

Saturday 1/14/95
5:40 pm

Call from Myra Jackson;

She called to tell me that she requested copies of our a Homey billing from Bruce Simpson and just received a letter from him stating that he was directed by Walt Whitlow to respond only to correspondence directed through the president of Residents Inc. Myra asked my opinion of this and I responded that in the interest of controlling our legal expenses and the flow of information I thought it was proper and saw nothing wrong with it.

She became irritated, stating that all Colony records should be made available to all residents. I responded that there did not appear to me (based on what she had recounted) to be any attempt to deny access to records but rather to control expenses and information flow. I suggested that she contact Walt Whitlow for the information she wanted and then inquired about the status of our records in her possession - essentially echoing her statement that Colony records belong to all residents.

At that point she became abusive, accused me of not acting in the best interest of the Colony and warned that "you will pay". I asked her what that meant stating that it sounded like a threat to me and she repeated "you will pay". At that point I said that this offended me, we had nothing more to discuss and hung up the phone.

Donald Hill

1/24/95

Board Mtg: Walt Whitlow house

Agenda: View proposed development of Sturgill property as submitted by J. Williams

Proposal 134 lots on 45 acres zone R1B/C

1/ Reviewed development proposal w/ Dr Genger's input

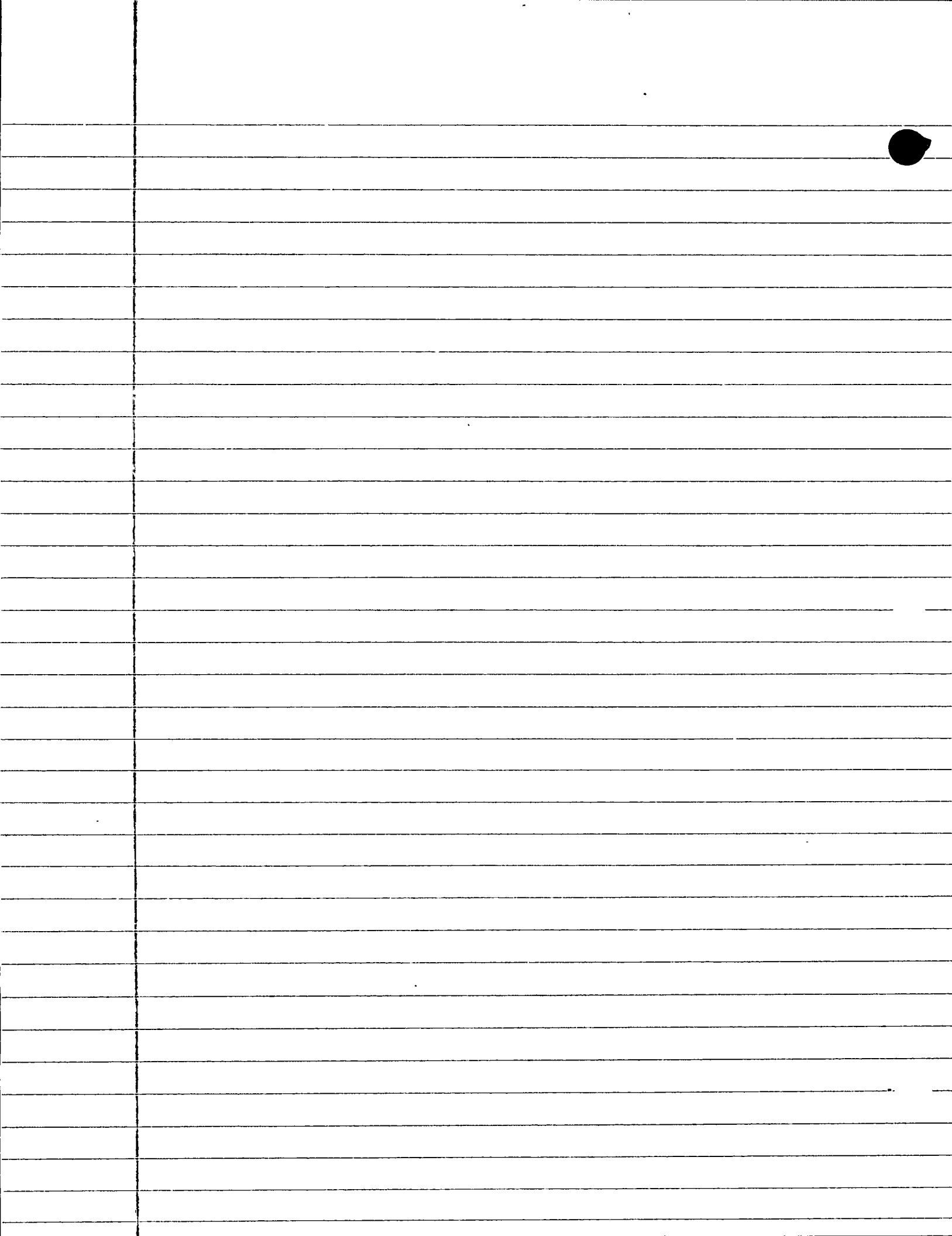
Discussion centered on our objectives being same as before

Actions:

A- Prepare fact sheet & reduced size copies of development plan for distribution to colony residents

B- learn as much as possible about land status, development status, developers, etc

C- Call general mtg to decide action
- hire attorney?
- etc



FAX MESSAGE

Division of Planning
Lexington - Fayette Urban County Government
200 E. Main Street
Lexington, Kentucky 40507

Date: 2-1-95 **Time:** 4:15 pm **Pages (including cover sheet):** 3

Please deliver to: WALT WHITLOW

Office:

Voice phone: 254-7790

Fax phone: 254-7790-11

From: BILL SALLEE

Office: PLANNING SERVICES

Voice phone: 258-3160

Fax phone: 258-3406

Comments: per your request

Urban County Planning Commission
200 E. Main St., Lexington, KY

Planning Services Section
Zoning Map Amendments

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 95-4: J. WILLIAMS, INC.

DESCRIPTION

Zone Change:	REQUEST		ACREAGE	
	FROM	TO	NET	GROSS
	R-1A	R-1B	23.6	35.5
	R-1A	R-1C	<u>21.4</u>	<u>26.3</u>
	TOTAL:		45.0	61.8

Location: 1284 Colonial Drive, 4025 & 4029 John Alden Lane
and portions of 4051 & 4100 John Alden Lane
(Council District 10)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-1A	Vacant/Horse Farm
To North	R-1A	Vacant/Horse Farm
To East	R-1A & R-1B	Single Family Residential
To South	R-1A	Single Family Residential
To West	R-1A	Vacant/Agricultural

URBAN SERVICES REPORT

Roads - New roads to be constructed by the developer.

Refuse - Provided by Urban County Government.

Utilities - Available.

Police/Fire - Provided by Urban County Government.

Storm Sewers - To be constructed by the developer.

Sanitary Sewers - To be constructed by the developer.

Curbs/Gutter/Sidewalks - To be constructed by the developer.

LAND USE PLAN AND PROPOSED USE

The 1988 Comprehensive Plan (Sector 5) recommends low density residential use for the subject property. The petitioners propose a single family residential subdivision of 132 lots.

CASE REVIEW

The petitioner's request is for a zone change from one single family residential (R-1A) zone to two different single family residential (R-1B & R-1C) zones.

The subject property is comprised of several vacant tracts of land near the southeast quadrant of the New Circle Road interchange with Versailles Road. These five tracts are bounded by New Circle Road to the west, by the interchange and Versailles Road to the north, by the Colony residential subdivision to the east, and by residential estate lots along Parker's Mill Road to the south.

A single family residential development of 132 lots is requested for the subject property. An R-1C lot must be a minimum of 8,000 square feet in size, while the minimum lot size of R-1B lots are required by the Zoning Ordinance to be at least

15,000 square feet in size. The existing R-1A zoning commands a one acre minimum (43,560 square foot) lot size.

A portion of 4100 John Alden Lane closest to The Colony is not a part of this rezoning request. An existing house on about 1.5 acres of this 10.17 acre tract is to remain in an R-1A zone. John Alden Lane, which stubs into the subject property, is proposed to be extended through this tract and the 32+ acre tract to the south, now known as 1284 Colonial Drive.

These tracts are not only served by John Alden Lane, but also by Priscilla Lane and Colonial Drive in the Colony subdivision. Traffic from this development will be able to access Versailles Road via these three public streets. No "Traffic Impact Study" has been offered by the petitioner, as none was required for this map amendment request by Article 6-1 of the Zoning Ordinance.

In 1993, a map amendment request was tendered for the southern 32 acre tract (1284 Colonial Drive) to allow a 169-lot single family residential subdivision. Thirty three acres of R-1D and R-1E zoning was then proposed by Hacker/Thompson. That request was recommended for approval by the staff, but recommended for disapproval by the Planning Commission and denied by the Urban County Council after lengthy public hearings.

The 1988 Comprehensive Plan recommends low density residential development for the subject property, suggesting an allowable residential density of up to five (5) units per net acre. This proposed subdivision would yield a density of 2.93 units per net acre. Thus, this petition agrees with the density recommendations of the Comprehensive Plan. However, the staff is obliged to review the previous findings for disapproval adopted by both the Planning Commission and the Urban County Council, for their applicability to this current rezoning request.

Furthermore, there are two technical problems with this application at the present time. One of the subject tracts, known as 4051 John Alden Lane is an odd-shaped tract of 1.47 acres in size. John Alden Lane is proposed to bisect this tract, the north half being proposed for R-1B zoning, and the southern half remaining R-1A. Such a split of this tract would be impermissible, as a lot of less than one acre in an existing R-1A zone (the southern half of 4051 John Alden Lane) cannot be created. Secondly, some of the lots depicted on the preliminary subdivision plan filed in conjunction with this request are less than the 15,000 and 8,000 square foot minimum size requirements of the R-1B and R-1C zones, respectively.

For these reasons, the staff is compelled to recommend a postponement of this request at this time.

The Staff Recommended: Postponement, for the following reason:

1. There are two technical problems with this application for R-1B and R-1C zoning of the subject property--specifically identified on the preliminary subdivision plan submitted by the petitioner in conjunction with this request:
 - a. An R-1A lot of less than one acre in size is proposed as a remnant resulting from this proposed rezoning, street extension and subdivision. Such a lot cannot be created.
 - b. New R-1B and R-1C lots are proposed at sizes less than the 15,000 and 8,000 square foot minimum sizes required in those two zones.


WLS/FT/rc
1/30/95
williams.srl

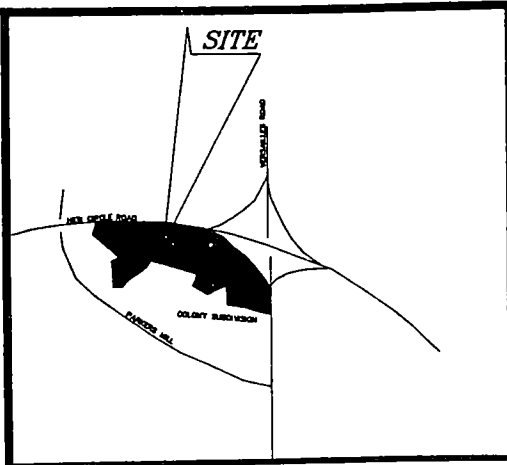
FACT SHEET

1. J. Williams, Inc., of Versailles, KY, has filed a preliminary subdivision plan for all of the Sturgill farm. There may be three or four lots withheld from development but, in general, the plan calls for a complete division of the Sturgill farm which consists of 45+ acres.
2. The zoning request is for a change from R-1A to R-1B and R-1C. R-1B requests 54 lots and R-1C requests 80 lots for a total of 134 lots.
3. All entrances and exits are through the Colony. Sixteen lots will have entrances and exits through Colonial Drive on to the Versailles Road at the current location. The houses on these sixteen lots will be on a cul-de-sac on the part of the property which backs up to the Parkers Mill Road. All of the other entrances and exits will be through John Alden Lane to Colonial Drive to the Versailles Road.
4. The size of the lots as proposed vary from four-tenths of an acre to one-sixth of an acre. Many of the proposed lots are around cul-de-sacs and are very irregular both in shape and size.
5. The plans do not indicate any entrances and/or exits except through the Colony.

FEB 1 95

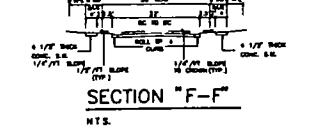
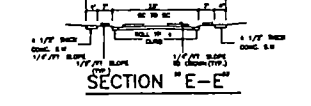
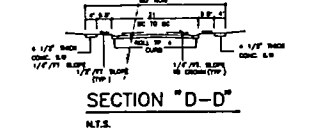
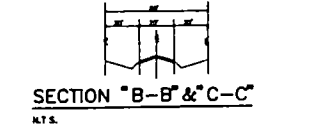
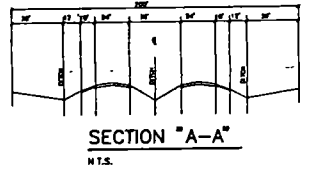
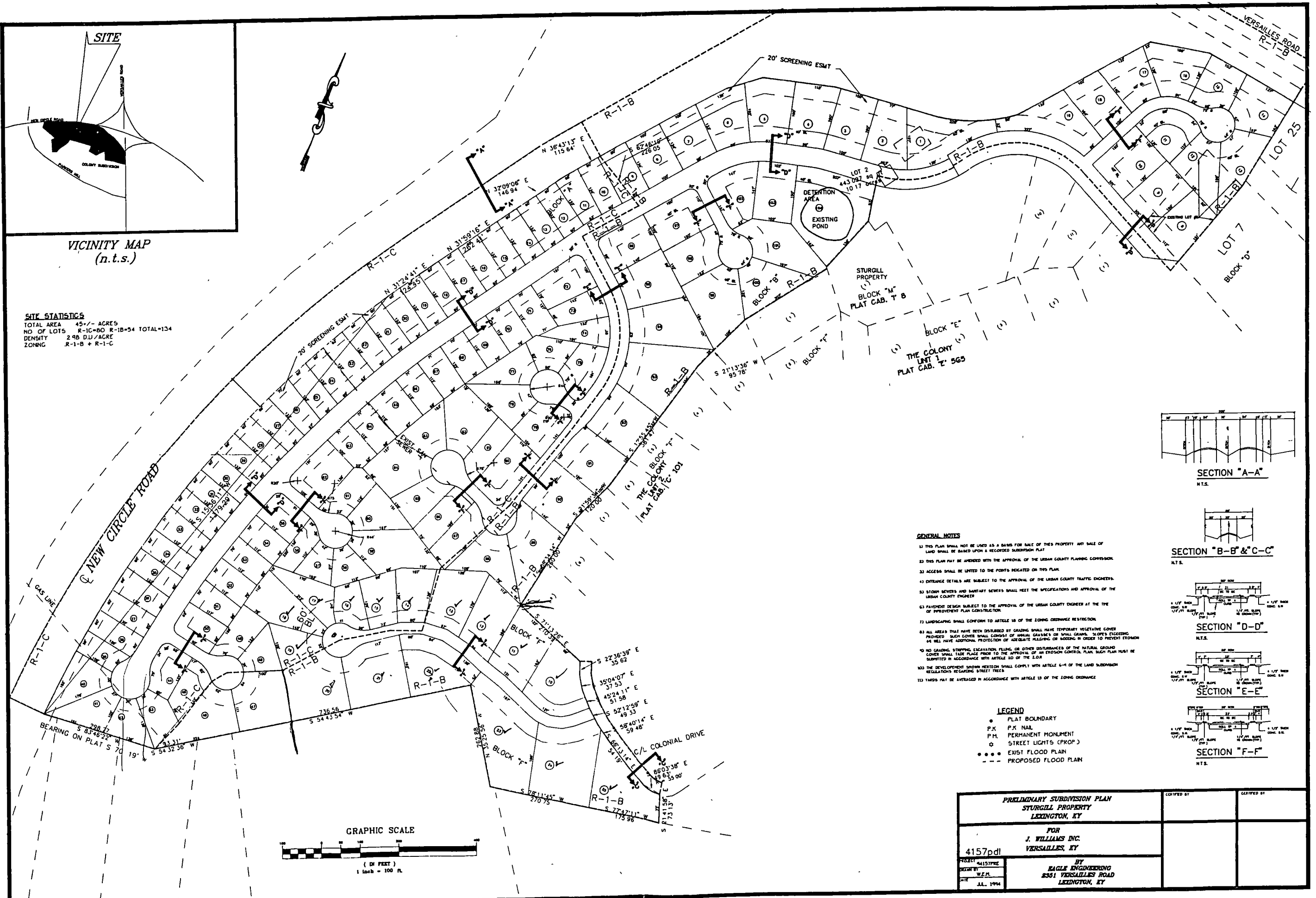
DAW HUBER IS AUTHORIZED TO
VOTE BY PROXY FOR
WALT WITLOW. AT THIS MEETING.


PRESIDENT.



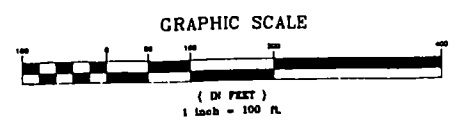
VICINITY MAP
(n.t.s.)

SITE STATISTICS
 TOTAL AREA 45 +/- ACRES
 NO OF LOTS R-1C=80 R-1B=54 TOTAL=134
 DENSITY 2.98 DU/ACRE
 ZONING R-1-B + R-1-C



- GENERAL NOTES**
- THIS PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY ANY SALE OF LAND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAN
 - THIS PLAN MAY BE AMENDED WITH THE APPROVAL OF THE URBAN COUNTY PLANNING COMMISSION
 - ACCESS SHALL BE LIMITED TO THE PORTS INDICATED ON THIS PLAN
 - ENTRANCE DETAILS ARE SUBJECT TO THE APPROVAL OF THE URBAN COUNTY TRAFFIC ENGINEERS
 - STORM SEWERS AND SANITARY SEWERS SHALL MEET THE SPECIFICATIONS AND APPROVAL OF THE URBAN COUNTY ENGINEER
 - PAVEMENT DESIGN SUBJECT TO THE APPROVAL OF THE URBAN COUNTY ENGINEER AT THE TIME OF IMPROVEMENT PLAN CONSTRUCTION
 - LANDSCAPING SHALL CONFORM TO ARTICLE 18 OF THE ZONING ORDINANCE RESTRICTION
 - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED SUCH COVER SHALL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS, SLOPES EXCEEDING 4% SHALL HAVE ADDITIONAL PROTECTION OF ADEQUATE FLAGGING OR HOODING IN ORDER TO PREVENT EROSION
 - NO GRADING, STOPPING, ELEVATION FILLING, OR OTHER DISTURBANCES OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO THE APPROVAL OF AN EROSION CONTROL PLAN SUCH PLAN MUST BE SUBMITTED IN ACCORDANCE WITH ARTICLE 10 OF THE Z.O.R.
 - THE DEVELOPMENT SHOWN HEREON SHALL COMPLY WITH ARTICLE 6-4 OF THE LAND SUBDIVISION REGULATIONS REGARDING STREET TREES
 - TREES MAY BE AVEAGED IN ACCORDANCE WITH ARTICLE 13 OF THE ZONING ORDINANCE

- LEGEND**
- PLAT BOUNDARY
 - P.K. P.K. MARK
 - P.M. PERMANENT MONUMENT
 - ⊙ STREET LIGHTS (PROP)
 - EXIST FLOOD PLAN
 - - - PROPOSED FLOOD PLAN



PRELIMINARY SUBDIVISION PLAN STURGILL PROPERTY LEXINGTON, KY		DESIGNED BY	CHECKED BY
FOR J. WILLIAMS INC. VERSAILLES, KY			
4157pd			
PROJECT 41157PDE	BY EAGLE ENGINEERING		
DRAWN BY W.F.P.	2501 VERSAILLES ROAD		
DATE J.L., 1994	LEXINGTON, KY		

2/1/95 Meeting of Colony Board of Directors

8:30 pm Huber House, Dan Huber VP presiding (Walt Whitlow had emergency illness in family)

- 1/ Call to order
- 2/ Request temporary secretary in Pat's absence (Mike)
- 3/ Request approval to waive reading of minutes (unavailable)
- 4/ Request Treasurer report if available

Old Business:

1/ Zone Change Status:

- Basically no change in status, still no attorney of record, only contact with planning staff has been thru engineering firm who prepared plat.
 - Reduced size copies of plat and fact sheet prepared and ready for distribution (ask Dr. Ginger for comment)
 - Unable to confirm date for general mtg with church: target this weekend or early next wk.
 - Bruce Simpson was contacted to prepare a letter to Bill Lear requesting mtg with petetimers - no response, but we are in record
 - Bank contacted and they are satisfied that Storgill estate no longer has any interest in the property.
 - Storgill on zone change request because they still retain ownership of partial tract (speculation)
 - Planning staff report (copy) recommends postponement
 - A- non-conforming lot formed by John Alden extension
 - B- Same RIB & RIC lots as shown are non-conformingHowever, only petetimer can request postponement.
- Work session tomorrow 9:00 am - 1:30 pm 10th floor.

New Business

- 1) Request motion that Board recommend opposition to general membership
- 2) Request motion that Board recommend to hire Bruce for statement of opposition
- 3) Request that Board recommend legal fund contribution at next general mtg.
 - * Contact Bruce for estimated charge. before gen. mtg.
 - * Check on status of exhibits
 - * Myra will provide photos of fruit flooding
- 4) Request that Myra Jackson produce Colay records for use in CRU:
 - flooding (fruit, Steve Edger / rran, wait whitlow)
 - other items of importance
 - * She said that partial records to be produced will discuss others
- 5) If refused, request motion that Board recommend legal action to retrieve records.

- At General mtg. remind that there have been 4 contributions if unsure of payment status call Mr. Blanton then discuss new payment.

IN ATTENDANCE
DAN HUBER
MYRA JACKSON
DR. GINGER
MIKE MALONEY
ALVIN BLANTON

FEB 1, 1995

WAIVE READING OF MINUTES.

~~DR~~ STATUS OF ZONE CHANGE REQUEST

NO ATTY. OF RECORD

COPY OF PLAT~~ING~~

FACT SHEET PREPARED BY DR. GINGER

POINTS 1 THRU 5 READ BY DR. GINGER

~~DR~~ LOT # 9 AND OTHER VARIOUS LOTS AND THEIR
SIZE READ BY DR. G.

6 + LOTS TO THE ACRE FOR THAT ENTIRE ROW
PONDS, CUL-DE-SACS FIGURED IN THEIR CALCULATIONS
FOR ACREAGE PER LOT.

WALT HAS PREPARED COVER SHEET AND COPIES
OF PLAT AND FACT SHEET FOR ALL RESIDENTS
WALT PLANS TO PASS THESE OUT ON THURS.

DAN HUBER STATES SIZE OF RIB + RIC LOTS
RIC - 8,000 RIB. 15,000.

BRUCE ASKED FOR MTG. W/ BILL LEAR
BILL LEAR DELIVERED REQUEST; WE HAVE
RECEIVED NO RESPONSE.

MYRA - NOV. 23 STURBILL SIGNED OVER
WM. E. FRYE - RETIRED HDWR. STORE-OWNER
NEVER BEEN A DEVELOPER

2 HOWARDS 50% - WM. FRYE 50%

↓
MYRA

~~OUR~~ REGISTER AGENT IS MR. FLYE

CORP. ADDRESS IS RESIDENCE 158 ELM ST. VERSAILLES

MYRA CALLED SEC OF STATE ^{APPLIED ON} SEPT. 14
_{FOR NAME}

NAME GRANTED ON SEPT. 28 5 DAYS AFTER

DEED TRANSFERRED.

↓

PROBLEM W/ DEED

PROP IN FRONT OF CHRISTINE'S HOME DOESN'T
MATCH DESCRIPTION IN THESE PAPERS

P.V.A. DON'T CORR. W/ WHAT SHE VALUED

PROP IN LIVING TRUST

DAN - WALT TALKED TO BANK ONE, THEY WERE

COMPLETELY SATISFIED THAT STURBILL'S HAD

NO INTEREST

↓

RUMOR THAT STURBILL'S MAY STILL OWN

PART OF PROPERTY

DAN

HANDS OUT PLANNING STAFFS REPORT

POSTPONEMENT IS STAFF'S RECOMM.

(1)

RIB + RIC PLATS ARE NON-CONFORMING

(2)

WHEN J. ALDEN CAME CUTS THROUGH IT MAKES

EXISTING COTS LESS THAN R1-A AND NON-CONFORMING

CAN PLANNING STAFF POSTPONE?

DAN NO

MYRA YES

--- ~~WED 8:30~~
~~8:30~~

DAN HUBER

~~8:30~~

ALVIN
PROXY

MYRA - 1ST MEETING AT 9:30 2ND @ 1:00

10th FL. CONF. ROOM THURSDAY

DRG SHOULD WE ^{FORMALLY} HIRE A LAWYER

@ THIS SHOULD BE CONSIDERED BY THE ENTIRE MEMBERSHIP

MR. LEHR ^{TO DR. GR} STATES HE DOUBTS HE WILL REPRESENT PETITIONERS

MYRA - WM. ARVIN MAY REPRESENT

DAN - BOARD OF REC. WE TAKE OPP. TO THIS REQUEST

MYRA MEMBERSHIP VOTED BRUCE AS NOV, 4th 1994
LEGAL COUNCIL

ALVIN B.O.D. REC. TO GEN MEM THAT ~~WE~~ ^{WE OPOSE} ~~WE~~ ^{WE OPOSE}
ZONE CH. REQUEST

~~ALVIN~~
MYRA 2nd

DAN B.O.D REC. THAT WE HIRE COUNCIL FOR REPRESENTATION

MYRA MOTION

ALVIN 2nd

DAN SHOULD WE BE PREPARED TO RECOM. A FIGURE

ALVIN LEGAL FEES @ \$17,000 ~~NO~~ SOME FOR OTHER THINGS

ALTOGETHER WE SPENT @ 22,000

BRUCE CHARGED \$100/HR. WE STILL CAN GET THIS ^{RATE?}

HIS NEW RATE IS \$120

DAN - YES

ALVIN GET ESTIMATE FROM BRUCE BEFORE MEETING

MYRA COULD YOU DO TELEPHONE VOTE

~~ADJOURN~~
9:15
AL

DAN WHERE ARE EXHIBITS

MYRA SAYS TRIG BOWMAN HAS PICTURES OF FRONT OF COLONY FLOODING. MYRA STATES SHE WILL GET THESE. SAYS BRUCE AND OTHER LAWYERS HAD A MEETING WHERE

DAN STATES WE NEED ACCESS TO RECORDS ~~AND~~ TO PLAN FOR LEGAL MATTERS

NO COMMENT FROM MYRA

DRG POSS. OF MONTHLY PAYMENTS TO FINANCE LEGAL FEES

DAN REMINDER OF OUR REQUESTS FOR FUNDS
CALL ALVIN IF YOU HAVE A QUESTION
ABOUT YOUR STATUS

MYRA ATTY DID THE SPEAKING ~~FOR~~ FOR THE PLANNING MEETING IN LAST PETITION REQUEST

DAN HAS ACTION LIST FOR WALT

ALVIN MOTION TO ADJOURN

AL

ADJOURN AT 9:15

Minutes were taken by Mike Maloney
P.W.E.

February 3, 1995

To: All Colony Residents

J. Williams, Inc. has submitted a proposed development plan, to the city, for the Sturgill Property.

There will be a general meeting held to discuss this matter. Please try to attend.

DateTuesday - February 7, 1995

Time7:30 PM

Location ...St Raphael's Episcopal Church
1891 Parkers Mill Road

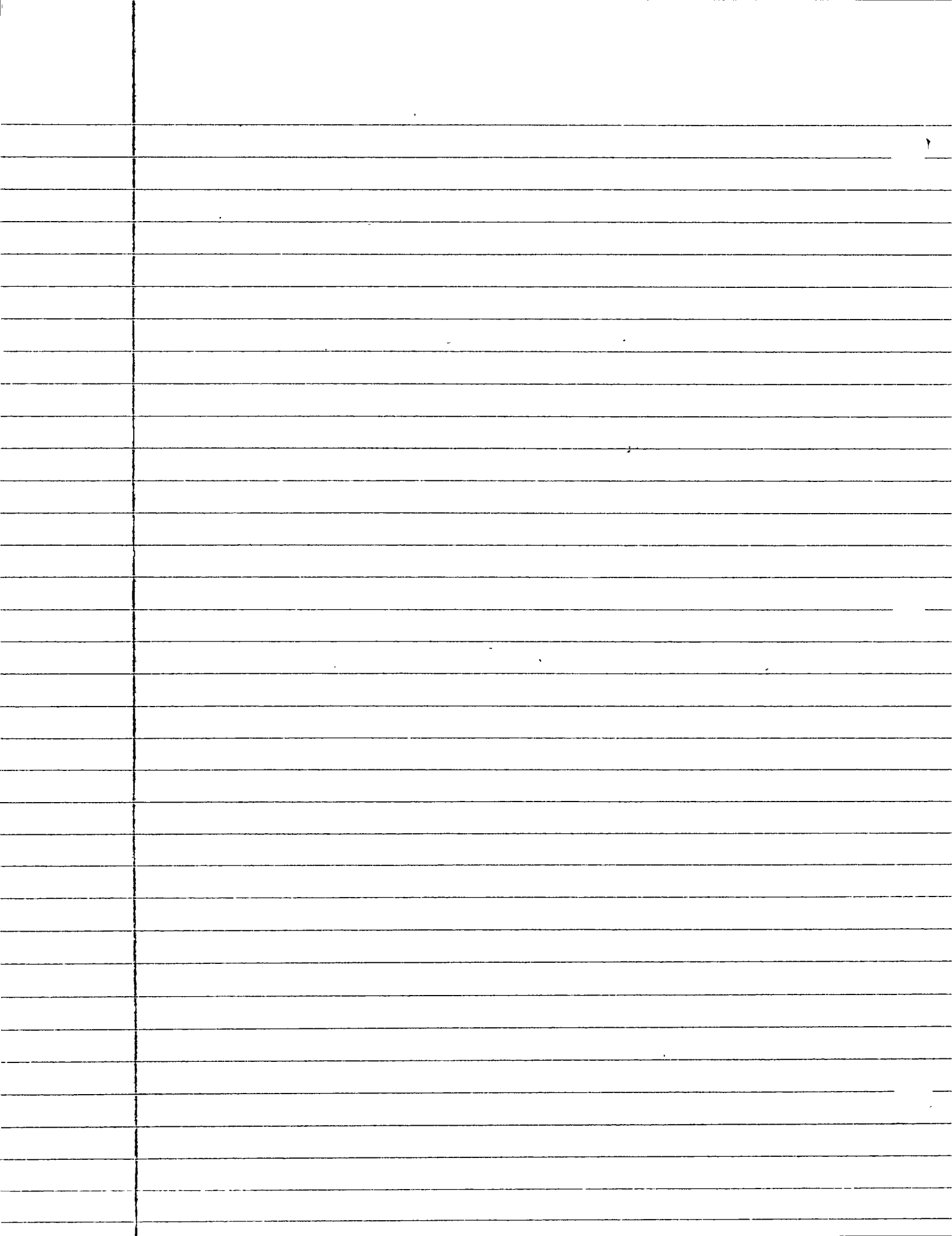
Sincerely,



Walt Whitlow - President
Residents, Inc.

Colony Residents Mtg 2/7/95

- Motion was made & seconded to dispense with reading of minutes from last meeting & focus only on new development proposal: passed by majority vote
- Walt briefly explained current development proposal. Significant discussion followed.
- motion made & seconded that we oppose - passed unanimously
- motion made & passed that we hire Bruce Simpson with specific instructions not to negotiate on our behalf without prior approval of the general membership. Fee to be \$100/hr max
- Requested additional \$100 / family assessment. Passed!



General Meeting
February 7, 1995

The general meeting was called to order, by the President, Walt Whitlow at 7:30 p.m.

Walt Whitlow asked if the reading of the minutes could be dispensed with because we had other business more important.

Dr. Lyman Ginger made a motion we dispense with the minutes and discuss only the purpose of this meeting tonight, which is the development plan submitted by J. Williams concerning the Sturgill Property. That was seconded by Doris Vinegard. Myra Jackson asked that the minutes be read. A vote was taken. Dr. Ginger's motion passed 17 for, 5 against.

A new development plan has been submitted to the Planning Commission. The significant difference is this plan is for all of the Sturgill land except for 10 acres. The entrance to the new development would be at John Alden Lane. We are dealing with the same as before except for about 15 more acres. The density is a little less. There are to be 132 - 134 houses. All of the traffic will now come through John Alden rather than Colonial Dr. Priscella will receive about 16 or 17 houses in a culdesac and that traffic will flow on Colonial Drive.

This was taken before the planning and zoning sub committee, they recommended postponement because they did not have time to address the problems that came up in the last zone hearing. Technically the lots didn't conform with the minimum zoning requirements that the city has. Myra Jackson said they didn't recommend postponement that Walt insisted on postponement. Walt then said again the staff recommended postponement to the subdivision committee and they sent it on *without* recommendations. The staff recommended postponement to the zoning committee because they do not have the ability to stop this plan. They sent it on with the recommendation of postponement. However, the only people that can postpone this is the developer, once the money has been paid. The developer can stop it only before it gets in the paper. Once it appears in the paper it goes to the planning commission. It can be postponed by an agreement with the planning commission and the developer.

On this plan they have proposed R-1-C and R-1-B zone. R-1-C is a minimum lot size of 8,000 sq ft - the R-1-B zone is a minimum lot size of 15,000 sq feet. The houses along New Circle Road are 60 feet wide by 133 feet deep. This plan calls for 45 net acres.

None of the problems we made at the last hearing have been addressed.

As of today they do not have a lawyer on this development plan. No representation.

After the subdivision committee meeting Mrs. Wiseman asked Mr. Whitlow if they could have a meeting with us and the developer. It was pointed out that the developer may not be the builder. Myra Jackson stated that Mrs. Wiseman said they were in receipt of Walt's letter requesting a meeting. Mr. Whitlow agreed.

Walt told Bruce Simpson we would sit down and listen to what the developer was proposing. This would put us on record as reasonable people willing to listen.

It was asked if the property had sold. The bank said it had. It was sold to J. Williams of Versailles, KY Inc. which has three stock holders. It was stated by Myra Jackson that they corporation was not formed until November 28, 1994. The deed was transferred November 23, 1994. Mrs. Jackson said she had a problem with this.

This plan is to go forward it has complied with city regulations.

This will go before the Planning Commission on February 23, at 1:00 p.m. Council Chambers.

Jane Baumohl asked about the history of the Planning Commission. The staff can change its recommendation two hours before the meeting if the developer adjusts the plans to meet all the requirements of the city.

The board met with Mr. Barlow and listened to his proposal. He stated he had an option available on some land which opened on to Parkers Mill Road. Mr. Barlow never came back.

Myra Jackson, asked Dr. Ginger in his discussion with Bill Lear was there an option to open Parkers Mill Road? Dr. Ginger stated Mr. Lear believed there was an option there that could be picked up. However, the present plan does not call for an opening to Parkers Mill Road.

Myra stated we asked for Beaumont's help and we should tell them about this option. She stated she had a phone call from Mr. Boyd Browning regarding this and inferred Beaumont would *not help us*. Mr. Whitlow stated he had spoken with Mrs. Jan Fusic, (president of Beaumont) and they would stand for us.

There was a discussion on the widening of the entrance to the Colony and John Alden Lane.

The city will not do a traffic study.

Mr. Odom made a motion we stand united. We oppose this development. They have not addressed any of the problems we stated before.

Mrs. Legion seconded that motion.

The motion carried.

Attorney:

Walt stated that the Colony board meet with Dan Huber presiding and discuss the hiring of Bruce Simpson and they voted to hire Bruce. Myra Jackson said there was no discussion on the layer. Mr. Huber stated there was and Dr. Ginger agreed. Bruce said the fee would be same as before \$100 an hour. He said much of the information from the council meeting before could be reused. Fred O'Bryan moved we hire Bruce Simpson at \$100 an hour.

Dr. Boast wanted to amend the motion to read that Bruce and the board is not authorized to negotiate for the Colony Body without first referring to the General Body.

Myra seconded the motion.

The vote carried.

Fred O'Bryan's motion was then voted on and passed. There was no opposition.

Assessments were discussed. \$100 was decided upon. Motion by Odone seconded Art Baumohl.

Treasurer's Report:

\$566 in the light fund.

100 in the legal fund.

60% of the houses have paid into the fund. We owe Bruce Simpson \$275 as of January 13, 1995. New members were introduced.

Mr. and Mrs. Randolf Daniels (Randy and Frankie) and Hallie and Tom Wade.

Meeting was adjourned at 9:30 p.m.

GENERAL MEETING OF THE COLONY RESIDENTS - FEBRUARY 7, 1995

The general meeting was called to order by President Walt Whitlow at 7:30 p.m.

Whitlow asked if the reading of the minutes could be dispensed with because we had other more important business.

Dr. Lyman Ginger made a motion that we dispense with the reading of the minutes and discuss only the purpose of tonight's meeting, which is the development plan submitted by J. Williams concerning the Sturgill property. The motion was seconded by Doris Vineyard. Myra Jackson asked that the minutes be read. A vote was taken and Dr. Ginger's motion passed 17-5.

A new development plan has been submitted to the Planning Commission. The significant difference is that this plan is for all of the total Sturgill land except for ten acres. The entrance to the new development would be at John Alden Lane. We are dealing with the same as before except for about 15 more acres. The density is a little less. There are to be 132-134 houses. All of the traffic will now come through John Alden rather than Colonial Drive. Priscilla Lane will receive about 16 or 17 houses in a cul-de-sac and that traffic will flow on to Colonial Drive.

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addressed.

As of today they do not have a lawyer for this development plan and no representation. After the subdivision committee meeting Mrs. Wiseman asked Mr. Whitlow if they could have a meeting with us and the developer. It was pointed out that the developer may not be the builder. Myra Jackson stated that Mrs. Wiseman said they were in receipt of Whitlow's letter requesting a meeting. Mr. Whitlow agreed.

Whitlow told Bruce Simpson we would sit down and listen to what the developer was proposing. This would put us on record as reasonable people willing to listen.

It was asked if the property had sold and the bank said it had. It was sold to J. Williams, Inc. of Versailles, Kentucky which has three stockholders. It was stated by Myra Jackson that the corporation was not formed until November 28, 1994. The deed was transferred November 23, 1994. The Inc. Of J. Williams was not filed and entered until November 28, 1994. Mrs. Jackson said she had a problem with this.

The plan is to go forward since it has complied with city regulations.

This proposal will go before the Planning Commission on February 23 at 1:00 p.m. in the Council Chambers.

Jane Baumohl asked about the history of the planning commission. The staff can change its recommendation two hours before the meeting if the developers adjust the plans to meet all the requirements of the city.

The board met with Mr. Barlow and listened to his proposal. He stated he had an option available on some land which opened on to Parkers Mill Road. Mr. Barlow never came back.

Myra Jackson asked Dr. Ginger if when he talked with Bill Lear he discussed an option of an opening on to Parkers Mill Road. Dr. Ginger stated Mr. Lear believed there was an option there that could be picked up. However the present plan does not call for an opening on to Parkers Mill Road.

Jackson stated that we asked for Beaumont's help and we should tell them about this option. She stated she had a phone call from Mr. Boyd Browning regarding this and inferred Beaumont would not help us. Mr. Whitlow stated that he had spoken with Mrs. Jan Foody, president of Beaumont and they would stand with us.

There was a discussion on the widening of the entrance to the Colony and John Alden Lane.

The city will not do a traffic study.

Mr. Odom made a motion we stand united and oppose this development. They have not addressed any of the problems we previously stated. Mrs. Ligon seconded the motion. Motion carried.

Whitlow stated that the Colony board met with Dan Huber presiding and discussed the hiring of Bruce Simpson and voted to hire him. Myra Jackson said there was no discussion on the lawyer. Mr. Huber stated there was discussion and Dr. Ginger agreed. Simpson said the fee would be the same as before - \$100/hour. He said much of the information from the earlier council meeting could be reused. Fred O'Bryan moved we hire Bruce Simpson at \$100/hour.

Dr. Bost wanted to amend the motion to read that Bruce Simpson is not authorized to negotiate for the Colony body without first referring to the general body. Jackson seconded the motion. The vote carried.

O'Bryan's motion was then voted on and passed with no opposition.

Assessments were discussed and \$100 was decided upon. Motion by Odom, seconded by Art Baumohl.

Treasurer's report: \$566 in the light fund. \$100 in the legal fund. 60% of the houses have paid into the fund. We owe Bruce Simpson \$275 as of January 13, 1995.

New members were introduced. There were Mr. and Mrs. Frankie Daniel and Hollie and Tom Wade.

Meeting adjourned at 9:30.

Dave Huber, Walt Whitlow, Lyman Higgins, Post Edger

38

Roll Feb 7

Lu Ann Burnett 1261 Standish Way

STEVE EDGER

Chris Huber

Kenn Simmons

Mary Jackson

Janice Olson

Clifton Anderson

255 23.44

Jo Davis

2 Tom and Holly Wade

Ruby Collier

Sharon Larmour

Bill Larmour

FRANK HAM

Jack Bauman

Art Bauman

BILL THORNHILL

Jeanne Thornhill

Frankie Daniel 1292 Priscilla Ln

Randy Daniel

DORIS VINEYARD

Cruck Vineyard

FRED O'BRYAN 1245 Standish Way

Howard Post

Helen Post

Barbara Creecher

Dana Maloney

Helen Leggett

Fred McFarlane

Melanie Bowling

Cleo L. Truitt

Merle H. Kelly

(over)

Bill Stanton
Mary bluff
Wendy bluff

Colony Board of Directors Mtg

2/11/95

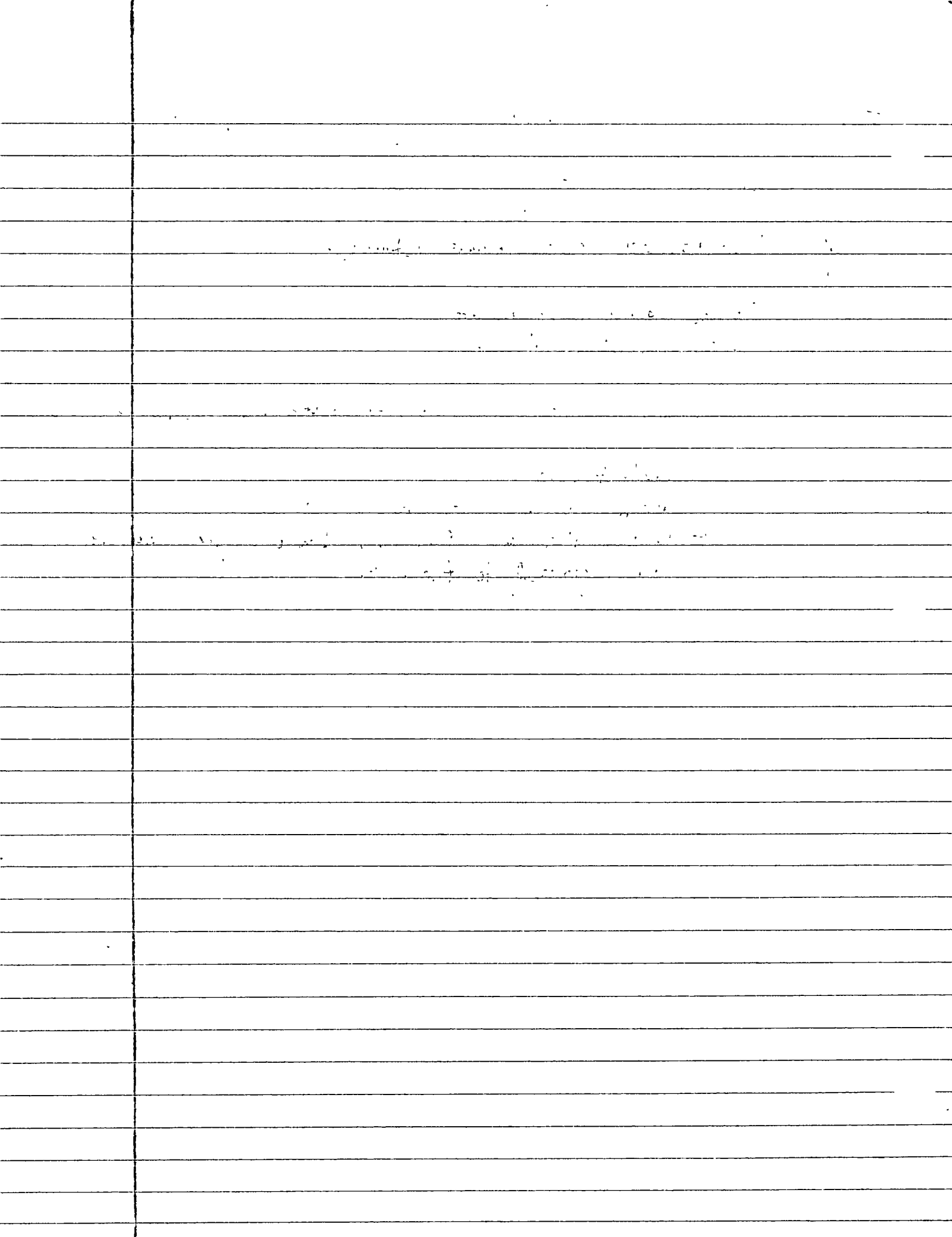
Wait Whitlow house

if Wait discussed colony records retrieval:

- Myra walked out immediately
- discussion followed ...

Motion made & carried unanimously to pursue legal action to recover records

- contact attorney
- write certified letter requesting records
- if not forthcoming (24 hrs) then call general mtg to request approval to file suit.



Board Meeting - February 11, 1995 5:00 p.m. at Walt Whitlows

Board members attending: Alvin Blanton, Dan Huber, Lyman Ginger, Myra Jackson, Walt Whitlow and Pat Edger.

Walt called the meeting to order. The primary reason the meeting was called was the old unsettled business of the records, pictures, and other documents that were given to Myra Jackson while she was the president of the Colony.

The Board would like to know when she plans to let the Colony have their records back. Myra asked what pictures belonged to Walt. He said all the pictures of the flooding. She asked whether she furnished him with film. Walt replied "no." Myra replied "yes I did." Walt said "no you didn't." Myra says she has records. Walt said that you need to bring your records. You didn't furnish the camera, the film, the time - those were given to you to be used in regard to Colony business. They were expected to be returned after the Colony business was completed. We now have another zone change coming up and we need those pictures. We do not need excuses.

Myra changed the subject asking why 17 days passed from the time the notice of the zone change was mailed until a general meeting was called. Walt stated that we were discussing the records and when we finished that issue we would take up her questions. Myra got up and walked out without any discussion of the records.

This left the board trying to decide which way to go - which would be the best way to go about getting these records.

Dr. Ginger felt that Myra left us with no alternative but to legally get a warrant in order to get the records.

Walt stated that he spoke with an attorney about the problem on Friday, February 10. He said the same thing.

Dr. Ginger felt that this was extremely unfortunate for the Colony and he could not understand why Myra would object to giving back the records. We have to subpoena the records.

Walt stated that people are already taking sides and he feels that people are being given inaccurate information. Misleading information brings about such questions as people wondering where the money went. Walt was deliberately not telling the Colony what was going on.

\$1,100 has been paid to Myra. Some discussion of whether we had invoices or tickets followed. She was paid by check.

Walt gave an explanation about the film she said she gave him. he stated that he went out in a rain storm, took pictures and took them to Myra. A week or so later she gave Walt some film one of the professional photographers left at her house. She said she had no use for them.

The reason we want the pictures is that they show the water over

the road with only the top of the fire plug showing. This area is where so much of the traffic would have to flow through.

Walt stated Mr. Blanton found some records showing that the letter Mr. Sturgill wrote to the Council was completely in error - all the Colony asked was to not have a street connect with Colonial Drive.

We did not feel it was appropriate to ask Bruce to do the warrant as he must represent all of the Colony and we do not want him placed in the middle.

It was stated that Myra let Trigg Bowman of West Gardenside have the pictures to make copies but she will not let the Colony have them. Walt called Trigg to fill her in on what was going on with the zone change.

Dan said Myra had given the pictures to Trigg Bowman and she would return them.

Trigg had a hydrologist report we would like to use. Walt asked for the pictures but she felt that she must return them to Myra.

Murphy and Enlow - \$100/hr lawyer went over the problem. Send a letter by registered mail, at a cost of \$50 - \$75, giving her a certain time frame to do this. If she does not turn over the records, we need to get some kind of an injunction against her. If the judge sees fit she can go to jail.

We are still willing for her to copy anything at her expense.

To keep the integrity of this group we must try to keep all the Colony members informed as things develop. It was felt the general body should know the board is taking legal action to recover our records.

Dan made a motion that we take whatever action is necessary to retrieve our records.

Myra will have a time frame from the letter sent by the lawyer. If she does not conform a general meeting will have to be called immediately.

Walt said if she does not turn over the records he wants a motion at the general meeting to have Myra removed from the board.

Dan made a motion that Walt contact an attorney and give him the okay to write the registered letter to Myra to acquire all of the records that belong to the Colony. He should be given the general meeting motion that these records were to be turned over by September 15th and Myra refused. Alvin Blanton seconded. All Board members voted yes. Mike Maloney voted by proxy.

A letter is ready to go to Colony residents along with a bill stating what they owe. We are sending out a financial report.

Motion was made to adjourn.

I, MIKE MALONEY, GIVE DAN HUBER
BY PROXY MY VOTE ON ANY AND ALL
ISSUES WHICH MAY BE VOTED ON AT
THE FEBRUARY 11th, 1995 BOARD MEETING
OF THE RESIDENTS INC./ COLONY NEIGHBORHOOD
ASSOCIATION.

SIGNED,

Mike Maloney

FEB. 9, 1995

The Colony Legal Fund

Whitlow	#1 100	#2 100	#3 100	#4 100	#5 -
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NOTICE

Residents, Inc.
The Colony Neighborhood Assoc.

February 11, 1995

A general meeting of Residents, Inc. was called on Tuesday February 7, 1995, at 7:30 PM, to discuss the new proposed zone change for the Sturgill Property. After a general discussion of the issues involved in this zone change, the majority of the members present voted to:

1. Oppose this zone change request for the Sturgill Property.
2. Employ Bruce Simpson as council to represent us in this matter.
3. Contribute \$ 100.00 per household (2/7/95) for legal fees and expenses

Please review your records. In the previous zone change hearing members of the Association voted on contributions to fund legal fees and expenses. There were a total of (4) \$ 100.00 contributions voted on and agreed to by the majority of the members present at the meetings

July ...28, 1993 - \$ 100.00
October 4, 1993 - \$ 100.00
January 13, 1994 - \$ 100.00
June 9, 1994 - \$ 100.00

Most of the property owners have paid all (4) contributions but upon review of our records we find that some property owners have not. After talking to some people who have not paid we find that this is primarily due to the fact that these households were not informed as to what had transpired in the meetings, and did not know that these contributions had been voted on and agreed to.

Please find enclosed a breakdown of your contributions, as indicated in our records. If you have not paid please make out a check to Residents, Inc. for the unpaid balance and deliver to Alvin Blanton, treasurer (1248 Standish Way - 233-0160). If your records differ from ours please inform Mr. Blanton, we want to make sure our records are accurate and complete.

Thanks for your participation, it is important that we work towards this common goal together and with other neighbors associations.

If you have any questions please call:

Walt Whitlow - President... (Residents, Inc.)
254-1994 after 3:00 PM
254-7790 anytime
Dan Huber - Vice-President (Residents, Inc.)
255-2188 home
232-6558 work

* On or about 2/20/95 Meeting at Eagle Engineering
Bill McAlpin, Bill Howard

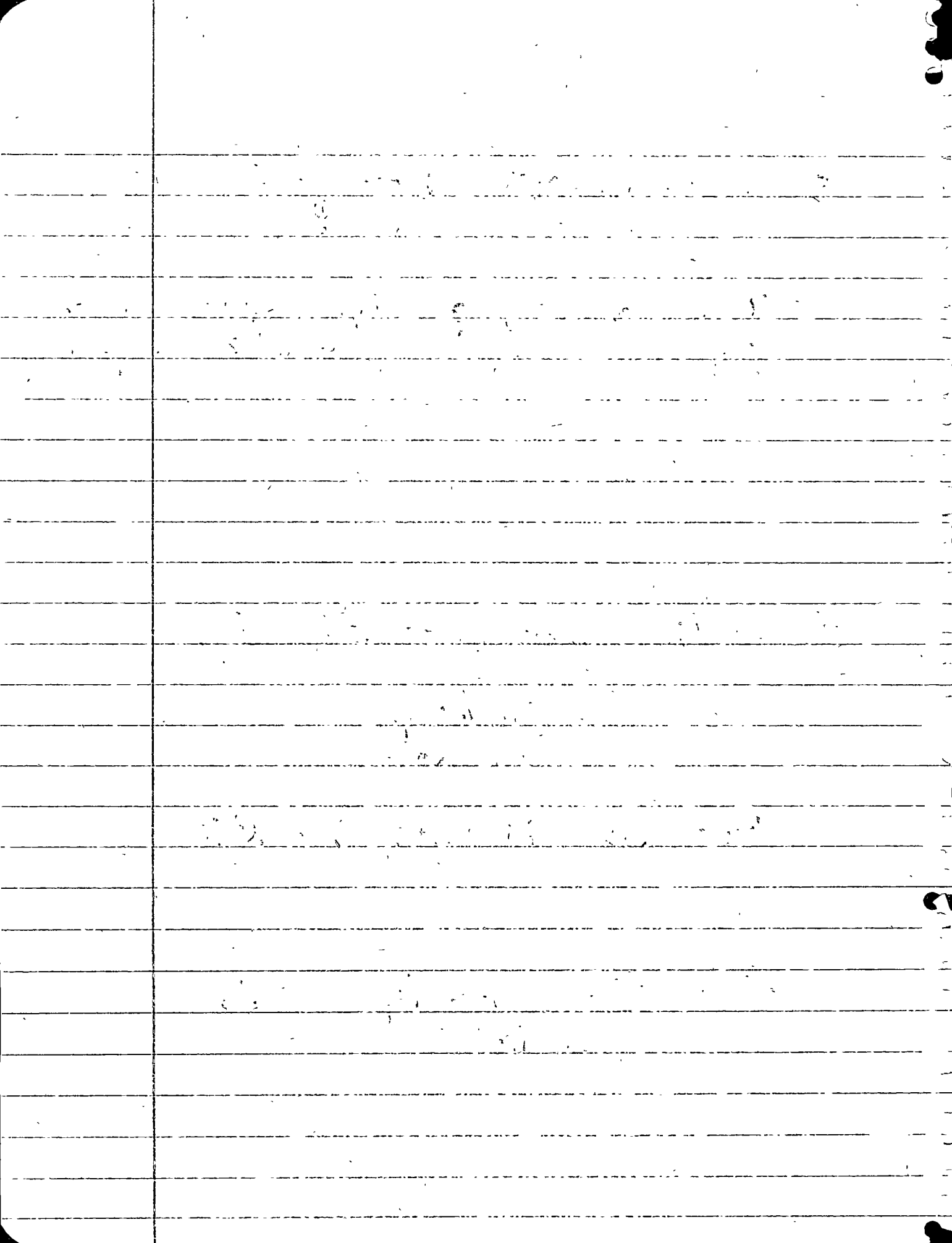
Initial contact, good neighbour policy, listened
to our concerns, agreed to postpone zone change hearing

* 3/1/95 Meeting at Eagle Engineering

Bill McAlpin
Bill Howard

Latest plan 93 units, All R1B

6/13/95 Cardinal Valley Neighborhood Ass.
Bill McAlpin



February 22, 1995

Notice

Resident's, Inc.
The Colony Neighborhood Association

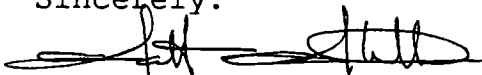
There was a meeting on February 20, 1995 between the developers, the developers engineer and a few neighborhood representatives from the following neighborhoods. - The Colony, Beaumont, Wellsley, and West Gardenside. This was an informal meeting in which the development plan was discussed and the concerns of the neighborhoods that were articulated at the last zone change hearing, were discussed. As a result of that meeting the developer has decided to postpone the hearing before the planning commission to allow time for further review and more discussion.

The hearing has been postponed

that was scheduled to be heard by the **Planning Commission**
on **February 23, 1995 at 1:00 PM.**

You will be notified when this hearing is rescheduled.

Sincerely.



Walt Whitlow - President
Resident's, Inc.

If you have any questions please call:

Walt Whitlow - President....(Resident's, Inc.)
254-1994 after 3 PM
254-7790 anytime

Dan Huber - Vice President..(Resident's, Inc.)
255-2188 home
232-6558 work

February 22, 1995

Notice of Meeting

Resident's, Inc.
The Colony Neighborhood Association

Date: February 24, 1995
Time: 7:00 PM
Place: St. Raphael's Episcopal Church
1891 Parkers Mill Road

A special meeting of the general membership of Resident's, Inc. has been called by the president at the time and place set forth above for the express purpose of obtaining approval to initiate legal action for the recovery of the items outlined in the attached letter dated August 22, 1994.

Having exhausted all available means over a period of time it is with regret that the officers and board of directors of Resident's, Inc. must recommend retention of council and initiation of legal proceedings to obtain these items from the past president, Myra Jackson.

These items are required for continuity of this corporation and are vital to our opposition of the pending zone change.

It is unfortunate, this issue continues to dilute our efforts, takes up valuable time, inhibits the ability of the elected officers to act in the best interest of the Colony and causes division among residents at a time when unity is essential.

Sincerely



Walt Whitlow - President
Resident's, Inc.

LAW OFFICES

MURPHY & ENLOW

1850 LEXINGTON FINANCIAL CENTER
250 WEST MAIN STREET
LEXINGTON, KENTUCKY 40507-1723

(606) 255-3371

FAX (606) 358-1571

E. LAWSON KING
OF COUNSEL

JOSEPH B. MURPHY
DAVID T. ENLOW
STEVEN F. VICROY
LYNN R. SCHRADER
TRACEY S. ENLOW

February 15, 1995

Ms. Myra Jackson
1208 Colonial Drive
Lexington, KY 40504

Re: Residents, Inc.

Dear Ms. Jackson:

I have been retained by Residents, Inc. to represent that corporation regarding the recovery of its corporate records and other important documents that you have in your control and possession. I have been advised by Mr. Walter Whitlow, the president of the corporation, that you, as the former president of the corporation, have been requested several times but have failed to return certain records to the current corporate officers.

The corporation is in dire need of certain documents in those records and demands the immediate return of those documents. As you no longer an officer of the corporation, you no longer have the right to exercise control over these documents and this final demand is made upon you to return them.

By this letter, my client demands the return of these documents by 12:00 noon, Monday, February 20, 1995, to 1249 Standish Way, or legal action will be instituted against you for the return of these documents.

Your prompt attention is expected. I would hope that litigation to resolve this matter would not be necessary.

Very truly yours,

Steven F. Vicroy

SFV:s

cc: Mr. Walt Whitlow

August 22, 1994

Ms. Myra Jackson
1208 Colonial Drive
Lexington, KY 40504

Dear Myra:

As you know, the Board of Directors of Residents Inc./Colony Neighborhood Association voted to request that you provide us with all records, materials and every other tangible item or thing, which you have in your possession or control, pertaining to the business affairs of our neighborhood association and which you obtained during your tenure as President. This material includes, but is not limited to, written or taped records, correspondence, bills, photographs and the negatives of such photographs, videos, receipts, maps, plans, surveys, deeds, etc.

We request that the above be delivered to 1249 Standish Way, on or before 12:00 PM, Friday, August 26, 1994.

Myra, we need these materials. There is no legitimate reason why you are refusing to deliver them, as has been previously requested.

Sincerely,



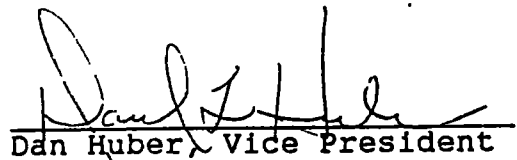
Walt Whitlow, President
Residents, Inc./Colony Neighborhood
Association



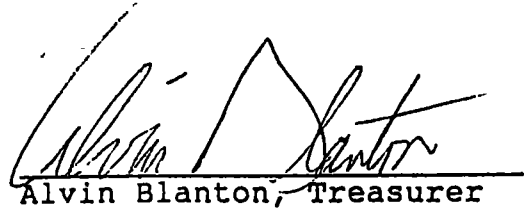
Pat Edger, Secretary



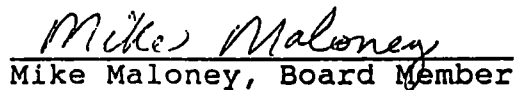
Lyman Ginger, Board Member



Dan Huber, Vice President



Alvin Blanton, Treasurer



Mike Maloney, Board Member

Residents, Inc.
Special Meeting
February 24, 1995
Walt Whitlow's home

Before Walt called the meeting to order, Mrs. Ligon asked to speak. She said that it was a sad occasion. She asked everyone to remember that we are neighbors and friends, and that we should pull together and fight the zoning issue.

Walt then stated that he too regretted the purpose of the meeting, but that he was having to deal with the problem daily - the past president refuses to turn over anything.

He said that he would like to see Residents, Inc. vote to require Myra to turn over all records; she was supposed to have done this six months ago.

Myra stated that she had offered to deliver the records to Walt during the previous week, but that was not a convenient time for Walt and his family.

Fred O'Bryan offered to act as mediator and pick up the records from Myra and deliver them to Walt. No one voiced objection to this plan.

There was objection regarding the officers and board retaining Steven Vicroy as council to assist in obtaining records from Myra. He was hired to write a letter to Myra. She says she did not receive it. (see attachment)

There was then discussion about a meeting with the developers. Walt, Dan Huber, Pat Edger, and Lyman Ginger met with representatives from Welsley Heights, Beaumont, Gardenside, and the developers last Monday evening. Walt said that no deals were made and that the developers have yet to address our concerns about traffic, access, drainage, etc. We should hear from the developers again soon. Walt guaranteed he would not make any deals with the developers or spend excessive amounts of money.

SW

The February 24, 1995 special meeting of Residents, Inc. was called to order at 8:15 P.M. at the home of President Walt Whitlow.

Mr. Miller made the motion that we take a vote expressing our support of Walt and the Board. The motion carried.

Dr. Bost made a motion that Fred O'Bryan be appointed to pick up ALL records from Myra Jackson on Monday, February 27, 1995, and then deliver the records to Walt. The motion carried unanimously.

Mr. Maloney made the motion to give Walt authority to seek council to obtain records from Myra if he does not receive them by midnight Monday, February 27, 1995. Jane Baumohl asked that the motion be amended to "officers and board having the authority." Mr. Crocker asked that the motion be amended to set a limit of \$500.00 to resolve this problem. A hand vote indicated that the motion and the two amendments carried.

Walt then asked all residents to call him or Dan Huber if they have any questions.

Fred O'Bryan suggested that everyone check out rumors BEFORE getting upset.

The meeting adjourned at 8:35 P.M.

Minutes taken by Susan White, substituting for Secretary Pat Edger who was unable to attend the meeting.

Susan White

LAW OFFICES

MURPHY & ENLOW

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250 WEST MAIN STREET
LEXINGTON, KENTUCKY 40507-1723

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February 15, 1995

Ms. Myra Jackson
1208 Colonial Drive
Lexington, KY 40504

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The corporation is in dire need of certain documents in those records and demands the immediate return of those documents. As you no longer an officer of the corporation, you no longer have the right to exercise control over these documents and this final demand is made upon you to return them.

By this letter, my client demands the return of these documents by 12:00 noon, Monday, February 20, 1995, to 1249 Standish Way, or legal action will be instituted against you for the return of these documents.

Your prompt attention is expected. I would hope that litigation to resolve this matter would not be necessary.

Very truly yours,

Steven F. Vicroy

SFV:s

cc: Mr. Walt Whitlow

August 22, 1994

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1208 Colonial Drive
Lexington, KY 40504

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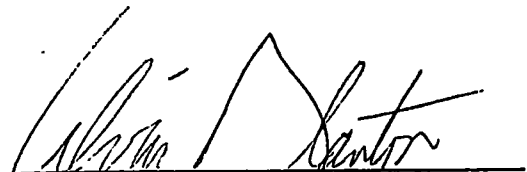
We request that the above be delivered to 1249 Standish Way, on or before 12:00 PM, Friday, August 26, 1994.

Myra, we need these materials. There is no legitimate reason why you are refusing to deliver them, as has been previously requested.

Sincerely,



Walt Whitlow, President
Residents, Inc./Colony Neighborhood
Association


Dan Huber, Vice President
Pat Edger, Secretary
Alvin Blanton, Treasurer
Lyman Ginger, Board Member
Mike Maloney, Board Member

ATTENDANCE 2/24/95 COLONY RES. FNC

STEVEN EDGER

MRS TRUITT

Chris Huber

LYNN GROGAN

Mrs. J. S. Kelly

John & Whitaker

Phil Miller

Alan Taylor

Chuck Vineyard

Daniel Vineyard

BILL THORNHILL

Howard Bost

Art Baumohl

Jane Baumohl

Sam White

Susan White

Helen Bost

Evelyn O'Byrne

Myra Jackson

Champ Sigon

Miriam Smith

Geo A Shuck III

Paul Mason

W. T. Smith Jr

Frankie Daniel

Randolph Daniel

LuAnn M. Burnett

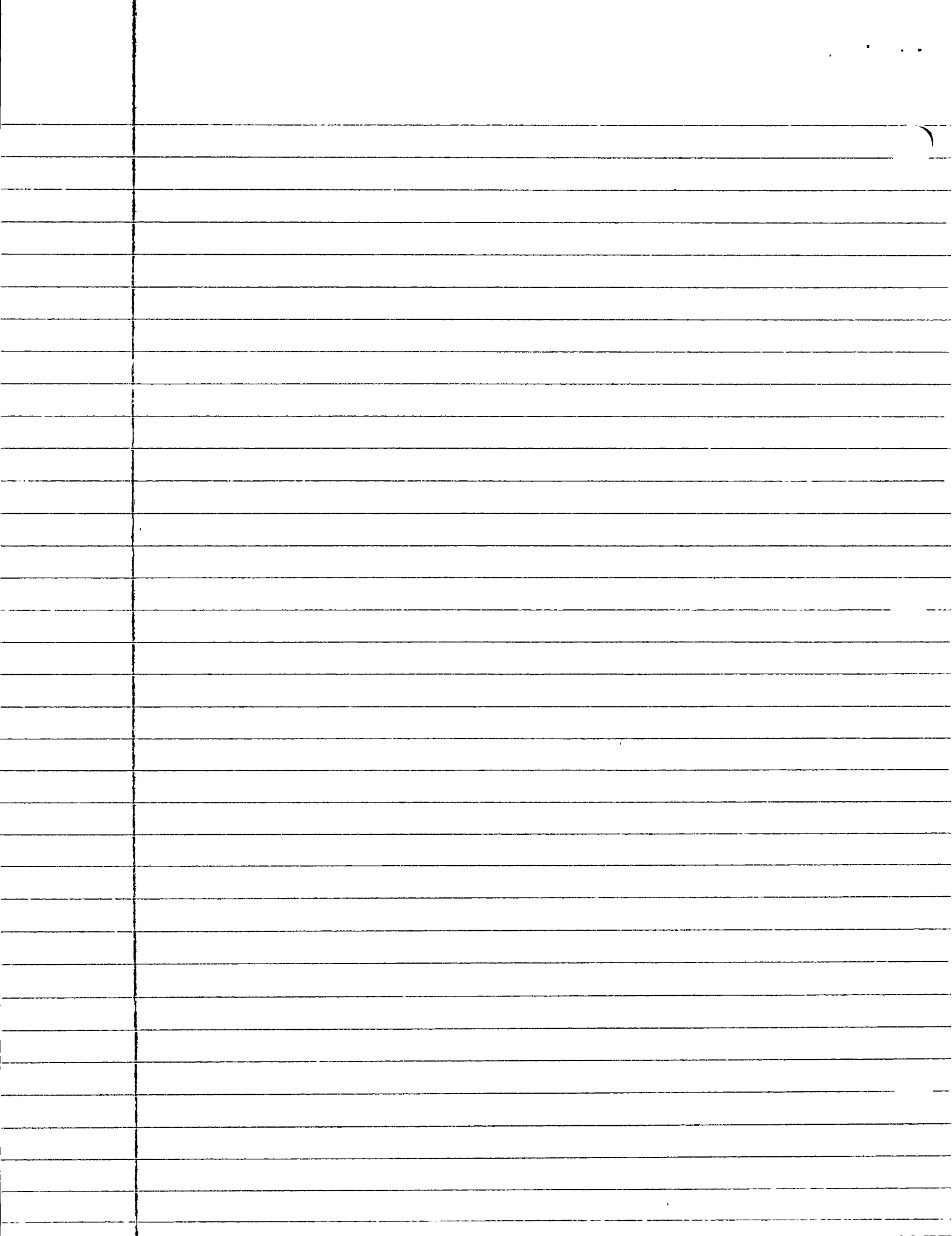
Barbara Crocker

MAA A Crocker

Gene Taylor

James Olson

Walt Whitlow



Feb 28, 1995

Walt Whitlow Called:

1. He polled the board members, concerning the fact that Fred O'Bryan had been unable to get the Colony Records from Myra Jackson. There was a unanimous vote by the board to seek legal counsel.
2. Walt Whitlow has appointed two new Committees.
 - a. Beautification
Committee Chairman - Lowell Bush
Susan Nimmer, Joan Bush, Randolph Daniel, Frankie Daniel, Pat Edger, and
 - b. Review Committee
To review all plans submitted by developers.
Dr. Ginger, Dan Haber, Alvin Stanton & Pat Edger.

3/1/95 Meeting at Egale Engineering

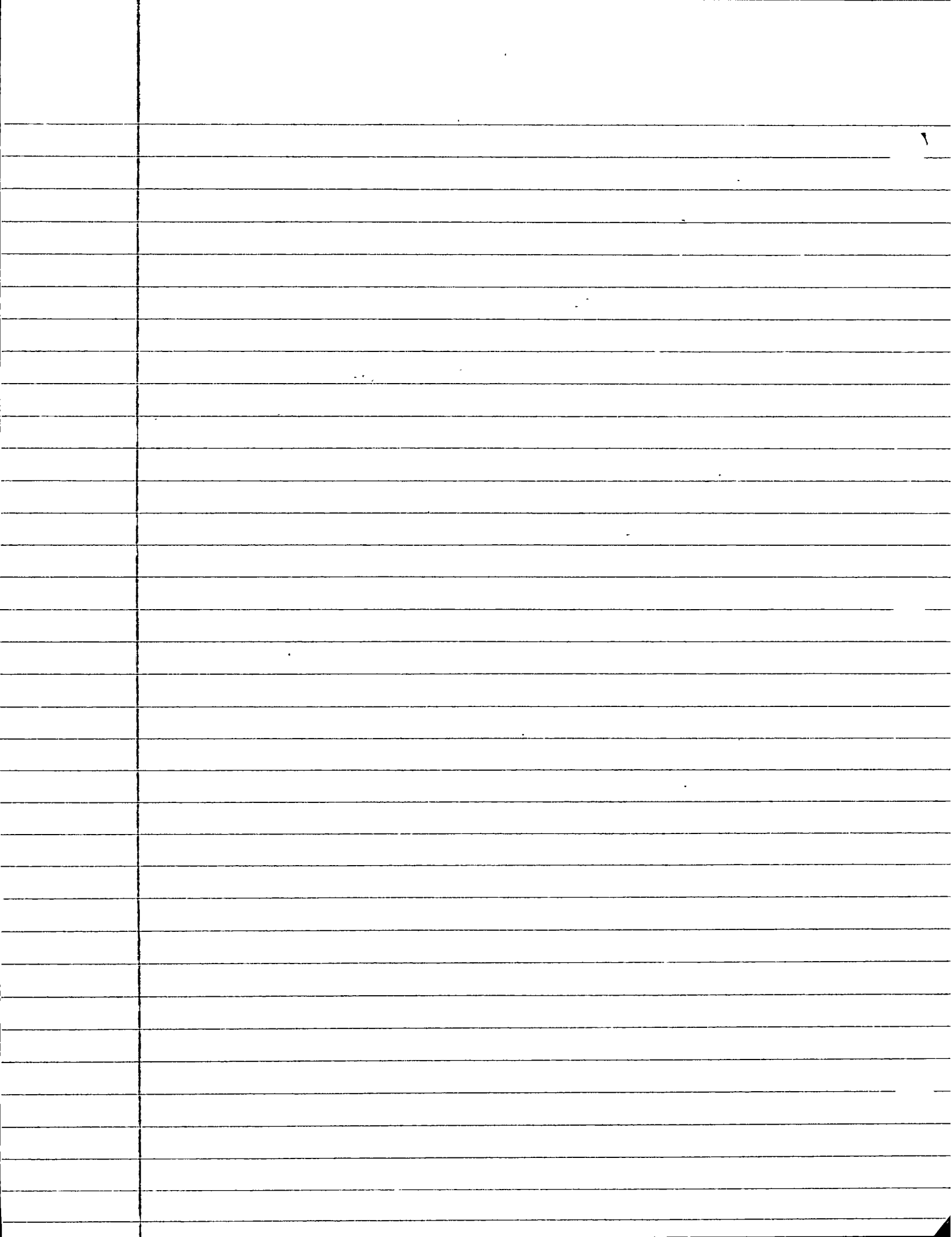
w/ Bill McAlpin
Bill Howard

Latest plan 93 units
8k ft of street
All RIB zone (avg lot 21k ft²)

- * No curb, gutter & sidewalk (matches existing colony)
23' streets
- * No access, stub streets to Parkers Mill Rd.
4 small lakes (looks like drainage problem is addressed)
- Private streets ie lots go to @ of street & lot size includes lakes
- * These require neighborhood support

My Points:

- Want common access to lake
- Density still high
- Want Mayflower open



Bill McAlpin (Engineer) Eagle Engineering

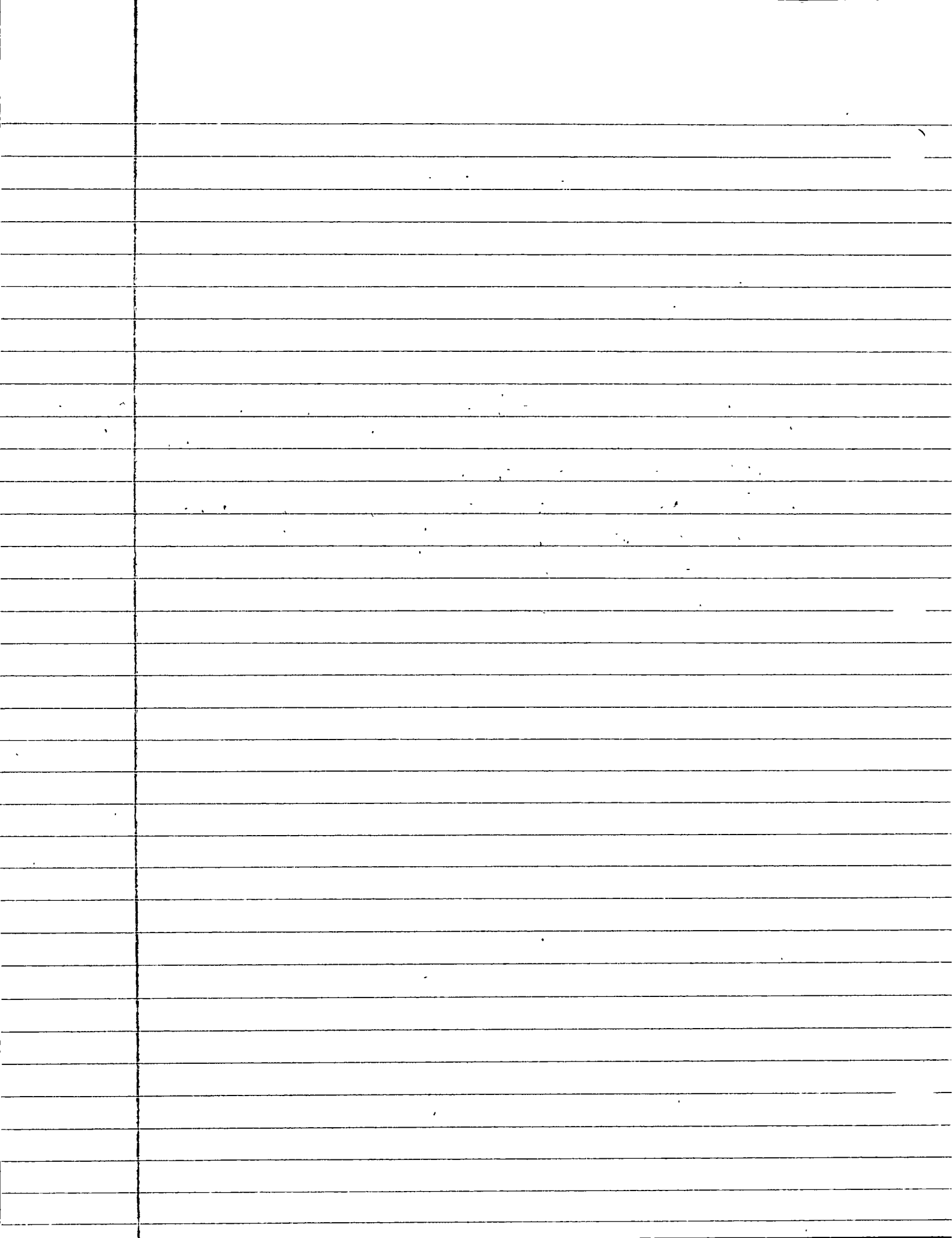
Bill Howard (property owner / developer)

McAlpin Stated:

- 0/ Present comprehensive plan permits 5 units/acre
- 1/ Wants to be good neighbor
- 2/ wants to enhance existing neighborhood
- 3/ where new development meets existing, trying to match lot lines
- 4/ Planning Commission wants interconnect to Parker Mill (future)
- 5/ Water retention & silt control
- 6/ Section of John Alden (existing right of way) to be preserved w/o side walks / gutters until it passes Ms Stuyll house
- 7/ with current dev proposal lots estimated to sell for 30-60K
- 8/ Developer has no attorney of record
- 9/ " will postpone zone change hearing

Questions:

- Does Bill Howard own entire property?
- What is proposal for improvements to John Alden / Colonel Existing?
 - no planned improvements to existing. Entrance may be improved
 - developer states he is willing to pay for stop light @ entrance



General Mtg 3/6/95

Minutes read and approved

Brief discussion of Myra's records. Walt reported that attorney has been retained to deal with this and it is in his hands.

* It was asked if legal funds could be separated for the purpose of record retrieval and development. Walt responded yes. (we need to discuss this, at this point we cannot allow specific designation of funds.)

Walt opened discussion on development proposal

Key Points: all RIB (gross acre basis)

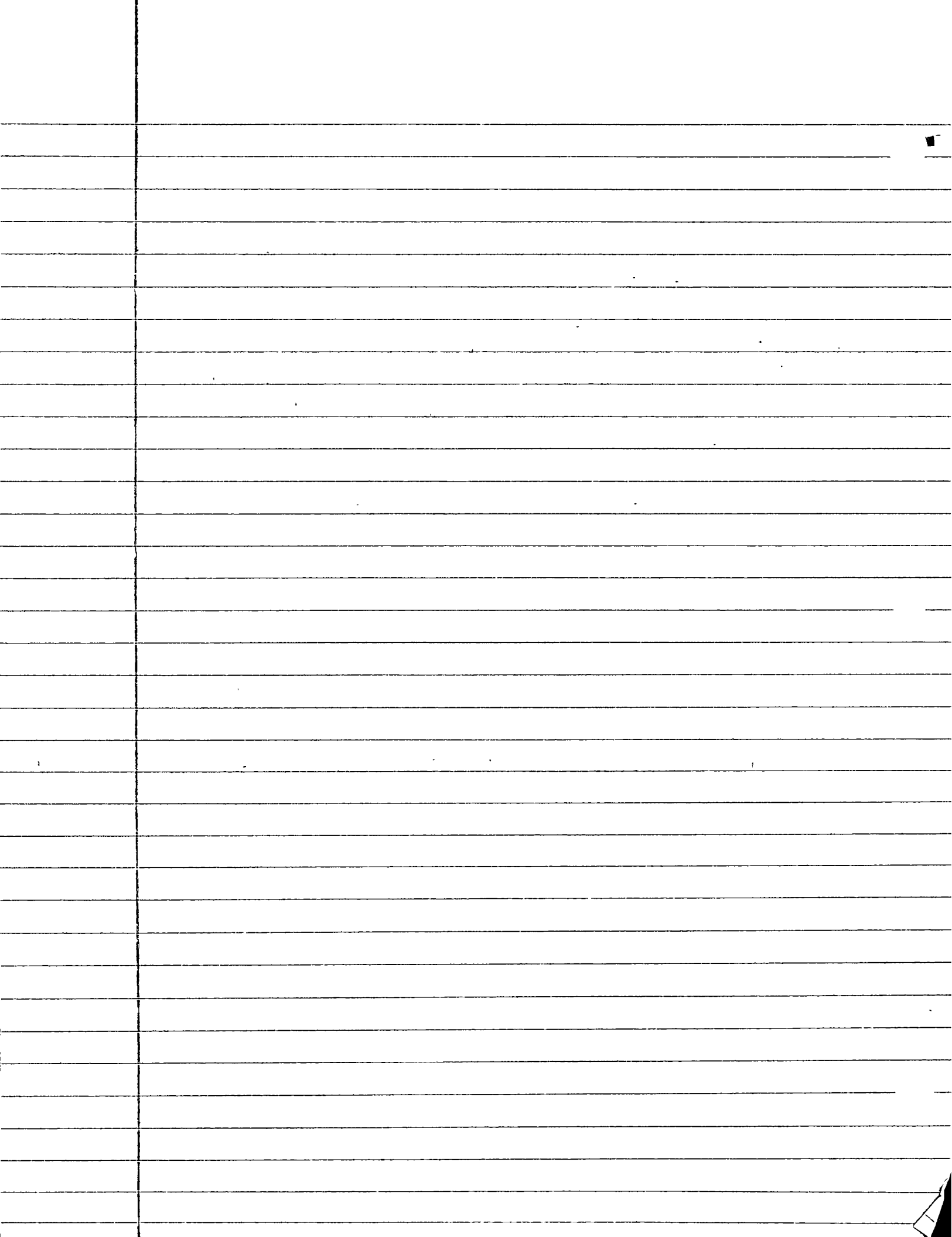
private streets

no access to Parkers Mill

Colony Unit #4, colony theme throughout

Natural screening from New Circle Rd.

Motion made and passed unanimously that plan be rejected



Colony General Meeting

March 6, 1995

7: P.M.

The meeting was called to order by Walt Whitlow. The minutes of the last meeting were read and approved. Treasurer's Report. \$3,200 legal Fund. 850 Light Fund.

Melanie Bowling ask if a check could be made designating which lawyer the money could go towards. Mr Blanton said he could do that.

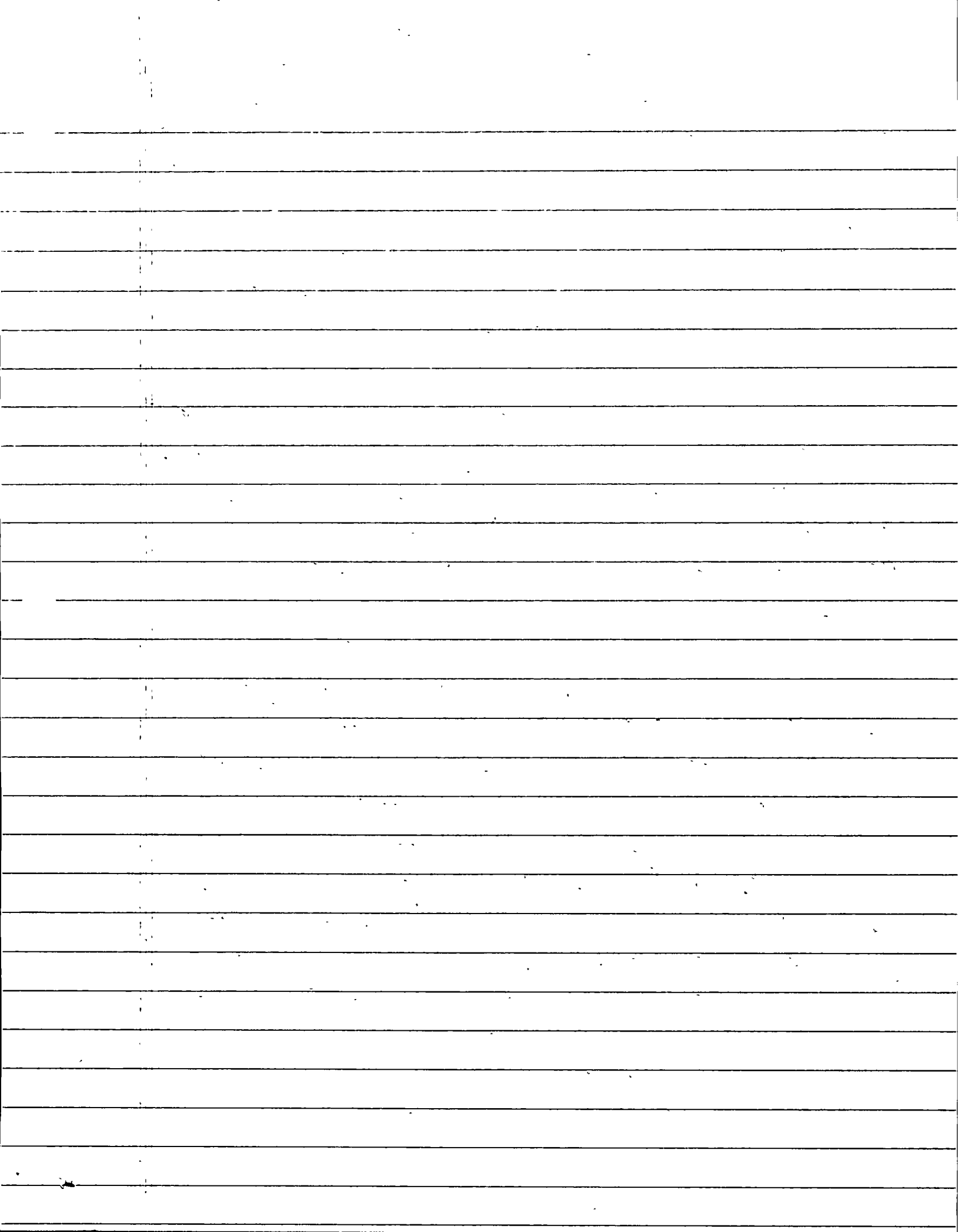
Old Business:

We did not receive the records from Myra Jackson. Walt told the attorneys to proceed to try and get the records.

It was asked if we had a copy of the video that was taken of the Colony. Walt said he had a copy.

New Business:

Walt Whitlow was called by the developer and engineer to come and see a plan. At that time a review Committee was appointed - Dan Huber, Lyman Linger, Tom Wade, Lowell Sush, and Pat Edger. The committee met with the developer and reviewed the plan. It was decided to present the plan to the general body of the Colony and let them make a decision.



to accept or not accept the plan.

The developer is J. Williams Inc. and Eagle Engineering to do the work. J. Williams Inc. is four people. Two men and their sons.

The proposal has all R1-B lots. 15,000 sq ft lot size. 100ft front, 40ft set back from the road. 93 lots on the property.

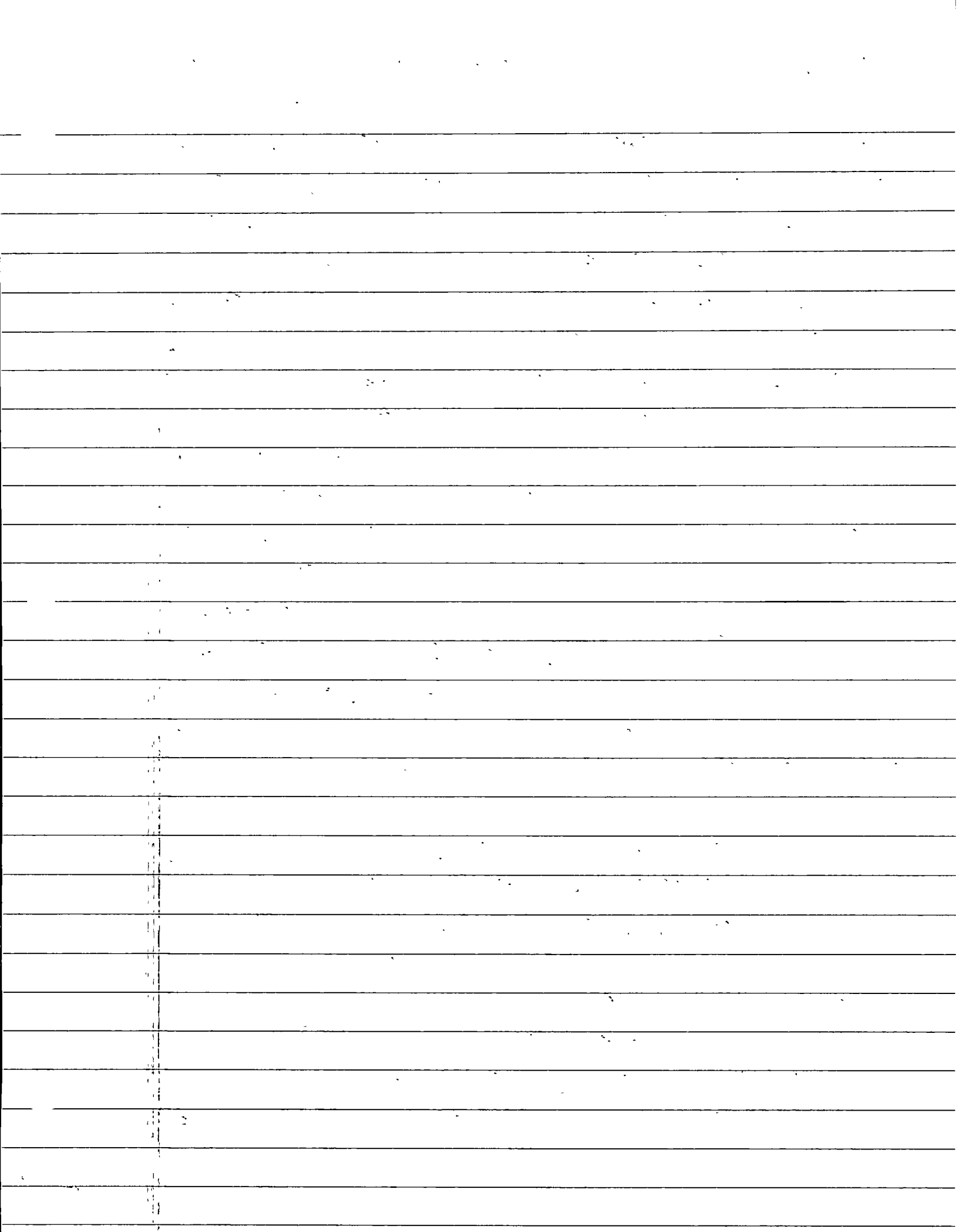
93 houses will sit on 33 acres which was purchased. The remaining lands is under an option with the Sturgills and they can exercise that option when they are ready. They have to build the road from John Alden to get access to the 33 acres. He has an easement. He was contractually obligated in the purchase of the 33 acres to build an access road. The plan calls for private streets, the width of the Colony's.

Private streets allows him to measure the lot line to the center of the street.

There would be no easement on the streets.

A lake is to be established to control the water run off. A retention basin at the corner of Colonial. And another basin at Versailles Rd. The lake will be maintained by the lot owners around the lake.

There will landscaping along new Civil Rd.



The horse fence would be kept to tie the whole thing together.

Building restrictions on the houses has not been brought up.

The only exit to the Versailles Rd is John Alden & Colonial & Piscilla. There was to be no change in the streets in the Colony. It was discussed about the entrance being widened to give a right turning lane.

If we don't accept this plan for 93 houses he will go to the planning commission with 132 houses and he thinks the city will require an opening out to Parkers Mill Rd.

They will tie into our sewer system.

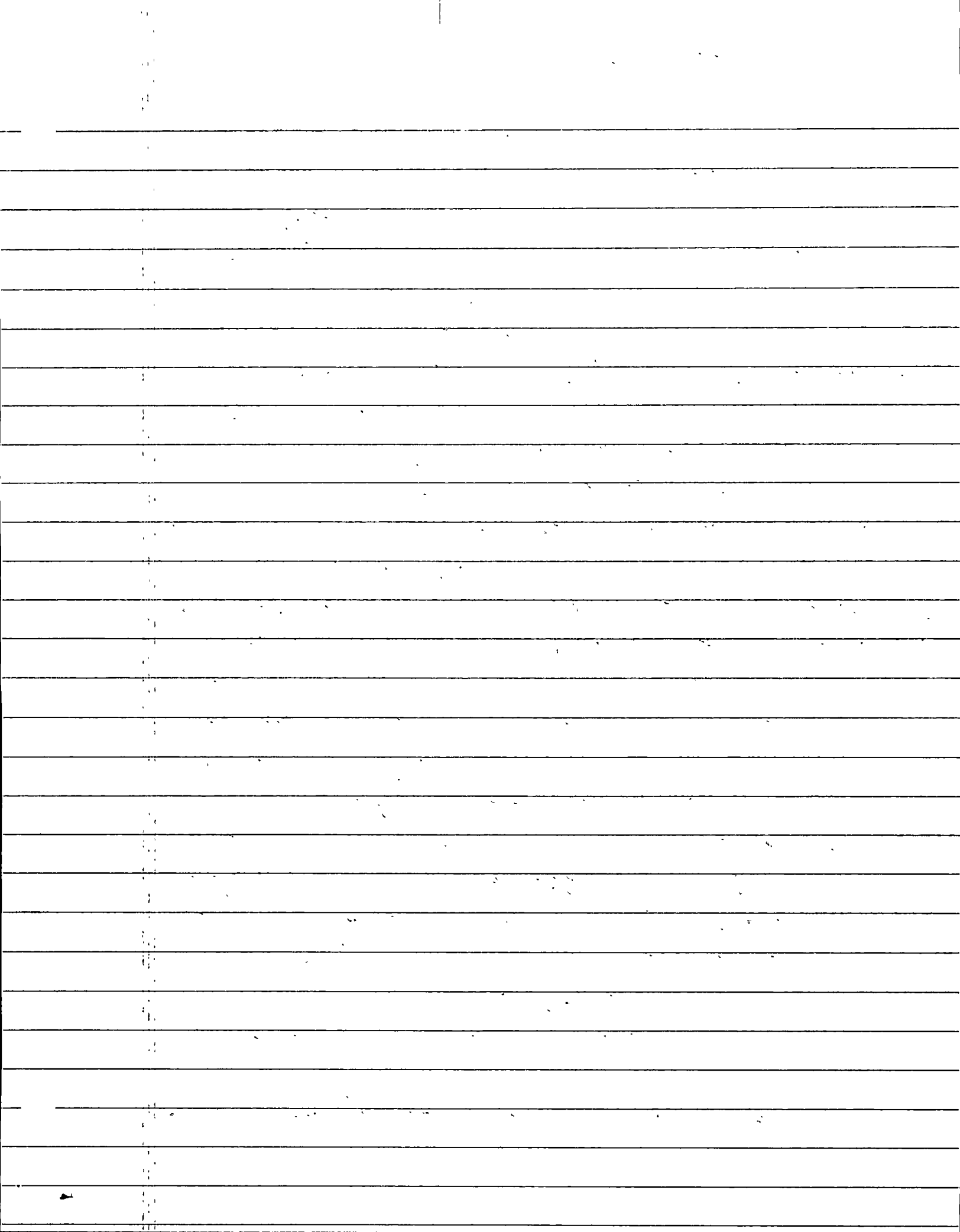
Walt presented his plan with less density (44 houses) on 1/2 acre. same access roads.

Mr. Odom moved we reject the proposal presented by the developer. Seconded by Charles (who lives in Chickpin).

Planning Commission meeting March 16, 1995 at 1 P.M.

Write to the Planning Commission Meeting appended.

Pat Ledger



2
Hall March 6, 1995

STEVEN EDGAR
Kenny Simmons
Melinda Bowling
Fred McHaque
Vernon Badier
Gloria Clayton
Rayman Gimple
FRANK HARR

Mary Duff
Danny Duff
Pat Nuber

Ruby Collier
Sue Rimmer

Janice Olson
Gert Baumohl
Sam White

M. Smith
W.T. Smith
Myron + Jean Sandifur
Clifton Anderson

Holly Wade

Tom Wade

William Samore

Sally Miller

Frankie Daniel

Dora Maloney

Tommy Ward

L. Anne M. Burnett

Howard Post

Helen Post

Edward Kippner

Paul K. Whitaker

Doc Ella House
Oles D. Truitt
Lillian Stivers
Merle Kelly
Max A Crocker
Jerry Morse
Dan & Cheri Huber

1907

1907

NOTICE

Residents, Inc.
The Colony Neighborhood Association

March 13, 1995

The developer is requesting postponement of the hearing before the Planning Commission until April. The exact date will be set at the Planning Commission hearing on March 16, 1995.

You will be notified when this new date is set.

You do not need to be at the Planning Commission Hearing on March 16, 1995.

If you have any questions please call:

Walt Whitlow - (President, Residents, Inc. - 254-1994)
Dan Huber - (Vice-President, Residents, Inc. - 255-2188)

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NOTICE

Residents, Inc.
The Colony Neighborhood Assoc.

March 30, 1995

Subject: Contributions for the legal fund.

We as a neighborhood have reached a critical point in the defense of our homes and lifestyle. The hearing for zone change of the Strugill farm property is scheduled for 6:30 PM on Tuesday June 27, 1995.

In the short time remaining we must do everything in our power, both individually and collectively, to defeat this proposal. If we are united we can prevail.

The key Issues to be addressed at this hearing are substantially different from the last time. Yes, density, traffic, and water run off are still of concern, but to a much lesser extent as viewed by many of the officials downtown.

Winning our case this time hinges on two points: demonstrating that the present R1A zoning is appropriate, i.e., can be developed at a profit; and demonstrating that there is a need for lots of this size in the Lexington metropolitan area. To prove these points we must commission research and engineering estimates.

Our current financial status is outlined below:

	Legal Fund	Light Fund
	-----	-----
Present Balance	2610.00	676.85
Sign Printing Fee	575.05	
Engineering Estimates *	2500.00	
Research Fees *	750.00	
Legal Fee to S. Vicroy	500.00	
Legal Fee to Bruce Simpson (estimate)	8000.00	
Exhibits and Printing Fees (estimate)	1250.00	
Annual Light fund Payment		600.00
Total	(-10965.05)	76.85

* engineering and research fees include cost of expert witness testimony

Our collection rate to date on contributions #6 and #7 voted and approved at the general membership meeting in May 1995 is 5%. Your individual payment status is attached.

As you can see we are unable to continue our efforts without additional funding. We are planning a Colony block party on Sunday June 11, 1995 2:00PM to 4:00PM at the intersection of Standish Way and Mayflower Lanes. Please review your contribution status and participate to the maximum extent of your ability at or before the meeting. **AT THE CONCLUSION OF THE MEETING WE WILL ASSUME THAT NO ADDITIONAL FUNDING IS FORTHCOMING AND WILL ASSESS OUR ABILITY TO CONTINUE AND/OR MODIFY OUR PLANS ACCORDINGLY.**

We have enclosed a breakdown of the current status of your contributions for the legal fund as indicated by our records. Included are contributions made for the previous as well as the current zone change battle.

In the previous zone change battle members of the Association voted on contributions to fund legal fees and expenses. There were a total of (4) \$ 100.00 contributions voted on and agreed to by the majority of the members present at the meetings.

In this zone change battle members of the Association voted on contributions to fund legal fees and expenses. There have been a total of (3) \$ 100.00 contributions voted on and agreed to by the majority of the members present at the meetings.

Previous zone change battle

July ...28, 1993 - \$ 100.00
October 4, 1993 - \$ 100.00
January 13, 1994 - \$ 100.00
June 9, 1994 - \$ 100.00

Current zone change battle

February 7, 1995 - \$ 100.00
Contribution #6 - \$ 100.00 (due May 1995)
Contribution #7 - \$ 100.00 (due June 1995)

Some of the property owners have paid what the majority has agreed to, but with the continued review of our records we find that many property owners still have not.

We have been battling these zone change options for a total of 22 months now (7/28/93 to 5/28/95) About 2/3 of the people have contributed at least (5) of the (7) \$100.00 contributions that have been agreed to by a majority vote of the membership present at the meetings, for a total contribution of \$ 500.00. Divide that amount by the number of months we have been working on this to get your average cost per month.

Your total average monthly contribution would be:

\$500.00 / 22 months = **\$ 22.73/month.**

While some people have expressed frustration at the amount of money these zone change battles have cost us, in my opinion, the cost per household has been quite reasonable for what we have accomplished.

I realize that there are a few people in this neighborhood that cannot afford this amount - but I would guess there are very few. For the small group of people who can afford to make this contribution but have decided not to participate in this with your neighbors, I ask you to do one of three things.

- (1) Get caught up on your contributions by sending a check to Alvin Blanton - Treasurer (1248 Standish Way - 233-0160) - TODAY but no later than June 11, 1995
- (2) If you are temporarily short of funds, and can't send a check today, then call Alvin Blanton and give him an schedule on when you expect to be able to make your contribution.

- (3) If you decide after reading this letter you are still not going to contribute and work with your neighbors in a focused attempt to stop this destruction of The Colony, then call Alvin Blanton - Treasurer and tell him this. Then we will at least have the accurate financial information necessary to set up a realistic budget.

It is imperative that you let us know by June 11, 1995. If we have not heard from you by that time we will call you to get the information.

This is a political process which we are engaged in and we can win it if we make ourselves heard, through our letters, our personal contacts and at the Council Hearing.

If you have any questions please call:

Alvin Blanton - Treasurer..(Residents, Inc.)
233-0160 home
Walt Whitlow - President...(Residents, Inc.)
254-1994 after 3:00 PM
254-7790 anytime
Dan Huber - Vice-President (Residents, Inc.)
255-2188 home
232-6558 work

NOTICE

Residents, Inc.
The Colony Neighborhood Association

March 31, 1995

The new Zone Change Request for the Sturgill Property is scheduled to be reviewed at a hearing before the Planning Commission:

Date: April 20, 1995
Time: 1:00 PM
Place: Council Chambers
200 E. Main Street

It is important that you attend this meeting.

A new plan was submitted to Planning & Zoning March 31, 1995. This plan shows (92) R-1B lots and is similar to the one we discussed and rejected at our last meeting. The planning staff will need several days to review this new plan, so at this time we do not know what the staff recommendations will be.

The following are a few suggestions of things that you can do that will help in our opposition to this **Zone Change**.

1. Write personal letters to all Planning Commission members expressing your opposition to this zone change.
 2. Make a commitment to attend the meetings at the Planning Commission and The Urban County Council. (the date for the hearing before the LFUCG Council will be set after the Planning Commission hearing.)
 3. Inform friends, neighbors and groups of people concerned development issues in Fayette County about this Zone Change Request. (these people/groups need to be at the hearing)
 4. Get a petition together to present at these hearings. (**anyone who has the time to work on getting these petitions signed please contact Pat Edger, (Secretary, 252-4714, 4016 John Alden Lane)** everything we do as a neighborhood group is more effective when all members participate in an organized way)
-

Enclosed is a (reduced) copy of the new plan showing (92) R-1B lots.

If you have any questions please call:

Walt Whitlow - (President, Residents, Inc. - 254-1994)
Dan Huber - (Vice-President, Residents, Inc. - 255-2188)

URBAN COUNTY PLANNING COMMISSION
DIVISION OF PLANNING
200 E. MAIN STREET
LEXINGTON, KENTUCKY 40507

Date: April 4, 1995

Re: Amendment to Requested Zone Change In Your Neighborhood
MAR 95-4

Dear Property Owner:

This is to inform you that the applicant for the above-referenced zone change has amended his petition for property located at 1284 Colonial Dr., 4025, 4029 and a portion of 4051 & 4100 John Alden Lane. The information you previously received will remain the same, except for the following:

1. Acreage involved:

Original Request: 45.0 Net; 61.8 gross Acres
Amended Request: 45.0 Net; 61.8 gross Acres

2. Zone Change Requested:

Original Request: From R1A
To R1B & R1C

Amended Request: From R1A
To R1B

3. Meeting Date:

Original Date: February 23, 1995
New Date: April 20, 1995

If you desire any additional information regarding this matter, please feel free to contact me or members of the Planning Commission's Zoning staff at 200 East Main Street; 258-3160.

Sincerely,

FRANKLIN D. THOMPSON, AICP
Director, Planning Services

May 9, 1995

Planning Mtg: Walt Whitlow House

Mtg w/ adjacent neighborhoods.

Viley
Wellesley Heights
W. Gardenside
Beaumont
Cardinal Valley
Celony

Next discussion @ Council work session 5/16, date for hearing to be set at that time. By law must be before 7/20/95, probably mid-June.

- Hydrologist study: follow up w/ Price
- Need factual information about other limited access neighborhoods and traffic density.
- Use Pam Miller's statement about scenic corridor when by River Coast defended.
- Use argument about progression from Stuyell, by River Coast, Bluegrass Farm...

Ask for:

- 0- Letters to council members & paper
 - 1- Neighborhood attendance at council mtg
 - 2- Signs in yard
 - 3- Petitions circulated
 - 4- Money?!
- } To win takes people!

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May 15, 1995

General Membership Mtg

1/ Minutes approved as read

2/ Treasurer report

3/ Discussion ... issues ...

- widening of existing streets
- Surrounding neighborhood support discussion
- danger voiced over lakes
-

Need motion about money!!

- Motion 1/ by Dr. Ganga \$200 / ~~per~~ household
- 2/ letter committee

Petitions |
a

1. The first part of the document

is a general introduction

to the subject matter

of the report.

The second part of the document

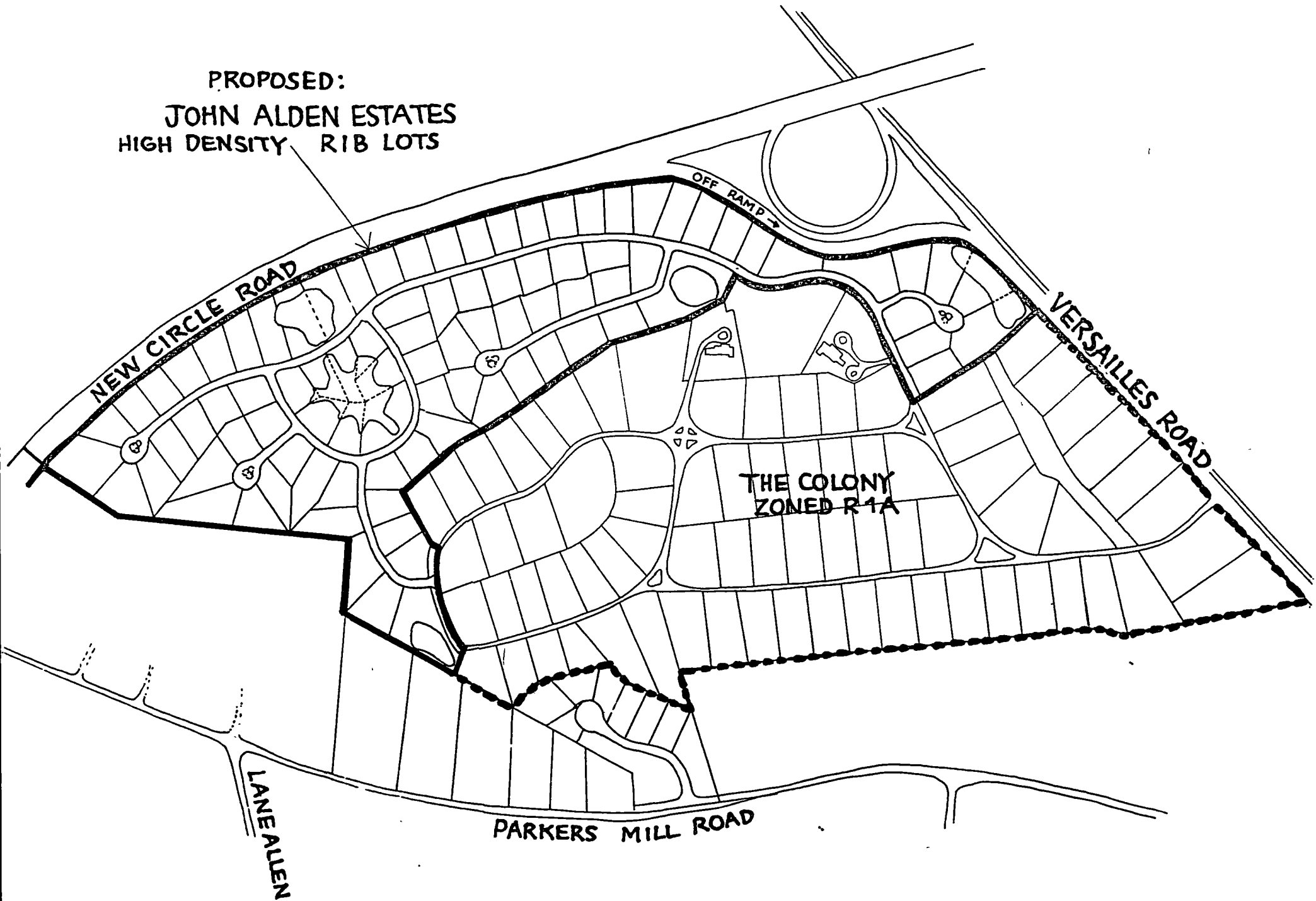
contains a detailed description

of the methods used in the study.

The results of the study

are presented in the following

PROPOSED:
JOHN ALDEN ESTATES
HIGH DENSITY RIB LOTS



LAW OFFICES

MURPHY & ENLOW

1850 LEXINGTON FINANCIAL CENTER
250 WEST MAIN STREET
LEXINGTON, KENTUCKY 40507-1723

JOSEPH B. MURPHY
DAVID T. ENLOW
STEVEN F. VICROY
LYNN R. SCHRADER
TRACEY S. ENLOW

(606) 255-3371
FAX (606) 259-1571

E. LAWSON KING
OF COUNSEL

FACSIMILE MESSAGE

TO: NAME: Walt Whitlow May 12, 1995
FAX NUMBER: 254-7790-11
TOTAL NUMBER OF PAGES: 5 INCLUDING THIS COVER PAGE

FROM: Steve Vicroy
MESSAGE: Revised Affidavit - #12 changed

OMISSIONS: IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL:

NAME: Steve AT (606) 255-3371.

ORIGINAL: THE ORIGINAL OF THE TRANSMITTED DOCUMENT:

- Will be forwarded by Ordinary Mail
- Will be hand delivered by Messenger
- Will be sent by Overnight Mail
- Will not be forwarded; this FAX will be your only form of delivery

The information contained in this transmission is privileged, confidential and intended only for the use of the individual or entity named above. If you have received this communication in error, please notify MURPHY & ENLOW immediately by telephone and return the original message to us at the address shown above via the U.S. Postal Service. You will be reimbursed for the required postage. Thank you.

FAYETTE CIRCUIT COURT
CIVIL BRANCH
SIXTH DIVISION
CIVIL ACTION NO. 95-CI-01363

RESIDENTS, INC.

PLAINTIFF

V.

AFFIDAVIT

MYRA JACKSON

DEFENDANT

** ** * ** * ** * **

Comes the Affiant, Walt Whitlow, and after first being duly sworn, states as follows:

1. That he is currently the President of Residents, Inc., a Kentucky non-profit corporation formed for the purposes of incorporating a homeowner's association for the neighborhood and subdivision known as The Colony.

2. That he has personal knowledge of the facts contained herein.

3. That the Defendant, Myra Jackson, was a former officer in the Plaintiff corporation and during her term as an officer of the Plaintiff corporation, accumulated numerous documents and records belonging to the corporation, especially documents relating to prior zone change requests filed by persons interested in developing the land abutting or in close proximity to the land which comprises The Colony.

4. That the extent and the number of records and documents in the possession of the Defendant is not completely known but, to the best of the Affiant's knowledge and belief, those documents and records contain statistical, demographic and

environmental information compiled by the Plaintiff corporation for challenges to prior zone change requests affecting The Colony Subdivision.

5. That the Plaintiff corporation and its members are currently challenging a recent zone change request affecting The Colony and these records and documents compiled by the Plaintiff corporation, its members and agents and currently in the possession of the Defendant contain information regarding The Colony and the surrounding land which Affiant believes to be very relevant to a current zone change that the Plaintiff corporation is challenging before the Lexington-Fayette Urban County Government Planning Commission and Council.

6. That the Defendant has acknowledged to the Affiant and to other members of the Plaintiff corporation that she possesses records and documents of the Plaintiff corporation and has at one (1) meeting of the Plaintiff's directors and members, agreed to turn over to the Plaintiff all such records and documents to the Plaintiff corporation.

7. However, when a representative of the Plaintiff corporation presented himself to the Defendant's residence at the date and time set for the delivery of the records and documents, the Defendant refused to turn over the records.

8. That the Plaintiff corporation expects to present evidence at the next scheduled public hearing regarding the current zone change request affecting The Colony and it is imperative that the Plaintiff be able to obtain these records and documents in advance of the next public hearing which is expected

to be set by the Lexington-Fayette Urban County Government on or before June 7, 1995.

9. That without this information contained in these records and documents previously obtained by the members of the Plaintiff corporation and in the possession of the Defendant, the ability of the Plaintiff to challenge the aforesaid zone change request will be substantially impaired due to a lack of statistical, demographic and environmental information that the Plaintiff corporation and its members believe to be essential to challenge such a zone change request.

10. That the Defendant has never once provided the Affiant or any other member of the Plaintiff corporation with any reason, whether justified or otherwise, for her refusal to hand over the records and documents and further has threatened the Plaintiff and certain of its members with litigation and otherwise has become angry with the members of the Plaintiff that have requested these records and documents.


11. That the Plaintiff corporation has at all times been willing to provide all manpower, materials and supplies needed to prepare those records and documents for delivery and remains willing and able to obtain the same from the Defendant's residence at any and all reasonable times.

12. That the Defendant no longer holds an office with the Plaintiff and although she is on the Plaintiff's board of directors the Defendant holds no right to withhold possession of these records and documents from the Plaintiff.

13. That the Affiant believes that the Defendant may

destroy or otherwise conceal the records and documents to frustrate the efforts of the Plaintiff for reasons unbeknownst to the Affiant as the pattern of the behavior of the Defendant has led the Plaintiff to seek court intervention in a matter that in all respects, should have been resolved by amicable cooperation between the Plaintiff and the Defendant.

Further Affiant sayeth naught.

 - PRESIDENT
WALT WHITLOW

STATE OF KENTUCKY

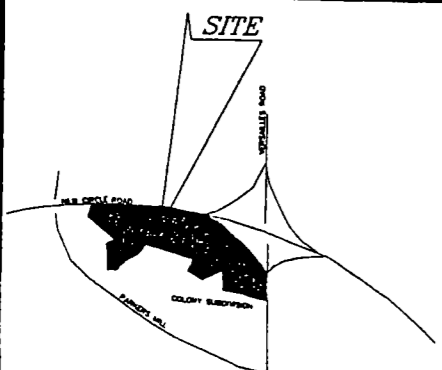
COUNTY OF FAYETTE

Subscribed and sworn to before me this 12 day of May, 1995, by Walt Whitlow.

My commission expires: 5/9/98

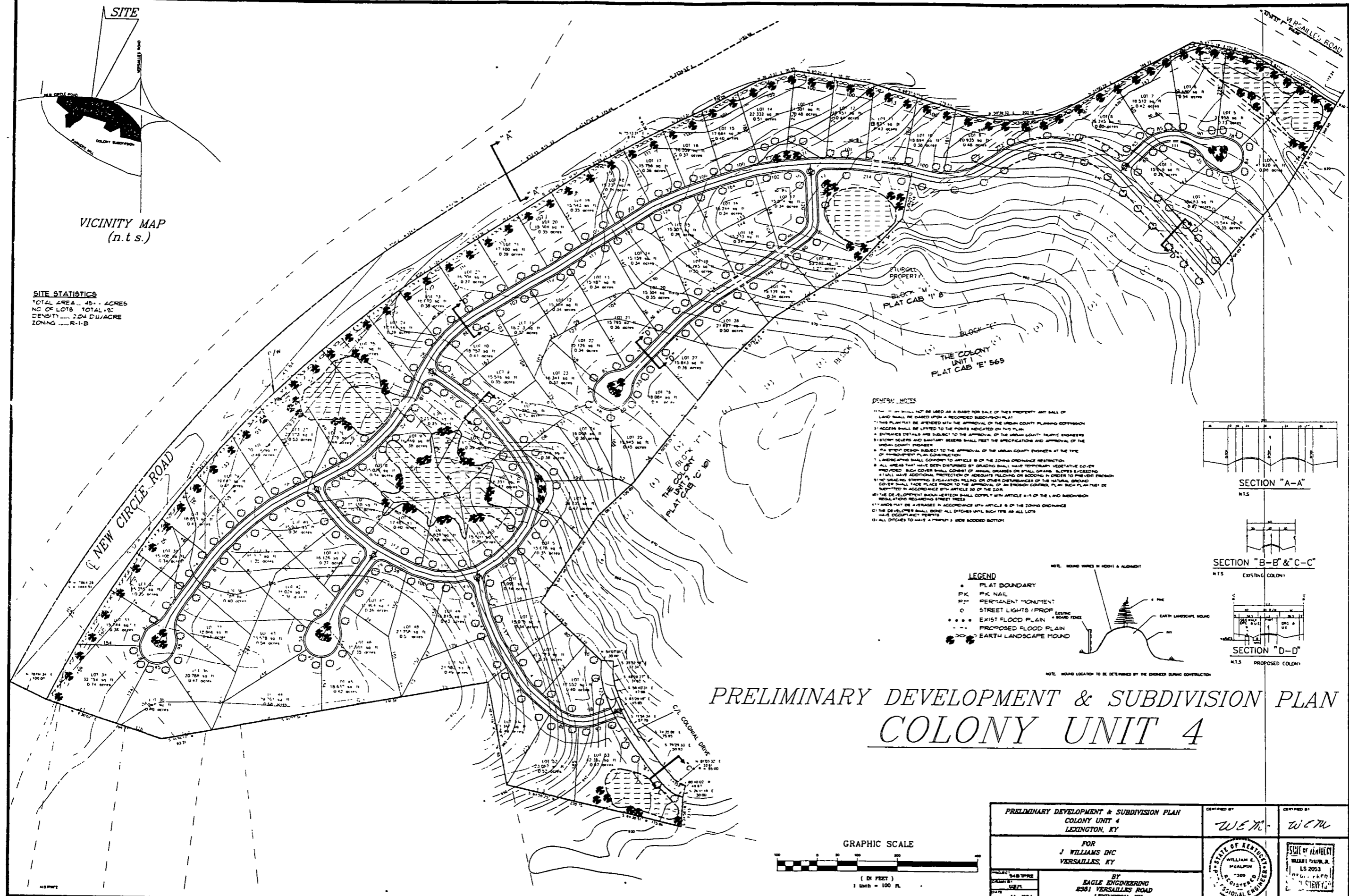

NOTARY PUBLIC, STATE AT LARGE, KY.

SITE



VICINITY MAP
(n.t.s.)

SITE STATISTICS
TOTAL AREA 45+ ACRES
NO OF LOTS TOTAL 93
DENSITY 2.04 DU/ACRE
ZONING R-1-B

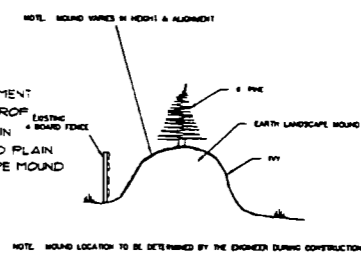


GENERAL NOTES

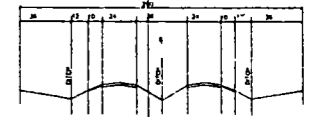
1. THIS PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAN.
2. THIS PLAN MAY BE APPLIED WITH THE APPROVAL OF THE URBAN COUNTY PLANNING COMMISSION.
3. ACCESS SHALL BE LIMITED TO THE POINTS INDICATED ON THIS PLAN.
4. ENTRANCE DETAILS ARE SUBJECT TO THE APPROVAL OF THE URBAN COUNTY TRAFFIC ENGINEERS.
5. STREET BELIEFS AND SANITARY DEVICES SHALL MEET THE SPECIFICATIONS AND APPROVAL OF THE URBAN COUNTY ENGINEER.
6. ALL STREET CLOSURES SUBJECT TO THE APPROVAL OF THE URBAN COUNTY ENGINEER AT THE TIME OF FUTURE DEVELOPMENT.
7. LANDSCAPING SHALL CONFORM TO ARTICLES 10 OF THE ZONING ORDINANCE RESTRICTION.
8. ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED. SUCH COVER SHALL CONSIST OF ANNUAL GRASSES OR SMALL GRASS PLANTS EXCEEDING 1' IN HEIGHT. ADDITIONAL PROTECTION OF ADOPTSIVE FENCING OR BODDING IN ORDER TO PREVENT EROSION.
9. THE GRADING, STREPPING, ELEVATION, PILING OR OTHER DISTURBANCES OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO THE APPROVAL OF AN EROSION CONTROL PLAN. SUCH PLAN MUST BE SUBMITTED IN ACCORDANCE WITH ARTICLE 26 OF THE ZONING ORDINANCE.
10. THE DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE URBAN COUNTY ENGINEER REGARDING STREET TREES.
11. LOTS MAY BE AVOIDANCE IN ACCORDANCE WITH ARTICLE 8 OF THE ZONING ORDINANCE.
12. THE DEVELOPER SHALL DO ALL DITCHES WITHIN EACH LOT AS ALL LOTS HAVE OCCUPANCY PERMITS.
13. ALL DITCHES TO HAVE A MINIMUM 3' WIDE BODDED BOTTOM.

LEGEND

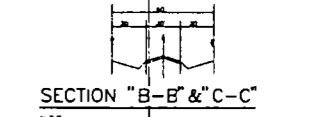
- PLAT BOUNDARY
- PK PK NAIL
- PM PERMANENT MONUMENT
- STREET LIGHTS / PROP
- EXIST FLOOD PLAIN
- PROPOSED FLOOD PLAN
- EARTH LANDSCAPE MOUND



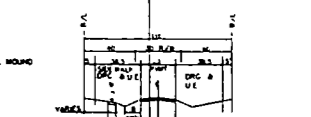
NOTE: MOUND LOCATION TO BE DETERMINED BY THE ENGINEER DURING CONSTRUCTION.



SECTION "A-A"
N.T.S.

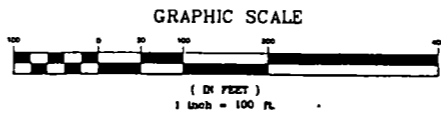


SECTION "B-B' & C-C"
N.T.S. EXISTING COLONY



SECTION "D-D"
N.T.S. PROPOSED COLONY

PRELIMINARY DEVELOPMENT & SUBDIVISION PLAN COLONY UNIT 4



PRELIMINARY DEVELOPMENT & SUBDIVISION PLAN COLONY UNIT 4 LEXINGTON, KY		CERTIFIED BY <i>WEM</i>	CERTIFIED BY <i>WEM</i>
FOR J WILLIAMS INC VERSAILLES, KY		STATE OF KENTUCKY WILLIAM L. McALPIN 1930 REGISTERED PROFESSIONAL ENGINEER	STATE OF KENTUCKY WILLIAM L. McALPIN 1930 REGISTERED PROFESSIONAL ENGINEER
BY EAGLE ENGINEERING 2881 VERSAILLES ROAD LEXINGTON, KY			
DATE JUL 1994			

- General Mtg Champensaus
Speck

EXHIBITS

flood pictures
negatives/pictures
mounted
labeled
professional

PETITIONS

colony
surrounding neighborhoods
wellesley
beaumont
west gardenside
viley
cardinal valley
community
fcnc
businesses, schools, malls, activities

NOTIFICATION/CALLING

meeting notices - delivery
calling committee
arrange for church
set up time for use
pick-up return keys
go to church 20 to 30 minutes early to setup
tables and chairs
stay 15 minutes after meeting to put back tables
and chairs

SIGN

yard signs
design
price/order/pick-up
distribute
ask for contributions for signs (2.00/sign)
pick-up signs after hearing
entry sign
design
price/order/pick-up
install
takedown after hearing

RESEARCH

EPA
sink hole
size & price of property - PVA Office
vacant 1 acre + lots (Fayette County)
vacant 1 acre + lots surrounding counties
developed 1 acre lots in Fayette County
inventory
how long do people stay
privilege fees

- Need professional polling organization (check @ work w/ planners)
. UK?

Monday - May 15, 1995

Meeting called to order by Walt Whitlaw. Minutes were read and approved. Treasurer Report: \$5,021.81 — \$881.00 light fund, \$4,440 legal fund.

Old Business:

This meeting was called to bring the Colony body up to date on the zoning change. The zone change went before the Planning Commission and it passed 7 to 3. This plan now goes to the council with 92 houses all entering and leaving through the Colony. All R-1-B lots. They have submitted a certified plan: They have purchased 32.68 acres total 45 net acres - 12 1/2 acres not purchased yet. This was taken from the deed exchange and P.V.A. records. It was stated if they do not pick up the option on the 12 acres they are, by contract, obligated to build the road connecting the new development with John Alden Lane. There has been no discussion on widening John Alden Lane or Colonial. The only discussion has been on widening the entrance. There is a note on this plan that leaves that open. The city may require improvement on streets. This would be left up to the traffic engineer and planning commission. There is a 20 foot right away on each side of the road belonging to the city.

A neighborhood meeting was held at Walt Whitlow's home. Attending that meeting were representatives from West Gardenside, Wellsly Heights, Beaumont Park, Cardinal Valley and Viley Associations. We wanted to bring them up to date and see what kind of support we would get from them. It was reported we would receive weak support from Beaumont and no support from West Gardenside. Wellsly and Cardinal Valley and Viley will support us.

A discussion on the retention basins and whose responsibility they would be? 1. Maintaining and in case of accidents. The answer was unknown. It was assumed the property owners responsibility. We could chose by mutual consent to decide whether we would allow them to become part of the Colony Inc.

We do not have a traffic study.

Money — we have had five donations of \$100 each from the time we started 22 months ago.

On the 1st request we got 89% participation

On the 2nd request we got 88% participation

On the 3rd request we got 81% participation

On the 4th request we got 59% participation

On the 5th request we got 48% participation

If you made one contribution of \$100 it cost you \$4.55 for 22 months to protect your house. 2 payments = \$9.09, 3 payments = \$13.60, 4 payments \$18.84, 5 payments \$22.73 for 22 months to protect your home. This comes to .74 a day for 22 months.

Presently we owe \$3,100 to Mr. Simpson. This has carried us for three months. We have been billed for about 10 hours a month. Also another lawyer fee of around \$500 to Mr. Vicroy (to collect records from Myra Jackson). So we have approximately \$600 in the bank.

Committees were formed:

Exhibits - Rae House

Petitions - Pat Nichols

Communication - Chris Huber

Signs - Tom Wade

Research - Alvin Blanton and Mike Maloney.

There is much discussion on the traffic. Do we need a new traffic study? Part of traffic being sent out Parkers Mill Road.

Frank Ham stated we should be able to use some of the records left from the last zone hearing.

Jerry Morris said we should not accept any zone change or alternate plan if we stand together we can beat this.

It was stated that this zone change must be heard before July 30th.

Now is the time to contact your Council members, write letters, letters to the editor.

Argument points — Traffic, intersection at Versailles, water, more density, construction trucks using our entrance.

The developers stated lots would sell for around \$60,000 a piece.

Dr. Ginger stated we are united in opposition to this development and he made a motion we ask for \$200 per household to fight this development. Also appoint a committee to write a group of letters with our various arguments that people could use as guides for their personal letters to the Council.

It was seconded by Dr. Crocker, There was discussion. Amendment - Art Baumohl that the contributions be done in two monthly installments.

21 for, 9 opposed. Motion carried.

1st Motion - Broken into separate payments, 21 for, 10 opposed.

Dan Huber and Walt Whitlow wrote a article to be published in Jerry Morris' publication "Views." This has a circulation of about 15,000 people. Coming out on Friday.

It was noted that it was Robert Kelley on the Planning Council that made the motion that the Thompson Hacker proposal be accepted.

Meeting was adjourned at 9:45.

May 15, 1995

Fred McFarque
Melanie Boulton
Champ Sigon
Howard Knigge

Pat Ella House
Ces G. Smith
Mina Jackson
Rudy Collier

Wesley Knigge
Gerrard Sharff
Mark Sharff
Helen Sigon

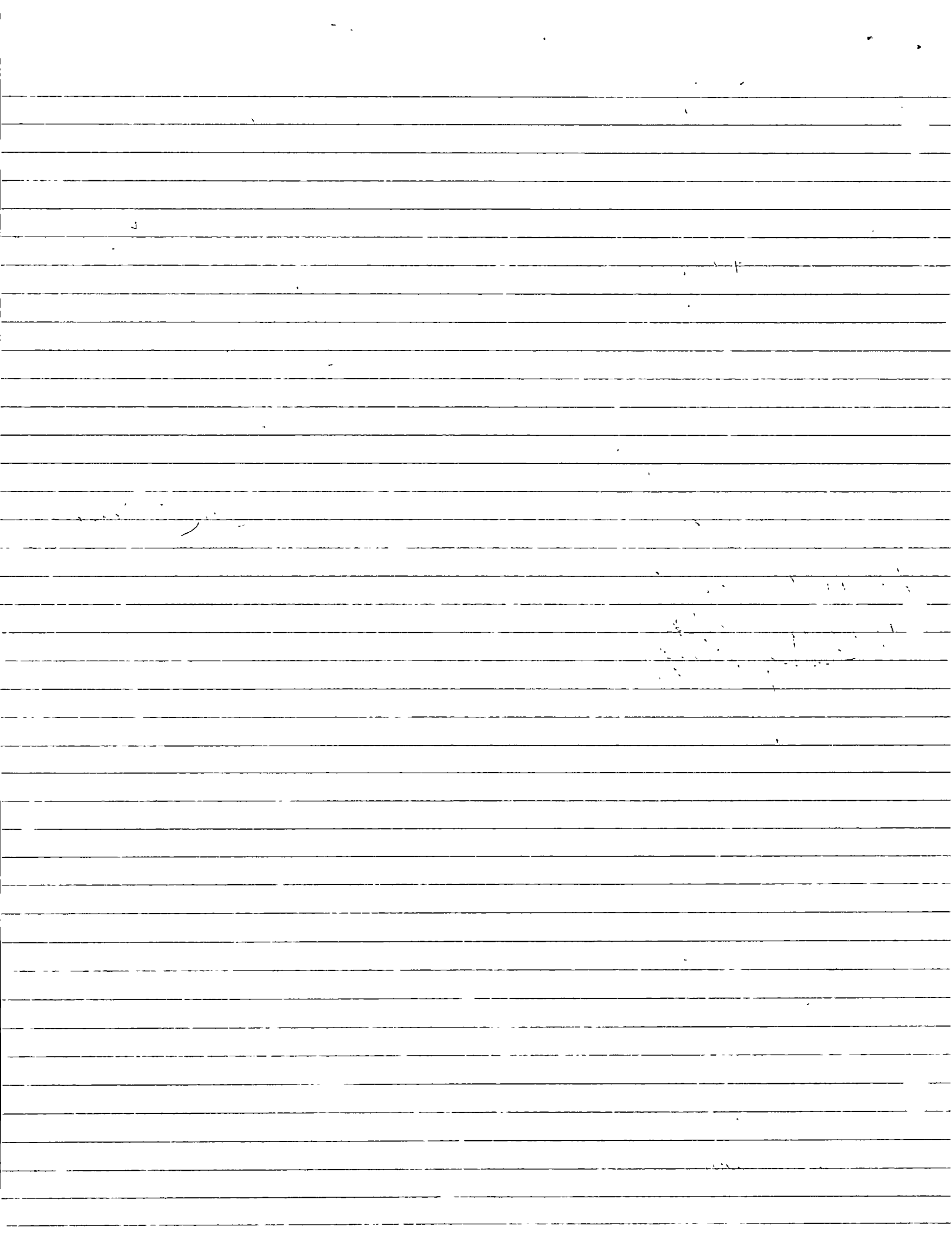
Frank Haney
Mary Duff
Dorothy Duff

Pat Nuber
Tom Wade
Holly Wade
Art Baumohl
Jane Baumohl

J. Davis
Clifton Anderson
Mildred Lawrence
Mike Maloney
Willis Jensen

Pam Walters
Bill THORNHILL
Frankie Cassidy
Frankie Daniel

Sally Heller
Melba Yeary
Maude Kelly
William & Favers
Virginia Hogan
Yvonne Hogan
Leonard Bastick
Charles Lawrence
Mrs. J. P. Phillips
Clara V. Barton
Doris Vineyard
Chuck Vineyard
Lynne Singer
Julia Olson
Bud M. O'Bryan
Lu Ann Burnett
Jean Sandifer
Bandy Sandifer
Pat Nuber
T. Smith
M. W. Smith
Joan Buser



NOTICE

May 26, 1995

We are having a discussion of the zone change request for the Sturgill Farm (which is adjacent to The Colony) for all the neighbors of The Colony - (West Gardenside, Beaumont, Wellesley, Viley, Cardinal Valley, Harrods Hill and Calumet)

Date: Sunday June 11, 1995
Time: 2:00 PM to 4:00 PM
Place: The Colony
(at the intersection of Mayflower Lane and Standish Way.)

We need your help to defeat this zone change, and hopefully end this continued push by developers to re-zoning property in this area. Keeping the R1A zoning (one house per acre) that most of the vacant property in this area is currently zoned, preserves the low density character of the Versailles Road/Parkers Mill Road area and does more to help the water and traffic problems we face than any other single issue we can address.

Our goal is to have at least 2500 names on petitions and at least 300 people at the council hearing who are in opposition to this zone change.

What happens on this piece of property will determine the direction of development for the remaining property in this area

Even though some of our neighbors may live on lots smaller than one acre it is perfectly acceptable for them to oppose this zone change. We can insist that we have some diversity in our zoning. We can insist that we provide a large lot option in Fayette County. We can insist that developers no longer ignore legitimate low density zoning classifications. While everything in Fayette County shouldn't be developed in one acre lots we certainly should have some of this type of development. (while there are thousands of acres currently zoned for development inside the Urban Service Area there is only about 300 + acres zoned R1A (one acre minimum) - this should be preserved)

If you are concerned about water, traffic and the beautiful area we live in - please help

Things you can do to help defeat this zone change:

1. come to the zone change hearing at The Urban County Council.
(bring at least one other person with you to the hearing, other than your spouse)
2. write a brief letter or two and send it to all the council members expressing your opposition to this zone change.
3. call your council member and the at large council members and express your opposition to this zone change.
4. sign a petition.

This is something we can win and something that is certainly worth fighting for. All it takes is determination and a lot of people willing to contribute a little time.

Hope to see you at the hearing at the Urban County Council

Date: Tuesday - June 27, 1995
Time: 6:30 PM
Place: Council Chambers - 200 West Main Street

NOTICE

of
Zone Change Hearing

May 26, 1995

The new **Zone Change** request by Jay William's, Inc. for the Sturgill Property located adjacent to The Colony is scheduled to be reviewed at a hearing before the Urban County Council.

Date: Tuesday - June 27, 1995
Time: 6:30 PM
Place: Council Chambers
200 E. Main Street

It is important that you attend this meeting.

The following are a few suggestions of things that you can do that will help in our opposition to this **Zone Change** .

1. Write personal letters to all Council members expressing your opposition to this proposal.
 2. Make a commitment to attend the meeting at the Urban County Council.
 3. Inform friends, neighbors and groups of people concerned development issues in Fayette County about this Zone Change Request. (these people/groups need to be at the hearing)
-

Points to use in your letters and conversation with all council members.

- 1 New development uses The Colony as entry to new subdivision.
- 2 The property for the proposed development is currently zoned R1A, which is a legitimate zoning classification in this community.
- 3 The people in The Colony are not opposed to development of this property at the current zoning classification (R1A) - we are opposed to a **zone change** for this particular piece of property.
- 4 The developer knew the zone of the property when he purchased it. This zoning classification should have been taken into consideration when the price was set for the property and before the property was purchased. It is not a community responsibility nor a LFUCG responsibility to re-zone property to a higher density because the developer makes a bad deal and pays too much for the property. Developers seem to assume that every piece of single family residential property within the USA can be re-zoned at a higher density.
- 5 Versailles Road / Colonial Drive intersection is already extremely dangerous, another 92 houses (approx. 230 cars x 6 or 7 trips per day) will make this intersection even more dangerous.
- 6 Dense development in the upper end of the Wolf Run Watershed will make already unbearable flooding and water problems worse. (flooding in The Colony, West Gardenside, Viley and other downstream areas)
- 7 Roads in The Colony do not meet any LFUCG standards (roads are as narrow as 19 feet wide)

9:55
TRIPS / 12:00

omw

- 8 We are allowing developers to ignore legitimate zoning classifications (R1A) in favor of more profitable, higher density zones.
- 9 All construction traffic would come through the colony for years (during development activities and during construction of all the houses - more density would mean more traffic) We are talking about earth moving equipment, backhoes, dump trucks, concrete trucks, lumber trucks, delivery trucks of all kinds, electrical, plumbing, heating & air conditioning, roofing, carpentry, masons, concrete, painters, landscapers, seeding & sod, dumpsters, etc.
- 10 Sets a precedent for higher density future development along the Versailles Road corridor.
- 11 Extremely negative impact on the ambiance of The Colony and the way of life that people have enjoyed for 47 years.
- 12 Owner closed off his only entry to this property by developing part of this property into a dead end culdesac in the late 80's (Chinquapin) - now after profiting from the Chinquapin Development he has decided to sell the property and the new owner is proposing that The Colony be used as an entry to this new subdivision on the remaining property.
- 13 We are looking at a development that will destroy The Colony and the way of life that the residents have worked for and enjoyed for the past 47 years. Now as opposed to recognizing the quietness and charm of this neighborhood and doing everything we can to enhance and preserve it, the city council is considering the opposite. We have a older, stable neighborhood, that many would like to emulate and instead of working to keep it strong, stable and a continuing asset we are considering undermining what has worked so well and contributed so much to this community.
- 14 There is no case on record where the LFUCG council has used an existing neighborhood such as The Colony, as an entry way to a new development.
- 15 This proposed development creates a huge dead-end culdesac.
- 16 This proposed development is not in keeping with the low density character of the area.
- 17 This proposed development is being proposed by owner who doesn't live in Fayette County
- 18 Real Estate people we talk to indicate a need for large lots in Fayette County but will not come forward because they would be speaking in opposition to, developers & home builders, who furnish them with a large percentage of their business,

If you have any questions please call:

Walt Whitlow - (President, Residents, Inc. - 254-1994)
Dan Huber - (Vice-President, Residents, Inc. - 255-2188)

6/21/95 Meeting w/ Charlie Farmer, Div of Soil & Water Conservation

General Impressions: Mr. Farmer was very nice and polite. His general recommendation was not to pursue wetland / environmental issues on this development. However we are unsure if Mr. Farmer is totally impartial - he does interact frequently with LFUCG engineers & planners.

According to Mr. Farmer:

Hunington-type soil as shown on the topo maps in this area does not qualify as a wet-land soil. Even if it is wet most of the time by virtue of a spring, the soil must be of wet-land type. < On the other hand, Mr. Voltz of the same office told us independently that small pockets of wetland type soils would not necessarily be shown on maps >

The Newark type soil as shown below the development is of wet-land type, but since it is not included in the development and properly-designed retention systems would in theory not control run-off and not threaten this, we cannot use this argument to alter the development proposal.

The Lawrence, ^{probably} step-work, issue was a flood plain not a wet lands issue

Sink holes in this area are dynamic. Small sink holes do not necessarily show on topo maps or areal photos. Must walk

the land to determine

Suggested Chatur Tallwalker as knowledgeable source in these issues.
581 Stratford Dr, 278-5855

Dr. Threlkell, geologist at UK, retired in Florida

Called Mr. Tallwalker, he recommended for more information
Contact division of water resources 1 800 928 3410 and
locally Ken Cook, water watch program

Bruce Simpson 255-7761 (w)

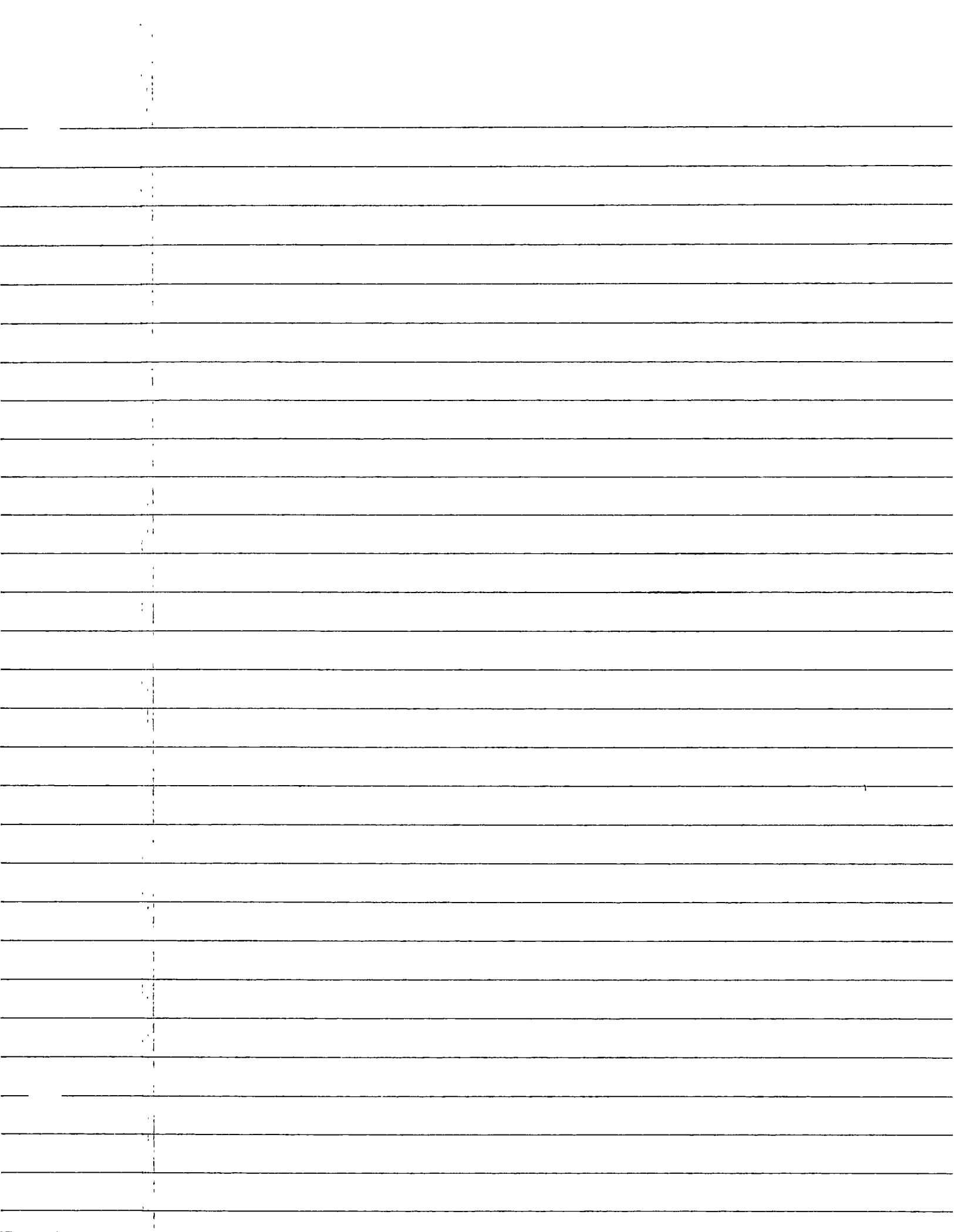
Need

- ✓ - Wetlands probably will not pan out
- ✓ - No credible evidence of sink holes
- ← - Cannot locate ^{Hoising} pictures, Myra has only copy & negatives, need now
- ✓ - Put Edger setting up construction vehicle pictures, will call when ready
- ← ✓ - Beuler Poll: did Walt leave list of rentals with you?

If so questions?

Get to Bruce, — Westmoreland plat shows 144 lots 3 for sale ^{50,000 (one)}
per Don Hodson
Ray rector
3 homes for sale

- * Something going on with J. Williams & Jimmy & Ray yesterday,
- For exhibits contact Pea Horse 231-8588



- Video guy: 10:30 am tomorrow morning, vehicles

- We intend to do last minute calling of all Colony Residents

- write / call council persons
- attend hearing
- Did RIA zone affect your decision to buy / stay
- Do you intend to speak
- What else??

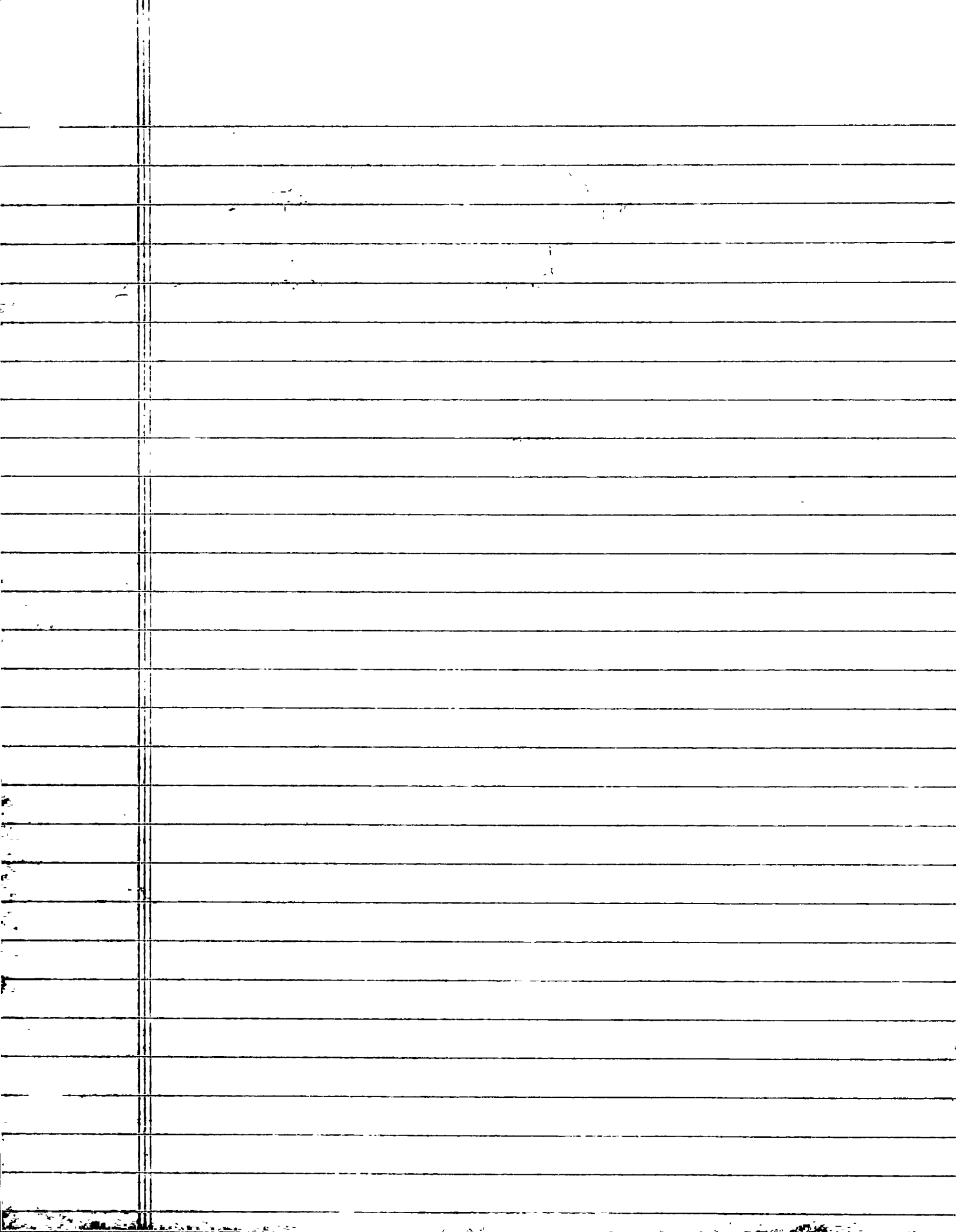
- Confirmed speakers to date:

- Trig Bowman, West Gardenside .. Myra & rumor
- Jon Footey, Braemar
- Archie Weeks, Wellesley
- Howard Grey, Parkers Mill
- Leslie Trapp (will call to confirm) Call Him Again
- Dr. Lynn Ginger

* Call paper Peter McKay

* Our lots 33, 41 k includes lakes!
Then lots 19, 2 k

J. William Fuc has not divulged here



NOTICE OF MEETING

Residents, Inc.
The Colony Neighborhood Assoc.

Date: Thursday - July 13, 1995
Time: 7:00 PM
Place: St. Raphael's Episcopal Church
1891 Parkers Mill Road

A meeting of the general membership of Resident's Inc. has been called by the president at the time and place set forth above.

- (1) Treasurers Report
- (2) Appointment of Finance Committee
- (3) Summary of Zone Change Hearing
- (4) Approval by General Membership for pursuit of further legal action.
- (5) Appointment of Nominating Committee for election of officers

Walt Whitlow - President
Resident's Inc.

If you have any questions please call:

Walt Whitlow - President...(Residents, Inc.)
254-1994 after 3:00 PM
254-7790 anytime
Dan Huber - Vice-President (Residents, Inc.)
255-2188 home
232-6558 work

General Meeting

July 13, 1995
St. Raphaels Church

Walt Whitlow called the meeting to order. The minutes of the last meeting were read and approved.

Walt thanked all the chairmen of the various committees who worked so hard before the hearing.

The day after the hearing several people received threatening "post cards." Walt explained he had contacted the F.B.I. and they would take care of this problem.

Treasurer Report: \$9,716.62 in the Bank, \$446 in the light fund. We are \$2,655,70 short of our present bill which is \$11,936.32.

A Financial Committee has been appointed. Pat Nicholas is the chairman. They hope to contact the Colony people who have not paid and come up with new ways to help pay for the on going law suit. Hopefully we will receive some support from surrounding neighborhoods.

There was a discussion as to whether we should or should not continue in our efforts to ask them to build as we are. Walt stated he thought it might cost approximately \$200 per household, depending on how many people we had participating. Walt read a letter from Bruce stating why he thought we should continue. The case will go first to district court, appeals court, then supreme court.

It was stated the developer could start any time now, however there would be a cloud over the land.

Dr. Crocker moved we hire Bruce Simpson to file the appeal. The vote was taken 29 for, 2 opposed. Motion carried.

Lowell Bush reported the Beautification Committee is still working. He handed out a planting plan.

Chuck Vineyard moved we adjourn. 8:31 p.m.

• Pat Edger

Roll

July 13,

Lynnan Deigler
Lillian Stivers

Pat Nance

Maynor Sandifer

Ruby Glegg

Mona Jackson

Suzanne Cassidy

Frank Cassidy

Mary Duff

Joe Baumhoff

Art Baumhoff

Deis Vineyard

Chock Vineyard

Luey Marshall

Daisy Simmons

Walter Smith Jr

Miriam Smith

Bonnie Musgrave

Howard Musgrave

Laura M. Barnett

Jo Davis

LYNN GROGAN

YVONNE GROGAN

Jewell McLeire

Lowell Bresh

Joan Buser

Joanne Thornhill

Wm. J. Thornhill

Barbara Crocker

MAX A. Crocker

Chew Heber

C. D. TRUITT

Vernon Kestice





RESIDENT INSTRUCTION
AGRICULTURAL EXPERIMENT STATION
COOPERATIVE EXTENSION SERVICE

DEPARTMENT OF HORTICULTURE
AND LANDSCAPE ARCHITECTURE
N-318 Ag. Science Bldg.—North
Lexington, Kentucky 40546-0091
(606) 257-7294

June 26, 1995

MEMORANDUM

TO: Lowell P. Bush
FROM: Mary Witt *Mary*
RE: Plant suggestions for bed renewal in subdivision

A. Front entrance off Versailles Rd

Background plants (against fence)

Tsuga canadensis, Canadian Hemlock (maybe even 'Pendula', but I worry about thieves)
Juniperus chinensis 'Hetzii Columnaris' or 'Keteleeri', Chinese juniper
Ornamental grasses, especially *Miscanthus sinensis*
Cercidiphyllum japonicum 'Pendula', Weeping Katsura tree
Cotinus obovatus, American Smoketree

Foreground Plants

4-5 ft:

Abelia grandiflora, Glossy Abelia
Callicarpa dichotoma, Purple Beautyberry
Ilex verticillata, 'Red Sprite', deciduous holly
Buxus microphylla, Boxwood
Ilex glabra, Inkberry

2-3 ft:

Caryopteris clandonensis, Blue Mist Bluebeard
Fothergilla gardenii, Dwarf Fothergilla
Kerria japonica 'Picta', Variegated Japanese Kerria

Some daylilies would be very effective, where 4 to 5 hours sunlight is available.
Hostas should be added to shady spots Both these plants are wonderful fillers.

Lowell P. Bush
June 26, 1995
Page 2

B. Interior large islands which require trees:

25 to 50 ft:

Acer buergeranum, Trident Maple
Acer griseum, Paperbark Maple
Aesculus pavia, Red Buckeye
Amelanchier grandiflora 'Cumulus' or 'Autumn Brilliance', Serviceberry
Carpinus caroliniana, American Hornbeam
Cladrastis kentukea, American Yellowwood
Koelreuteria paniculata, Golden Raintree
Maackia amurensis, Amur Maackia
Oxydendrum arboreum, Sourwood
Phellodendron amurense, Cork Tree

10 to 25 ft:

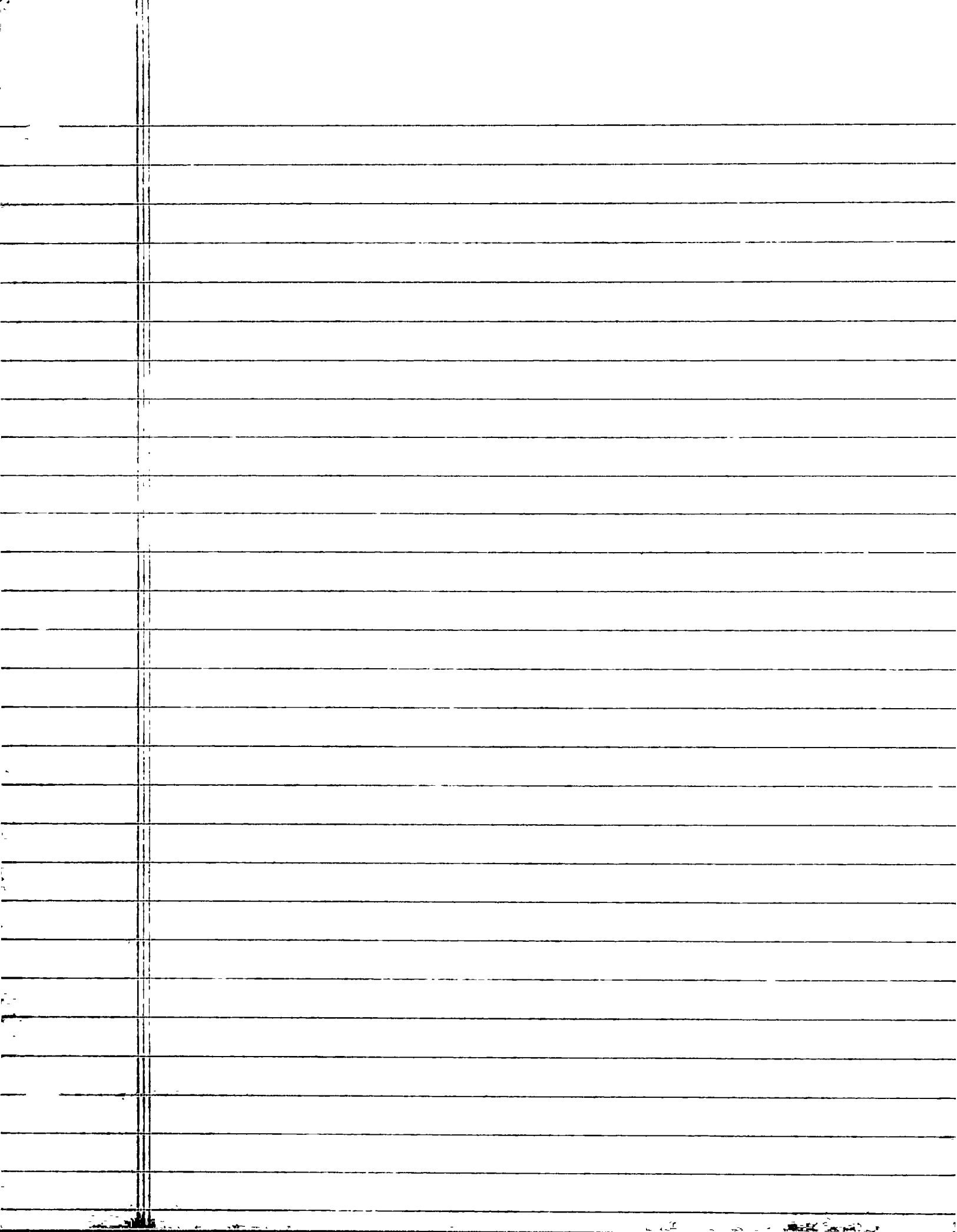
Acer ginnala 'Flame', Amur maple
Chionanthus virginicus, Fringe Tree
Clethra barbinervis, Japanese Clethra
Fothergilla major, Large Fothergilla
Hamamelis x intermedia 'Arnold Promise', Witch Hazel
Magnolia loebneri 'Dr. Merrill', Dr. Merrill Magnolia

MLW:kss

General Mtg of Residents Inc

7/13/95

- * Walt thanked all who worked on hearing
- * Brief discussion on threat cards
- * Minutes read from last meeting
- * Treasurer Report
 - * handed out check register
 - * Myra stated that Helen Ligon paid the hydrologist & requested that any charges from Bruce associated with this be forwarded to her. Walt said that this not itemized on Bruce's bill so the Colony agreed to pay this.
- * Question about election of officers at this meeting was clarified. I read meeting notice aloud which clarified that nominating committee only was to be appointed.
- * Discussion of pursuit of further action:
 - if Art Bachmad asked on what grounds we might appeal Walt tried to explain reasons
 - Pat Nichols requested a meeting with Bruce & other neighborhoods who support us.
 - Question raised as to estimated cost: Walt stated Total \$20k and expressed this in terms of # participants
 - Jane Bachmad said that she saw no grounds for appeal. She thought we lost fair and square.



RESIDENTS, INC.
CASH FUNDS

Cash In Bank	9,716.62
Less. Accounts Payable	11,936.32
Less. Light Fund	446.00
Net Short	2,655.70

RESIDENTS, Inc.
EXPENSES DEVELOPMENT PLAN #2
2/10/95 -7/13/95

Attorney Fees	10,812.84
Engineering & Marketing Studies	3,250.00
Photos, Maps, Copies, etc.	1,020.45
Signs	575.05
Vedio & TV	500.00
Total Expenses	<u>\$16,158.34</u>

Walt FAX # 703-524-1046
wash DC.

What was date of last hearing... for transcripts?

* Pursue wetlands investigation: Form,
Investigator

Call Paul Howell about consultant / fee / survey property.
Check on wet land from Lunnies,

* If UK can collect credible evidence of sink hole
we will use it.

Jim Redmond

Need Rimmer to get testimony

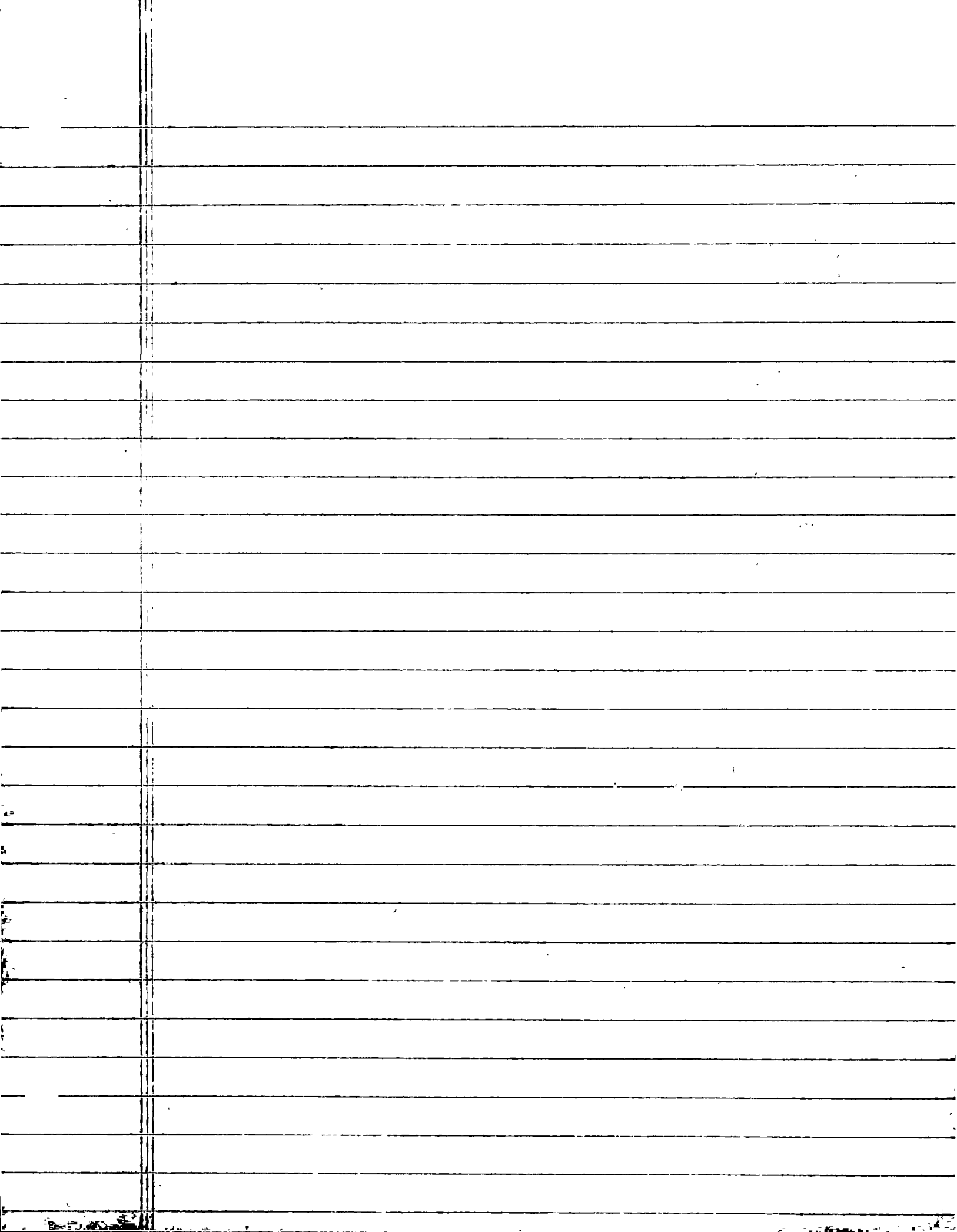
* Bring all pictures of water for Bruce
Edger: Kilrush, Cardinal Valley

* Susan White pictures of construction truck on Colonial Dr.
Need Concrete Truck picture on John Alder Lane
Construction Trucks
- Shots of intersection from car

* Private poll of 100 residents good idea... Communication
Committee. Bruce to prepare & Fax guests: Chris get committee
going

* Need # lots in Westmoreland & # county for sale as of
moment of hearing.

* Need list of people who depended on RIA (since '69)
important, either to buy or sell.



General Meeting

November 7, 1995
St. Raphaels Church

The meeting was called to order by Walt Whitlow at 7:15.

Walt introduced Todd Stricker, Vice President of the Calumet Area Association. He brought us up to date on their association efforts in regards to the rezoning of Calumet. He said there are to be 126 houses with 60 feet fronts. Taylor Morgan was to be the water expert. The secretary to Calumet Farm for 42 years would speak at the hearing. The hearing is Thursday, November 9, 1995 at Council Chambers. He asked for our attendance and support.

The minutes of the last meeting were read and approved.

The Treasurer report was given: Total funds received - \$37,262.73. Total funds spent - \$35,651.61. Outstanding bills - \$2,800.47. A financial report is attached to these minutes.

The Finance committee report - We have 69 residents in the Colony this includes the houses facing the Versailles Road. We collected from 48 of these homes.

The committee is asking for additional \$200 for 1996. To meet the on going expenses of the law suit. Pledge cards will be taken to each home asking people to pledge. This will give the committee how much money they have to work with. The more people who pledge, the less the cost will be to each household.

Report on Legal Action - The law suit was filed against the city. Bill Lear agreed on the time schedule. The transcript was done by the middle of October and checked by the city. Bruce Simpson must file a brief by November 30. 30 days later Mr. Lear must file his brief.

The development plan has not been filed.

New Business -

1. Art Baumohl asked if we could please get the weeds cut between the street and the fence row.
2. Walt announced that the developer had contacted him asking us to support them in their efforts to develop the new sections like our colony with no curbs, gutters, or sidewalks. They offered us $1/2$ of the savings that would come from this - about \$59,000. Also they would build a new colony entrance and new fencing along the Versailles Road. Discussion followed - still have not addressed the water problem, traffic problem. Walt stated that he thought the planning commission would consider the gutters and sidewalks this month.

Fred O'Bryan made a motion we reject the offer made by the developer.

A motion was made by Mr. Daniel that we institute and pursue a non committal discussion with the developer and the engineer. Pat Nichols seconded the motion. Twenty for - none against.

The Nominating Committee Report - Chairman Fred O'Bryan nominated the following officers: Vice President - Pat Nichols; Secretary - Joan Bush; Board Members - Phil Miller, Sue Remmer and Tom Wade. The slate was accepted.

The floor was open for nomination for President. Walt Whitlow was nominated. Tom Wade moved we accept by acclamation. Pat Nichols seconded. All approved. The floor was open for nominations for Treasurer. Walt nominated Dan Huber, seconded by Art Baumohl. Approved by all.

Meeting adjourned at 8:40.

• Pat Edger

Residents, Inc.
Income & Expenses
7/6/93 -11/06/95

INCOME

Light Fund Collections	613.00	
Legal Fund Collections - Colony	34,420.00	
Legal Fund Collections - Neighbors	1,525.00	
Sign Fund Collections - Colony	495.75	
Sign Fund Collections - Neighbors	69.00	
Interest Income - Checking Account	139.98	
Total Funds Received		\$37,262.73

EXPENSES

Attorney Fees	26,606.00	
Engineer	1,555.20	
Photos, Maps, Copies, etc.	2,449.98	
Signs	1,387.05	
Vedio & TV	1,407.80	
Utilities - Street Lights	968.04	
Supplies - Printed Checks	58.75	
Memberships	50.00	
Corporate Filing Fee	8.00	
Bank Charges	28.00	
Baumont Legal Fund	1,000.00	
Misc.	132.79	
Total Expenses		\$35,651.61
Net Funds 2/10/95		\$ 711.12

By 4/10/95

SEE REAR SIDE FOR
INSTRUCTIONS

Roll - Nov 7, 1995

Dan Huber

Eud M O Bryan

MARA Crocker

Melba Yearry

Cur Huber

Cathy O. Bryan

Art Baumohl

Mike Malony

Holly Wade

Tom Wade

Jeanne Thornhill

Mary Jackson

Helen Higou

MARY Polk

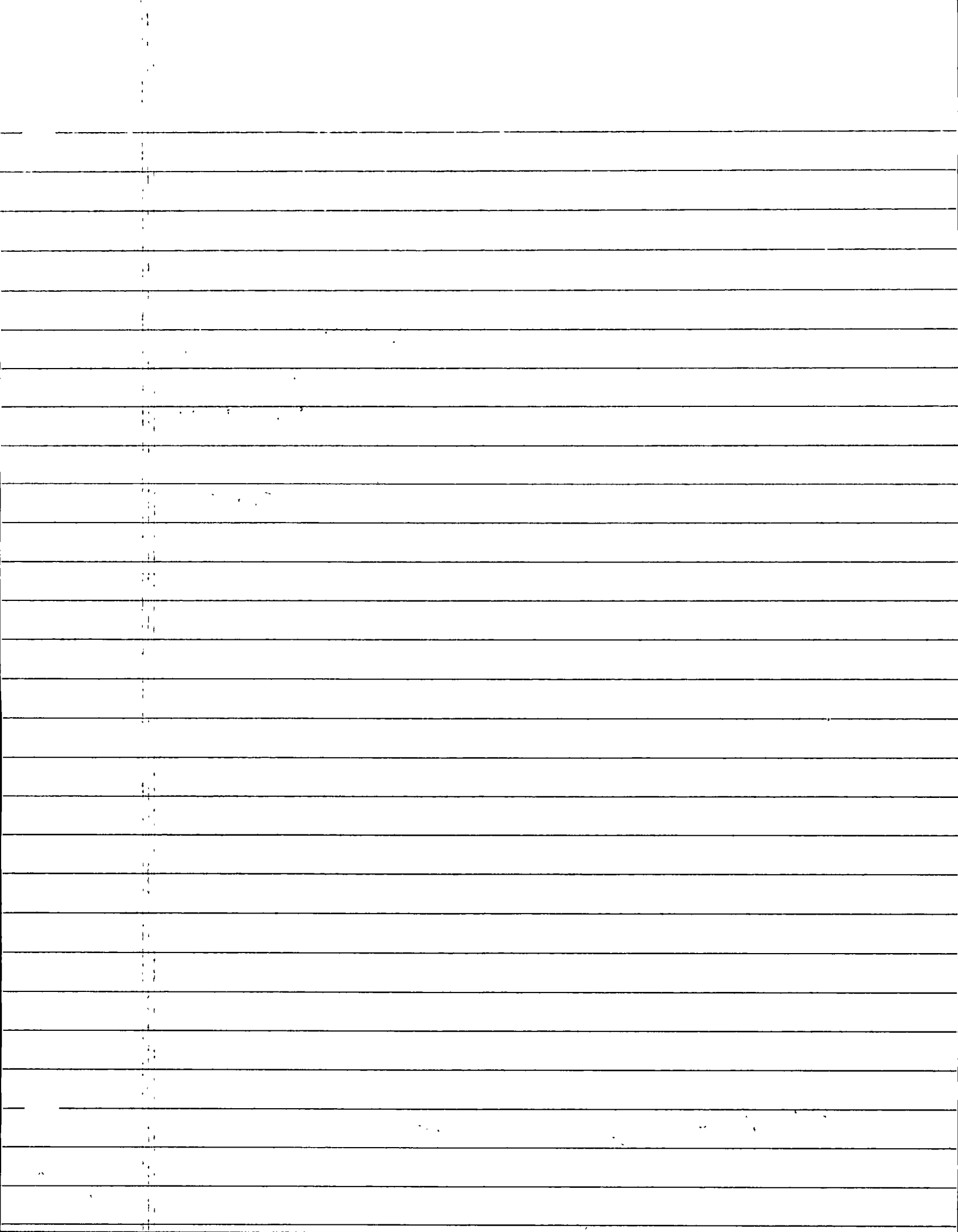
Pat Dupis

Al Polk

Frankie Daniel

Randy Daniel

Luanne M. Burnett



November 6, 1995

Colony Neighborhood Association
Versailles Road
Lexington, KY 40504

RE: Zoning Appeal

Dear Sirs:

We are respectfully asking for your assistance to aid us with our Planning Commission request to allow us to eliminate the proposed curb and gutters in the entire subdivision. With further help from yourselves, we can potentially reduce the sidewalk requirements to only one side. This not only means that we can realize considerable savings, but will also conform more to the construction of the existing subdivision. Following you will find the Proposed Potential Savings :

<u>Sheet Name</u>	<u>Street Linear Footage</u>
Cape Cod Drive	540 L.F.
Powhattan Court	300 L.F.
John Alden Circle	1100 L.F.
John Alden Court	800 L.F.
Plymouth Rock Court	300 L.F.
John Alden Lane	3300 L.F.
TOTAL LINEAL FOOTAGE	6,340 L.F.
Curb and Gutter @ \$ 6.25/l.f. X 2 X 6340 L.F.	\$ 79,250.00
Sidewalks @ \$ 6.00/l.f. x 6340 L.F.	\$ 38,040.00
TOTAL POTENTIAL SAVINGS	\$ 117,290.00

With our combined efforts, I feel that these savings can be attained. We propose that we split these savings evenly between the new development and the existing subdivision. We propose the moneys be spent to enhance the existing subdivision in whatever way that the residents deem fitting. Additional landscaping and other aesthetic enhancements will be done in the new development with our portion of the savings. In addition to the above proposal, we will construct, with your approval, a new entrance to the Colony and repair as necessary, the board fence adjacent to Versailles Road.

The pending litigation that we are involved with is only counter-productive to both parties. If you combine these savings with the moneys saved by taking this out of the hands of the attorneys, we will be able to focus our attention and funds on the construction of our development.

Sincerely,



J. Williams, Inc.

NOTICE

Residents Incorporated
The Colony Neighborhood Association

Date: 11-6-95
To: Members of the Colony
From: Nominating Committee - Lowell Bush, Dan Huber, Fred O'Bryan, Chairperson,
Walt Whitlow, and Chuck Vinegard
Subject: Slate for Officers and Members of the Board of Directors

The following individuals have volunteered to be considered for the below positions by the members of The Colony. Nominations from the floor are in order before an election of an individual to any position on the Board of Directors.

Board Officers:

President _____

Vice President - Patricia Nichols

Secretary - Joan Bush

Treasurer _____

Board Members:

^{IP}
Phillys Miller

Sue Rimmer

Tom Wade

RESIDENTS, INC. Check Register

Date	Check #	Payee	Amount
08/15/93	191	Bruce Simpson	750.00
08/31/93	192	Myra Jackson	220.00
09/09/93	193	Ad Color	780.00
09/20/93	194	Myra Jackson	309.10
09/20/93	195	Bruce Simpson	3,568.30
09/20/93	196	Wilbur Smith Assoc.	805.20
09/21/93	197	Lexington Fay. Govt.	15.00
09/21/93	198	Bruce Simpson	600.00
10/11/93	199	Bruce Simpson	3,228.43
10/13/93	Debit	Lexington Federal	51.75
10/15/93	200	Myra Jackson	109.30
11/18/93	201	Lexington Fay. Govt.	30.00
11/18/93	202	Barney Millers, Inc.	68.90
11/18/93	203	Kinkos	190.80
02/14/94	204	K U	296.94
02/18/94	205	Bruce Simpson	5,000.00
03/14/94	206	Bruce Simpson	1,500.00
03/14/94	207	Myra Jackson	439.00
03/21/94	208	Ky. Stste Treasurer	4.00
05/09/94	209	Fayette Neigh. Coucil	25.00
06/05/94	210	Bruce Simpson	1,025.00
07/16/94	211	Bruce Simpson	885.00
-	212	Void	-
09/08/94	213	Baumont Neighborhood	1,000.00
11/04/94	214	K U	218.70
12/06/94	215	Bruce Simpson	620.00

Total Disbursements 08/15/93 thru 02/07/95

21,740.42

LAW OFFICES

MURPHY & ENLOW

1880 LEXINGTON FINANCIAL CENTER
280 WEST MAIN STREET
LEXINGTON, KENTUCKY 40507-1728

(606) 255-3371

FAX (606) 255-1871

E. LAWSON KING
OF COUNSEL

JOSEPH B. MURPHY
DAVID T. ENLOW
STEVEN F. VICROY
LYNN R. SCHRADER
TRACEY S. ENLOW

February 15, 1995

Ms. Myra Jackson
1208 Colonial Drive
Lexington, KY 40504

Re: Residents, Inc.

Dear Ms. Jackson:

I have been retained by Residents, Inc. to represent that corporation regarding the recovery of its corporate records and other important documents that you have in your control and possession. I have been advised by Mr. Walter Whitlow, the president of the corporation, that you, as the former president of the corporation, have been requested several times but have failed to return certain records to the current corporate officers.

The corporation is in dire need of certain documents in those records and demands the immediate return of those documents. As you no longer an officer of the corporation, you no longer have the right to exercise control over these documents and this final demand is made upon you to return them.

By this letter, my client demands the return of these documents by 12:00 noon, Monday, February 20, 1995, to 1249 Standish Way, or legal action will be instituted against you for the return of these documents.

Your prompt attention is expected. I would hope that litigation to resolve this matter would not be necessary.

Very truly yours,

Steven F. Vicroy

SFV:s

cc: Mr. Walt Whitlow

August 22, 1994

Ms. Myra Jackson
1208 Colonial Drive
Lexington, KY 40504

Dear Myra:

As you know, the Board of Directors of Residents Inc./Colony Neighborhood Association voted to request that you provide us with all records, materials and every other tangible item or thing, which you have in your possession or control, pertaining to the business affairs of our neighborhood association and which you obtained during your tenure as President. This material includes, but is not limited to, written or taped records, correspondence, bills, photographs and the negatives of such photographs, videos, receipts, maps, plans, surveys, deeds, etc.


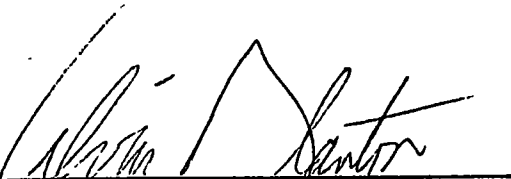

We request that the above be delivered to 1249 Standish Way, on or before 12:00 PM, Friday, August 26, 1994.

Myra, we need these materials. There is no legitimate reason why you are refusing to deliver them, as has been previously requested.

Sincerely,



Walt Whitlow, President
Residents, Inc./Colony Neighborhood
Association


Dan Huber, Vice President
Pat Edger, Secretary
Alvin Blanton, Treasurer
Lyman Ginger, Board Member
Mike Maloney, Board Member