

SIERRA PARK SERVICES, INC.

SMALL CLAIMS COURT CASE SC19414

Sierra Park Services, Inc. (Plaintiff)

Robert Bettencourt. Jr. (Defendant)

Trial Date: February 24, 2017

COMMUNITY OF SIERRA PARK -

History In Brief -

Inception (~late 1940s) to present

Operational Cost Sharing -

Annual Bill/Lot = Annual budget divided by
number of lots

SUMMARY OF WHAT IS OWED (1 Lot)

Quantum Meruit - 2-yr SoL

Quantum Meruit: (FY 2015 bill)	\$750	
Late Fees:	\$225	
TOTAL =	\$975	
Minus Opt'l Bridge and Ancillary Fee:	-\$210	
Less amount paid:	-\$74	
QM Amount Sought =	\$691	
+ Court Costs =	\$135	
TOTAL =	\$826	

* Between SCC and QM

PER LOT COST vs. VALUE ANALYSIS¹

“What Mr. Bettencourt has earned”.

SERVICE PROVIDED	BUDGET AMOUNT	VALUE
Trash	\$54	\$324 ²
Needle Dump	\$51	\$80 to \$100
Area Maintenance	\$47	Footnote 3 (+)
Administration	\$83	\$120 to \$150 ⁴
Road Maintenance / Snow Plowing	\$538	\$538 ⁵
Gate	0	\$75 to \$150(+) ⁶
TOTAL =	\$773	
Minus misc. revenue and profit applied to ancillary costs	(196)	\$200 ⁷
ASKED TO PAY =	\$577	
VALUED AT =		\$816++ to \$1,465++

Footnotes:

1. Per lot cost based on fy 2015 budget.
2. Curbside service per Waste Management, but may not be available as such.
3. Fire, Life Safety, and Calfire access impossible to “value”.
4. Ancillary management costs (insurance, labor, benefits, etc.). Assumes costs for paid part time manager. Currently provided through volunteer BOD.
5. The county will not maintain or plow Park roads. Also consider Civil Code 845.
6. This represents the estimated additional costs of having property owners and others from outside the community illegally dump their trash and needles, added wear and tear on roads, potential for property theft, and risk of the Park being sued in the event of injury.
7. SPS, Inc. shareholders have always dedicated all profit and any other anticipated revenue beyond annual lot billing to All property owners.