



Gated community's residents sue developer

By Jane Glenn Cannon
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NORMAN - Some residents of an exclusive gated community on the city's west side are so angry and disappointed with the neighborhood's developer that they have taken him to court.

Eleven families in Ashton Grove want Texas-based developer William Dow Hamm III to make good on promises he made when they bought into the first phase of a six-phase development north of Rock Creek Road and east of 48th Avenue NW, plaintiffs' attorney John Hastie said.

The families, including University of Oklahoma football coach Bob Stoops and a number of prominent physicians, filed a civil suit against Hamm recently in Cleveland County District Court.

The plaintiffs claim Hamm has not followed design plans in building entry gates and a fence around the community, has not fulfilled landscaping requirements and has misused more than \$275,000 in homeowner association fees.

"I do not agree with their allegations. They don't represent a majority of property owners," Hamm said.

"What we want is an accounting of how money paid into a homeowners' association has been spent, and we want either the court to order Mr. Hamm to fix what's wrong or render a

judgment in an amount big enough to get the work done," attorney John Hastie said.

The lawsuit accuses Hamm of assessing more than \$400,000 in homeowner association fees. Homeowners claim Hamm has collected \$277,000, using much of it to pay for expenses he was responsible for as the community's developer.

The lawsuit said Hamm used some of the money to pay his attorneys' fees, repairs on equipment not owned by the homeowner's association and utilities consumed by common areas not owned by the association.

Trails, bridges and gazebos that have been promised have not been built yet, Hastie said.

Hamm contends he is not through providing the amenities for the community.

"I do not believe ever in the history of Norman, a developer has spent as much money on a development," Hamm said.

Besides the Stoopses, other plaintiffs are Jeff and Kathy Nees; Mark and Camille Camp; Samuel Edward II and Jenny Dakil; Charles W. and Connie J. Hollen; G. Mike and Jennie L. Jolley; P. Mark and P. Megan Moore; Jamshid and Cheryl Motiel; Stanton and Kerry Nelson; Michael D. and Gail M. Sellers; and William D. and Angela L. Wright.

Named as co-defendants are Ashton Grove Co., W. Dow Hamm III Corp., Ashton Grove Master Association Inc., William Dow Hamm Jr. and Jonathan H. Brinsden.