



CITIZENS' ASSOCIATION NEWSLETTER

February 2007

Published by the Carderock Springs Citizens Association:

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| <i>Design Guidelines:</i> | <i>Steve Kunin, Doug Soe-Lin,</i> |
| <i>Curt Hastings</i> | |

Residents of Carderock Springs and surrounding areas may join the Citizens Association for annual dues of \$30 for a membership year ending December 31, 2007. Dues and family information for the Directory may be mailed to the Carderock Springs Citizens' Association at P.O. Box 237, Cabin John, MD 20818-0237. Our Association represents the Carderock Springs community, and implements its land covenants.

SAVE THE DATE Spring Annual Meeting, Wine and Cheese Social

Sunday, April 22, 2007, at
6:00 pm

Carderock Springs Swim Club

Elections of Carderock Springs
Citizens' Association Board Members
for 2007 to 2008

On Sunday, April 22, 2007, at 6:00 pm, the CSCA Board will conduct its annual meeting, preceded by a Wine and Cheese Social, to be held at the Carderock Springs Swim and Tennis Club.

At this meeting, the membership will be asked to elect officers for the upcoming year. There will be vacancies on the board. The members of the nominating committee are Mary Lou Shannon, Lisa Wilcox Deyo, and John Surr. If you are interested in serving on the board, please contact Mary Lou Shannon (tel:301-365-0472, e-mail: ml@maryloushannon.com) as soon as possible. A newsletter with the proposed slate will be distributed at least two weeks prior to the meeting.

Please come join us. This is a wonderful opportunity to mingle with old friends and neighbors, and meet and welcome new members of the Carderock community.

NEW WEBSITE

Carderock Springs Citizens' Association (CSCA)

<http://carderocksprings.net>

The association has a new website <http://carderocksprings.net>. We moved to the new location to be part of a community of neighboring associations and civic groups. When visiting the site, the link 'My Community' provides access to the Carderock Springs Citizens' Association site and you will notice there are several other links that provide access to local events, restaurant reviews and other community resources.

From the Carderock Springs Citizens' Association site, you will need to register and create a user login to access newsletters and the document library.

Litigation Status Report

The Plaintiffs (owners of the house at 8209 Stone Trail Drive) initiated the legal action by filing a Complaint that sought both monetary damages (\$500,000) and a declaration that the Covenants governing the Bennet houses in the Community were invalid. A Motion to Dismiss on the grounds that Plaintiffs should have appealed the ARC determination that the Plans submitted failed to conform to the Board was rejected by the Court which, while appearing to recognize the validity of Covenants in general, found that our Covenants do not require an appeal to the Board. An Answer was filed and both parties to the litigation began discovery proceedings. In its Answer, the Association sought both dismissal of the Plaintiffs case and an injunction preventing construction in violation of the Covenants. The Association subsequently filed a Motion for Preliminary Injunction to prevent construction and asked for an adversary hearing on the Motion. The Plaintiffs filed an Opposition to the Motion seeking denial of the injunction request or alternatively the posting of a very high bond if an injunction were granted. Thereafter, the Plaintiffs filed an Amended

Complaint that, while it tracks the initial Complaint, raised the monetary damages sought to \$750,000. The Association has filed a Motion to Dismiss the Monetary damages claims in the Amended Complaint and the Plaintiffs have filed an Opposition to the Motion. In addition, the Association has filed a Request that the Plaintiffs admit various facts – including a request that Plaintiffs Admit that the Plans used by Plaintiffs to obtain their building permit are not the same plans filed with the ARC. Plaintiffs have not responded to the Request for Admissions.

Litigation Fundraising

Thanks to generous contributions from many of you, the Board is pleased to report a successful campaign to raise funds to prosecute the litigation concerning proposed modifications of 8209 Stone Trail Drive. As we have indicated, litigation is expensive. Because of the importance of this issue to the future of the Association’s ability to maintain the character of the Carderock Springs neighborhood, the Association is prosecuting the case vigorously. While we may well seek additional funds in the future depending upon the course of litigation, we have

currently have substantial funds on hand.

Copies of key pleadings in the case are posted at <http://carderocksprings.net>. We thank those of you who have contributed, and remind those who have not that this litigation involves the validity of the Covenants governing all the Bennet homes, and thus affects all Bennet home owners. We ask those who have not yet contributed to consider doing so. We encourage those who have contributed to forward this information to friends on their e-mail list who may not read this newsletter.

Beltway Barrier

Last month, the Board sent a letter to State Senator Brian Frosh and other members of the Maryland delegation seeking assistance in securing funding for beltway barriers. Some of you will recall that the Association met with Mr. Frosh and other members of the delegation to explain its case last year, under a different administration. We have requested a meeting with Mr. Frosh and are hopeful that forward progress can be made under the new administration.

Neighborhood Watch Meeting

It was a very light turnout at the Neighborhood Watch Meeting on January 18th. Officer Prather was the guest speaker and for the meeting he ran some crime activity reports for the last three months and commented that we lived in a very safe neighborhood. From the meeting, here are some tips that Officer Prather shared with us.

Home Safety

- Always keep doors and windows locked when away from your house
- Close the garage door when working in the back yard
- Make sure the garage door is closed over night
- Your house should be well lit. It is a good idea to use automatic timers for the outdoor and indoor lights
- Motion sensors can be used also

Vacation Tips

- Have a trusted neighbor check on your house periodically and provide them with the following:
 - Date and time you are leaving
 - Date and time of expected return
 - How and where you can be reached in an emergency
 - Ask a neighborhood to park their car your drive way

- Arrange to have grass cut, mail and news papers picked up
- Keep all tools and ladders out of sight

Neighborhood Safety

- Report any and all suspicious activities to Montgomery County Police, (non-emergency number 301-279-8000/ emergency number 911)
- Talk to the young adults about the danger of under age drinking. Also talk to them about the risks of late night swimming in pools that are closed.

Design Guidelines

The Board and the ARC are in the process of reviewing the comments and it is anticipated that some changes will be made based on community input and that a meeting of the Association will be held in the spring to discuss the new draft.