text of the City letter to the bonding company is very similar.

The seven-page engineering report covers a wide range of issues. It concludes with a list of 11 separate problem areas, with recommended remedial measures and estimated costs for each. The problem areas identified in the report are:

1. Televisе storm sewer lines to check for sources of observed leakage.
2. Install two orifices in detention area.
3. Install concrete benches in bases of storm sewer manhole structures.
4. Adjust sewer manhole frames and lids (13 manholes).
5. Remove, straighten and relocate one hydrant.
6. Sidewalk removal and replacement (many cases).
7. Curb and gutter removal and replacement (many cases).

8. Light pole adjustment (3 poles).
9. Driveway apron removal and replacement (46 lots!).
10. Pavement patching.
11. Topsoil placement and seeding - six inches of topsoil to be placed in the entire detention areas, and the areas to be reseeded.

The engineering report provides an estimate of \$62,035.60 to accomplish the repairs in the above 11 categories. This estimate does not cover several other problem areas mentioned in the engineering report, including additional regrading, installation of riprap in high-erosion areas, and installation of a grating on the large storm sewer orifice behind Lot 40. Also not included in the cost estimate is the cost of compliance with City Ordinance 82B.

The Board is very pleased with the support from the City which these letters indicate, and will continue to closely follow and participate in the deliberations between the City and Anden regarding our public improvements.



Announcements

Welcome to Zachary Jon Noffsinger, born December 5, 1990 to Jon and Chris Noffsinger. Zachary weighed in at 8 pounds and was a full 19 inches in height!

ATTENTION PEOPLE OUT THERE! Are you tired of shoveling your driveway? Wadea Masoud will do it all. Please call 393-6716 and ask for Wadea.

COMMITTEE NEWS

GROUNDSKEEPING COMMITTEE December 18, 1990 Meeting Minutes

IN ATTENDANCE: Fred Gervase, Jerry Vicino, Cheryl Mahowald

ABSENT: Tim Phillips, John Spartz, Dave Polak

The meeting began at 7:10 PM. The minutes from last month's meeting were reviewed and approved.

The seal-coating issue concerning the easement drive was turned over to the city liaison at this time.

Letter to H&B thanking them for services was sent.

Anden Update: City attorney handling these matters at the present.

Budget for 1991: The number of cuttings was increased from biweekly to weekly over last year to make the area more appealing for the children to play and to decrease the mosquitos and other bugs. The committee proposes decreasing the number of cuttings from 24 to 20 if necessary for budgeting purposes. The committee proposes decreasing the miscellaneous fund by two-thirds if necessary.

Discussed Jim Kleinwachter, Central Sector Coordinator presenting on the West Branch Project at the next annual meeting, February 7, 1991 at 8:00 PM.

The lower cul-de-sac budgeted for the median cost of the two bids.

Meeting was adjourned at 8:00. The next meeting is January 22, 1991. The place of meeting is yet to be decided.

.... Minutes submitted by Cheryl Mahowald

**BOARD OF DIRECTORS MEETING
RIVER OAKS HOMEOWNERS ASSOCIATION
December 13, 1990**

IN ATTENDANCE: Karl Berland, John Christiansen, Fred Gervase, Toni Oster, Linda Saxton, Veronica Williams.

ABSENT: Gloria Langston, Bob Modene, Amy Salyer.

Meeting brought to order by Veronica at 7:40 PM.

Minutes read and approved.

TREASURER: Report read, as treasurer was absent.

NOMINATING COMMITTEE: No report.

CITY LIAISON: Amy absent; no report.

BEAUTIFICATION: This committee is done for the year. No report.

GROUNDSKEEPING COMMITTEE: (see also committee minutes.) Proposal for lower cul-de-sac was read and tabled. Board would like more bids on this job before a decision can be made. In our next bid we would like an estimate on continued garbage pickup along Route 59. This would be after October (last cutting and until first snowfall) and possibly starting as early as March. Much garbage collects along the fences along 59 and is not attractive to see when you are first pulling into River Oaks. Jim Kleinwachter is interested in speaking at the annual meeting.

ENTERTAINMENT COMMITTEE: No report; done for the year. Toni enjoyed being chairman this year. Annual meeting will be at Johnson School. Toni indicated we must vacate the premises by 10:30 PM.

NEWSLETTER COMMITTEE: No report.

OLD BUSINESS:
Fred and John attended the November 19th City Council meeting at which the City voted unanimously to pull Anden's maintenance bond. John noted that City Council meetings are much shorter than River Oaks Board meetings generally are.

NEW BUSINESS:

Linda to contact Joe Ricely about Anden issue: where do we stand, and why haven't we received a copy of the City Engineers report and a copy of the letter that the city of Warrenville wrote to the bonding company?

Fred will contact Gloria regarding initiating a financial review of this year's books.

Meeting adjourned at 9:30 PM. Next meeting will be a special meeting concentrating on the 1991 budget, at 7:30 PM, January 3, at the Christiansens'. The next regularly scheduled meeting will be at 7:30 PM, January 17, at the Gervases'.

**SPECIAL 1991 BUDGET MEETING
BOARD OF DIRECTORS
RIVER OAKS HOMEOWNERS ASSOCIATION
January 3, 1991**

IN ATTENDANCE: John Christiansen, Fred Gervase, Gloria Langston, Toni Oster, Amy Salyer, Linda Saxton, Veronica Williams.

ABSENT: Karl Berland, Bob Modene.

GUESTS: Tim Phillips, Tom Sinnott.

Meeting brought to order by Veronica at 7:50 PM.

Minutes were read by Linda and John and approved. As this was primarily a budget meeting, we went directly to Old Business.

OLD BUSINESS: Linda related letters that the City of Warrenville wrote to Anden. Also read was letter that the City engineering firm wrote to the bonding company about the many things that needed to be repaired in the subdivision. Phone conversations were had by Linda with Jim Connors (1/2/91) and Joe Ricely (1/3/91). No response from Barry Moss (City Atty.) as yet. We need to keep a close eye on this and keep track of when and if Anden ever replies to the city.

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Clarification was made on several homeowners' dues.

NEW BUSINESS: Fred Gervase has resigned from the board. Fred is being transferred out of state. As a temporary replacement, Tim Phillips has agreed to fill in until the February 7th Annual Meeting.

The Board spent most of the meeting assembling a draft budget for 1991.

Meeting adjourned at 10:30 PM. The next meeting will be 7:30 PM, January 17 at Veronica's.

WE NEED YOUR NEWS! Won't you help us with the next edition of the *River Oaks NEWSLETTER*? The *NEWSLETTER* is for, by, and about the residents of River Oaks. We will gladly print any announcements, classifieds, craft ideas, kids' stuff, recipes, etc. If you have a scoop for us, just jot it down along with your name, and drop it off to any member of the Newsletter Committee:

- John & Becky Christiansen, 2S600 River Oaks (Lot 19);
- Doris Ehret, 2S530 River Oaks (Lot 35);
- Leona Gervase, 2S572 River Oaks (Lot 21);
- Judy Molina, 2S510 River Oaks (Lot 37);
- Toni Oster, 29W620 Ridge (Lot 4).

... in the mailbox is fine.
Remember!! The Newsletter will not print anonymous submissions.

The deadline for submitting news for the next Newsletter issue is

FEBRUARY 15.