

Summerbrooke Newsletter

summerbrookehoa@summerbrooke-community.com

Spring Edition—April 2004

Board Members

Cedric Carter—President
Alain Morel—Vice President/ACC
Kathryn Bigliardi —Treasurer
Teresa Parkinson—Secretary
Jack Elsey—
Recreation Coordinator

Note: Richard Maritt resigned in February as Treasurer



Board Meetings

The next board meeting will be held on April 13, 2004, from 7-8:30 p.m. at the **West Cobb Library** at 1750 Dennis Kemp Lane off Stilesboro Road near Mars Hill. Their phone number is (770) 528-4699 to call for directions or log on to cobbcatt.org.

President's Piece



Spring is full swing and before you know it, pool season will be upon us. Work continues on the cleaning of our playground and repairs on the pool house.

I met with Kennesaw officials concerning our detention area. Based on the feedback I have received over the past few months from our homeowners, the engineer proposed many solutions. The first is to install a grate over the large overflow opening to keep children from falling into the structure. The second is a large grate placed over the main inlet to keep debris from clogging the drain. This grate will be installed at an angle with

the top of the grate attached to the top of the inlet and the bottom will slant towards the detention area. The City of Kennesaw has agreed to clear an area (50 feet) in front of the main inlet. This will greatly reduce the chance of obstruction without affecting the amount of water flow downstream of the detention area. Since our meeting, Beazer has agreed to the improvements proposed by the HOA and the City of Kennesaw. In turn, they would like us to release their Bond. I will contact our attorneys on that issue.

Beazer also sent past due tax bills for our recreation area from 1999 to present. Beazer had previously agreed to pay the past due property taxes when they turned over the recreation area to us. I was informed that before they turn the property over, we need to negotiate repairs to the area. Our attorneys will also be contacted to insure proper handling of this matter.

As a result of a community inspection by our property manager Olen Robinson, many homeowners were notified of improvements that needed to be made to their property. This is a great opportunity for us to become more aware of maintenance issues and to correct them. ~Cedric Carter

ANNUAL MEETING



Our annual meeting this year will be held on June 17th. Three board positions will be up for re-election/replacement: Cedric Carter, Teresa Parkinson and Jack Elsey.

The remaining board members, Alain Morel and Kathy Bigliardi (who took Richard Marritt's place), have one year of a two year term left. If you are interested or would like to nominate someone, please submit to summerbrookehoa@summerbrooke-community.com or 2657 Summerbrooke Drive. Please plan on attending or completing a proxy beforehand which will be available by request or for printing from our website. More details will be available as we get closer to June.

EVENTS

Egg Hunt: April 3, 2004, 10am at Adams Park

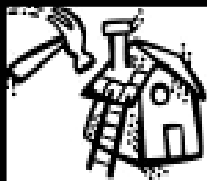
Egg Hunt: April 3, 2004, 11am at Summerbrooke Clubhouse lawn followed by family picnic

Summerbrooke Pool Season: May 15—September 13, 2004

Summerbrooke Memorial Parade and Pool Party: June 6, 2004, 4pm

Big Shanty Festival: April 17 & 18, Downtown Kennesaw





ACC UPDATE Hello everyone, Olen Robinson from Access Management came to assess our community relating to our Declaration of Covenants and Rules and Regulations. A courtesy letter was sent to all homeowners in December 2003 indicating this neighborhood survey was going to be conducted. Mr. Robinson took note of all the outstanding violations and he has sent letters to the homeowners with issues not yet resolved. As always, you are welcome to contact Olen for any community issues or concerns. His contact information is (770) 777-6890 ext. 108 or orobinson@accessmgt.com.

Let me remind everyone about section 4.2 of our Design Standards and Rules and Regulations (DSRR) relating to pets. Owners are responsible for obeying county ordinances pertaining to animals. Please have your dogs under control, preferably on a leash, at all times when walked or exercised outside your own property (Sec. 14-28 of Kenne-saw Ordinance: "*Dog under control* means a dog is controlled by a **leash**, is at heel, or is beside a competent person and obedient to that person's commands, or is within a vehicle being driven or parked on the streets, or is within the property limits of its owner.") Also, it is each pet owner's responsibility to cleanup your dog's feces (both in your yard and on other property). Out of respect for your neighbor's property, please do not allow your dog to urinate on other homeowner's flowerbeds and shrubs. The GOAL always remains the same - to preserve the beauty and tranquility of our neighborhood. Also, please note section 5.2 of the DSRR pertinent to Motor Vehicles, Trailers, Boats, RVs, Campers and Commercial Vehicles - specifically commercial vehicles. No commercial vehicle is allowed to be parked except in garages on any Lot or right of way unless it is during normal business hours and it is currently servicing that Lot. If anyone has questions about this rule, please call Olen.

A thanks goes out to Daniel Varghese and Keith Carter who have just volunteered their time to assist with the ACC and will begin helping with the enforcement in the next few weeks. ~ Alain Morel

Reservations

With the weather warming up, more people will want to be out playing tennis on our courts. Although reservations are not required, making one will ensure the courts are available when you plan on playing. Reservations will take priority over walk-ons. To view all clubhouse, table or tennis court reservations, login to the website and look at the various categories under the Calendar. Periodically an updated tennis calendar is posted in the memo box, but for the most

recent information, always refer to the website. We prefer you to make reservations by sending an email to reservations@summerbrooke-community.com. Please include your name, address, phone numbers, date/time/length of play or make a request for a clubhouse/tables reservation form. For last minute reservations or for assistance, you can call Teresa Parkinson at (678)355-9668 or Jack Elsey at (770) 919-1530.

RECREATION AREA

I am a recent addition to the Summerbrooke Board and am serving in the newly created position of Recreation Coordinator. The volunteers on our Board realize that one of the big reasons you have chosen to purchase a home in Summerbrooke is because of the many amenities that make our neighborhood a great place to live. I have visited many other communities in our area and feel fortunate to be a Summerbrooke homeowner because of our attractive and well-kept common areas. My goal is to continue with this tradition and make it even better!

Here are some recent and planned improvements to our Clubhouse/Pool area:

1. General spruce-up: We recently had the playground area pressure washed and painted. The clubhouse

and pool area will be pressure cleaned before our pool opens on **May 15th**.

2. Our clubhouse roof and interior wall damage will be fixed by early April. At the same time the front gutters at the clubhouse are scheduled to be re-hung to prevent future leaks in heavy rain.

3. An Emergency phone will be installed soon that will replace the pay phone at the pool. This phone will provide immediate access to 911 services.

4. We are researching new lighting at the playground and sidewalk areas near the clubhouse. Sometime in the next few months we plan to replace the crooked wood posts and lights with something more attractive and durable.

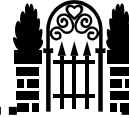
5. We will be patching some worn

areas of our baby pool in April and anticipate work next year on our main pool surfaces.

We are always looking for volunteers for our Pool Committee. Karan McKinney has done an outstanding job of keeping our pool and pool area top notch. If you served on her Pool Committee last year, she is counting on your help again this season. If you haven't served in the past, but would like to volunteer your time, she would love to have you join her committee. More volunteers make for less work for everybody! Karan can be reached at 770-429-0047. Please feel free to contact me at 770-919-1530 or by email at j.elsey@earthlink.net. if you have any questions or ideas that you feel can make our Clubhouse and pool area even better. ~Jack Elsey



Community Corner



Are you a new homeowner? If so, please send an email to register your information with the Homeowner's Association.



SCHOOL INFORMATION

Cobb County School District
April 5-9: Spring Break

Upcoming Social Activities

Easter Egg Hunt for the children of our neighborhood will be held on **Saturday, April 3rd at 11:00 am** followed by a family picnic. We will have the hunt in the pool's grassy area around the parking lot. Email Vicki (vbswaney@comcast.net) that you would like to participate and drop off 12 filled eggs to her on Friday before the event for each child participating. Hunt will begin promptly at 11:15 am in the pool parking lot area. Bring a picnic lunch for your family to have after the hunt.

Memorial Parade and Pool Party will be held on **Sunday, June 6th**. The parade will begin at the front of neighborhood at 4:00 pm and will travel down the main street in our subdivision to the pool. Children decorate your bikes and wagons American style and let's parade through our neighborhood. We will have prizes for the best decorated parade entry. Pool party with potluck dinner will begin at 4:30 pm (Clubhouse will be open at 3:30 pm to drop off your food if you like). Please RSVP to Vicki Swaney to sign up for a food item to bring: vbswaney@comcast.net or (678) 355-9266. Please come out and watch the parade as we remember our fallen soldiers this Memorial Day.

NEIGHBORHOOD WATCH

On Monday, March 1, 2004, Vicki Swaney hosted a meeting open to the neighborhood with Kennesaw Police Officer Scott Luther. Only five families were represented at this meeting. Officer Luther gave us some valuable information on neighborhood safety that I would like to share. However, in order to set up the Neighborhood Watch Program, which was the original purpose of the meeting, we have to have over 50% of the neighborhood present. I would like to strive for that to happen sometime this spring or summer. But, it will take more work on all of our parts as a neighborhood.

Some of the information given to us at the meeting was common sense. However, two things caught my attention that I hadn't thought about before. First, he said we needed to be very aware of what is going on in our neighbor's lives so that we would know if something was out of the ordinary. Technically, he said the "nosier" we are the better. Secondly, he mentioned our property and how well we keep up the neighborhood as a whole. We all have heard to mow the grass, paint the house, pressure wash the drive, keep mailboxes and landscape looking fresh; but there is another reason to do this besides the value of our homes. If the neighborhood looks good then we present ourselves as though we care about our properties. However, if we don't keep up our places, it appears to outsiders that we don't care about our neighborhood or the people in it. This would give criminals the wrong impression and we don't want to be a "breeding ground for crime"!

As I said before, we need over 50% of the neighborhood pre-

sent at a meeting in order for the police to set up a Neighborhood Watch Program. Officer Luther gave me some ideas to make this possible. We can have a block party, Bike Rodeo for the kids and police and/or bring out the K9 unit to share with the children. If we can bring out the 50% or more needed then we can start the program.

The program involves setting up a protocol system for the neighborhood in case of an emergency. Even if something small were to happen that we needed the information to get all around the neighborhood fast this system would be in place just for that scenario. For instance, if there was a strange van driving around for several days, the neighbor who saw this could call the captain of that corner of the neighborhood and he would call the next portion's captain and so on until everyone knew about it. This might enable people to be on the look out and stay safe or maybe someone might get a license plate number for the police. This program would also enable us to have "Safe Houses" or "Block Homes". Each portion of the neighborhood would have a Safe House for children to feel safe running to in case of a stranger, dog, storm, or any kind of emergency. This Safe House resident would have a background check to ensure they are safe for our children to trust and this is part of what the police could help of set up.

I will further work on setting up another meeting and hope for the best. With everyone's help we can make this program a reality for our neighborhood.

~Vicki Swaney, Social Committee Chairperson

UNDERSTANDING ANNUAL ASSESSMENTS FOR COMMUNITY ASSOCIATIONS

Michael Rome, J.D.

If you live in a mandatory homeowner association you probably pay yearly dues. These types of fees are also referred to as an 'annual assessments'. In most condominium and townhome communities the assessments are paid in monthly installments.

The obligation to pay annual dues is contained in the Declaration of Covenants for the subdivision. The declaration is filed on the deed records of the county Superior Court. You automatically agreed to the terms and restrictions in the covenants by purchasing your home. In this way, covenants are like other types of recorded restrictions, such as easements and right-of-ways.

The assessments are used by the association to maintain common areas; such as the front entrance, pool, tennis court, clubhouse, playground, or detention pond. There are other types of expenses, including insurance premiums, property management fees, accounting charges, and legal fees. In addition, it is important for the association to establish a reserve account that can be used for future expenditures and unforeseen costs.

The amount of the assessment is determined each year by the board of directors. They base their decision on the annual budget, which is an estimate of the association's costs and income for the upcoming year. The budget is calculated on the assumption that all homeowners will promptly pay their dues. If a homeowner does not pay, it causes a shortfall that must be made up from some other part of the budget, or from the rest of the membership.

The covenants sometime limit the increase of the annual assessments. This is often stated as a percentage, or is linked to government indicators like the consumer price index. Increases above this cap would have to be voted upon by the membership.

Most covenants allow the association to charge late fees and interest. This helps defer the expense for sending additional payment notices, and the loss use of the funds by the association. If the dues remain unpaid, an "Assessment Lien" can be filed on the property. This lien may contain extra charges, including recording costs, cancellation expenses, and attorney fees. It is not necessary to file suit in order to record the lien.

The purpose of the lien is to protect the interest of the association in case the homeowner's property is sold or refinanced. Depending upon the provisions contained in the association's documents, a homeowner's right to vote or use the amenities may also be suspended for non-payment of dues.

Some residents try to withhold payment of their annual dues based upon a complaint they have about the association, or because they don't use the amenities. The Georgia courts have ruled that a homeowner's obligation to pay is independent of the association's duty to provide services. Therefore, the homeowner should first pay the assessments, and then contact the association in writing regarding any questions or complaints.

