

TORREY PINES HOMEOWNERS ASSOCIATION

BARRY K. PEDERSEN, PRESIDENT 965-3409
MICHAEL CLASSEN, V.P., RHONDA ZEBOLSKY, TREASURER
TED COPE, SECRETARY, TOM MANN, AT LARGE MEMBER
P.O. BOX 359, BOYS TOWN, NE 68010
www.torreypinesomaha.com

MARCH 28, 2011

REYES BARRERA/HOMEOWNER
4109 N. 154TH AVE
OMAHA, NE 68116

RE: COVENANT VIOLATION

DEAR MR. AND/OR MRS. BABBERA:

WE HAVE HAD A COUPLE COMPLAINTS OVER THE LAST MONTH IN RELATION TO THE BLUE TARP COVERING A CAR IN YOUR DRIVEWAY, THE WORKOUT EQUIPMENT IN THE DRIVEWAY, AND MULTIPLE AUTOS PARKED THERE. ACCORDING TO TORREY PINES HOMEOWNERS COVENANTS WHICH REQUIRE AUTOMATIC COMPLIANCE UPON MOVING INTO TORREY PINES, THE FOLLOWING COME INTO QUESTION AND/OR ARE VIOLATIONS:

ARTICLE I. RESTRICTIONS AND COVENANTS

1. Each Lot shall be used exclusively for single-family residential purposes, except for such Lots or parts thereof as may hereafter be conveyed or dedicated by Declarant, or its successors or assigns, for use in connection with a Common Facility, or as a church, school, park, or for other non-profit use.
7. No repair of any boats, automobiles, motorcycles, trucks, campers of similar vehicles requiring a continuous time period in excess of forty-eight (48) hours shall be permitted on any Lot at any time; nor shall vehicles offensive to the neighborhood be visibly stored, parked or abandoned on any Lot. No unused building material, junk or rubbish shall be left exposed on the Lot except during actual building operations, and then only in as neat and inconspicuous a manner as possible.
8. No boat, camper, trailer, auto-drawn or mounted trailer of any kind, mobile home, truck, aircraft, camper truck or similar chattel shall be maintained or stored on any part of a Lot (other than in a enclosed structure) for more than twenty (20) days within a calendar year. No motor vehicle may be parked or stored outside on any Lot, except vehicles driven on a regular basis by the occupants of the dwelling located on such Lot. No grading or excavating equipment, tractors or semitractors/trailers shall be stored, parked, kept or maintained in any yards, driveways or streets. However, this section 8 shall not apply to trucks, tractors or commercial vehicles which are necessary for the construction of residential dwellings during the period of construction. All residential Lots shall provide at least the minimum number of off street parking areas or spaces for private passenger vehicles required by the applicable zoning ordinances of the City of Omaha, Nebraska.

I HOPE THIS WAS SOMETHING THAT CAN BE HANDLED RIGHT AWAY. THANK YOU FOR YOUR HELP IN THESE MATTERS.

REGARDS,

BARRY PEDERSEN, PRESIDENT 965-3409
TORREY PINES HOMEOWNERS ASSOC.

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TOM MANN, AT LARGE MEMBER

www.torreypinesomaha.com

TPHA Copy

JUNE 15, 2010

MR. & MRS MICHAEL RUFF
15210 TAYLOR ST.
OMAHA, NE 68116

RE: FLAG RELOCATION

MR. & MRS RUFF:

TOM AND I WANT TO THANK YOU FOR ADJUSTING THE LOCATION OF YOUR FLAGPOLE ON THE WEST SIDE OF YOUR PROPERTY. THE NEW LANDSCAPING AND FLAG POSITION HAVE BEEN APPROVED WITH THE RELOCATION OF THE FLAG 15' TO THE SOUTH AND NO MORE THAN 3' FEET TO THE WEST OF YOUR DRIVEWAY. WITH THIS LETTER THE MATTER AS FAR AS THE TORREY PINES HOMEOWNERS ASSOCIATION IS CONCERNED HAS BEEN CLOSED.

IF YOU HAVE ANY QUESTIONS PLEASE LET ONE OF THE BOARD MEMBERS KNOW.

REGARDS,

BARRY PEDERSEN, PRESIDENT
TORREY PINES HOMEOWNERS ASSOCIATION

C.C. BRUCE SCHRECK

SIDE WALK

S

36'

E

WALK

CRAAB TREE

19'

HOUSE

N

15304
TAYLOR

W

LAW OFFICES
AN ASSOCIATION OF SEPARATE LAW FIRMS

1902 Harlan Drive, Suite A
Bellevue, Nebraska 68005-6609
(402) 292-7700
FAX (402) 292-9125

Robert J. Hovey, P.C., L.L.O.

Steffi A. Swanson, P.C., L.L.O.
Jennifer A. Thompson, Associate
Marcie H. Bergquist, Associate

January 20, 2010

RA: DENNIS P. HOGAN, III
TORREY PINES HOMEOWNERS ASSOCIATION
SUITE 300
10250 REGENCY CIR
OMAHA, NE 68112

Status.

Re: JPMorgan v. Stevens.R
Our File #12175

Dear Sir:

As you may recall from my letter of December 18, 2009 you may have some interest in the above referenced foreclosure matter.

Torrey Pines Homeowners Association is a lienholder on the real property being foreclosed as a result of the Dues and Assessments Liens filed against in the Register of Deeds of Douglas County, Nebraska on September 18, 2009 at Instrument No. 2009101915 and in the amount of \$144.71.

The sale has been scheduled for March 4, 2010. Enclosed for your information is a copy of the sale notice.

If you have any questions, please contact me accordingly.

Sincerely,

Marcie H. Bergquist

Marcie H. Bergquist
FOR THE FIRM

MHB:ra
Enclosure

*5/12/11 Sale
Ref'd for Int'l 144.71 do 4/1
& 2010 Dues & Int
do 4/1*

THE STATE OF NEBRASKA,

County of Douglas

TO ALL CONCERNED:

Please take note of the following copy of notice which was published in The Daily Record, a legal newspaper of said County and State on January 19, 2010

**LAW OFFICES OF
STEFFI A. SWANSON, P.C., L.L.O.
Attorneys
1902 Harlan Drive
Suite A
Bellevue, Nebraska 68005
NOTICE OF TRUSTEE'S SALE**

The following described property will be sold at public auction to the highest bidder at the Roskens Room (Room F02) in the northeast corner of the Food Court, Famam Level of the Omaha-Douglas Civic Center, 1819 Famam Street, Omaha, Douglas County, Nebraska, on the **4th day of March, 2010** at 9:00 o'clock a.m.

Lot 107, in Torrey Pines, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, more commonly known as 4320 N. 150th Ave., Omaha, NE 68116.

The property is being sold "as is" and subject to any unpaid real estate taxes, assessments and any lien or interest superior in right which may affect the subject property. The highest bidder will deposit \$500.00 in cash or certified funds with the Trustee at the time of the sale, which shall be non-refundable, and the remaining amount due must be paid in cash or certified funds to the Trustee by 4:00 p.m. on the day of the sale; except this requirement is waived when the highest bidder is the current Beneficiary. The successful bidder shall be responsible for applicable transfer fees or taxes including the documentary stamp tax.

DATED 19th day of January, 2010.

STEFFI A. SWANSON,
Substitute Trustee (12175)

t1-19&26&2-2,9&16-10

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
January 20, 2005

Rob Smith
4015 N 150th Street
Omaha, NE 68116

Dear Resident

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 - 8. This article states "No boat, camper, trailer, auto-drawn or mounted trailer of any kind, mobile home, truck, aircraft, caper truck or similar chattel shall be maintained or stored on any part of a lot for more then twenty (20) days within the calendar year, etc". Please see the entire article via the web site at www.torreypinesomaha.com.

We are asking that you have the above stated violation (car trailer) moved by 2/07/05. Please note that if the violation is not corrected by the given date, more stringent measures will be implemented.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Renee' Osborn
President - Home owner association
493-2539

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
October 25, 2005

TO: Justin Dalton/Paula Provorse
4333 N 152 Street
Omaha, NE 68116

SUBJECT: Covenants Violation

Dear Homeowner,

It has been brought to our attention by a fellow Torrey Pines Home Owner that according to the covenants set forth for the Torrey Pines subdivision; you are currently in violation of Article 1 number 5. This article states "No advertising signs, billboards, unsightly object or nuisances shall be erected."

We are asking that you have the above stated violation (business advertising sign removed) corrected by 11/04/05.

If you need a copy of the covenants, please contact a board member or visit the Torrey Pines web site at www.torreypinesomaha.com.

Thanks

Torrey Pines Home Owners Association Board Members

James West 498-4326
Renee Osborn 493-2539
Barry Pedersen 965-3409
Steve Schmitz 498-9718
Kordon Kiel 498-0651

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
July 18, 2005

Current Resident
4419 N 154 Street
Omaha, NE 68116

Dear Homeowner,

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 number 12. This article states "No swimming pool may extend more then one foot above ground level." Please see the entire article via the web site www.torreypinesomaha.com.

In addition to it being a covenants violation, it does not meet the City Health Department requirements. According to them, any pool that has more then 18 inches of water needs to have a 6 foot fence around it. These rules were put in place for the safety of our children.

We are asking that you have the above stated violation (pool removed) correct by 7/31/05.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks
Home Owners Association
Renee Osborn 493-2539
James West 498-4326

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
July 18, 2005

Current Resident
4026 N 152 Ave
Omaha, NE 68116

Dear Homeowner,

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 number 12. This article states "No swimming pool may extend more then one foot above ground level." Please see the entire article via the web site www.torreypinesomaha.com.

In addition to it being a covenants violation, it does not meet the City Health Department requirements. According to them, any pool that has more then 18 inches of water needs to have a 6 foot fence around it. These rules were put in place for the safety of our children.

We are asking that you have the above stated violation (pool removed) correct by 7/31/05.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Home Owners Association
Renee Osborn 493-2539
James West 498-4326


Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
July 18, 2005

Michael Batchelder
15211 Taylor Street
Omaha, NE 68116

Dear Resident

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 – 13, 12 and 5. These articles state “construction of any improvement shall be completed within one (1) year from the date of commencement of excavation or construction of the improvement”; “No swimming pool may extend more than one foot above ground level” and “unsightly objects or nuisances shall be erected”. Please see the entire article via the web site www.torreypinesomaha.com.

The board has asked a number of times that we receive your plans to build a deck or that you build a deck. In the mean time, we have received complains related to other covenants violations such as a swimming pool and a grill placed on the front deck. These covenants are in place in order to keep our neighborhood a great place to live. We feel that everyone should be able to abide by the covenants and therefore respect others that also live in this community.

 We are asking that you have the above stated violations (**deck, pool, and grill**) correct by 8/3/05. The board has been flexible for over a year and feels that these violations can be resolved. ~~Please note that this will be the last letter that you receive before legal action is taken for the deck.~~

If you feel that there is some reason why you can't accommodate with this request, please contact me and let's work together to get the issue resolved. More then anything, I would like to keep communication lines open and would hate to take further action.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Renee' Osborn
President – Home owner association
493-2539

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
July 18, 2005

Current Resident
4312 N 153 Street
Omaha, NE 68116

Dear Homeowner,

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 number 12. This article states "No swimming pool may extend more than one foot above ground level." Also, please remember that a boat is only allowed on a lot for (20) days within a calendar year. Please see the entire article via the web site www.torreypinesomaha.com.

In addition to the pool being a covenants violation, it does not meet the City Health Department requirements. According to them, any pool that has more than 18 inches of water needs to have a 6 foot fence around it. These rules were put in place for the safety of our children.

We are asking that you have the above stated violation (pool removed) correct by 7/31/05. Please note that if the violation is not corrected by the given date, more stringent measures will be implemented.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Home Owners Association
Renee Osborn 493-2539
James West 498-4326

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
July 13, 2005

Current Resident
4026 N 152 Ave
Omaha, NE 68116

Dear Homeowner,

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 number 12. This article states "No swimming pool may extend more then one foot above ground level." Please see the entire article via the web site www.torreypinesomaha.com.

In addition to it being a covenants violation, it does not meet the City Health Department requirements. According to them, any pool that has more then 18 inches of water needs to have a 6 foot fence around it. These rules were put in place for the safety of children.

We are asking that you have the above stated violation (pool removed) correct by 7/25/05. Please note that if the violation is not corrected by the given date, more stringent measures will be implemented. This could include liens or fines being placed against the property.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Home Owners Association
Renee Osborn
493-2539

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
April 5, 2005

Robert Stevens
4320 N 150 Avenue
Omaha, NE 68116

Dear Resident

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 - 19. This article states "No temporary structure of any character, and no carport, trailer, open basement, **storage or tool shed** shall be erected upon or used on any lot at any time, either temporarily or permanently." Please see the entire article via the web site at www.torreypinesomaha.com.

We are asking that you have the above stated violation (shed in back of house) removed by 4/18/05. Please note that if the violation is not corrected by the given date, more stringent measures will be implemented.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Renee' Osborn
President – Home owner Association
493-2539

Torrey Pines Home Owners Association
P.O. Box 540913
Omaha, NE 68154
March 11, 2005

Robert Stevens
4320 N 150 Avenue
Omaha, NE 68116

Dear Resident

According to the covenants set forth for the Torrey Pines subdivision, you are currently in violation of Article 1 - 19. This article states "No temporary structure of any character, and no carport, trailer, open basement, **storage or tool shed** shall be erected upon or used on any lot at any time, either temporarily or permanently." Please see the entire article via the web site at www.torreypinesomaha.com.

We are asking that you have the above stated violation (shed in back of house) removed by 3/26/05. Please note that if the violation is not corrected by the given date, more stringent measures will be implemented.

If you need a copy of the covenants, please contact a board member or visit our web site at www.torreypinesomaha.com.

Thanks

Renee' Osborn
President - Home owner Association
493-2539