

*San Elijo Hills #1 Homeowners Association
Community Newsletter
July 2007*



President's Message

by Sandy Kaplan

As your new president, I look forward to a productive year for San Elijo Hills. We are fortunate to have qualified members who are willing to contribute their time to serve on the Board and improve our neighborhood. I would like to extend an invitation to all homeowners to get involved in our community. All the committees would appreciate suggestions for improving our beautiful development. Board meetings are always held on the 1st Thursday of the month, and all homeowners are welcome.

A big "thank you" to all who attended this year's Annual Homeowner's Meeting on May 2nd at the Lomas Santa Fe Executive Golf Club. The current Board members were introduced, and committee reports were given. There were not enough members present for a quorum, so the election of new Board members could not take place. After receiving additional proxy votes, new Board members were elected at the regularly scheduled June meeting. Their names and office are listed at the bottom of p. 2. We appreciate all those who have generously volunteered to serve our community for this coming year.

We also want to thank two outgoing Board members, Beth Mascherin and Bill Gregory, for their outstanding service to the community. They each contributed many hours to improve San Elijo Hills.

A highlight of the Annual Meeting was a discussion by Councilman Dave Roberts, who brought us up to date on many issues affecting Solana Beach. The evening concluded with two drawings for gift certificates to local eateries, the Poseidon Restaurant and Jake's Del Mar.

As summer arrives, landscaping and maintenance of our neighborhood is again a major concern. Our

mature trees and lovely slopes are very special features that make our community unique. Please help to keep them clean and vibrant.

Lastly, the Social Committee is always interested in ideas for fun events and get-togethers. If you have any thoughts, give Marlene Ettari a call.

HAVE A GREAT SUMMER!

Social Chair's Corner

by Marlene Ettari

Can you believe summer is here already? Time to have a get-together!

Our third annual WINE AND GARDEN PARTY will be on Saturday, July 28, at the home of Chuck and Marlene Ettari, from 4-7 p.m.

Please bring a favorite appetizer and wine to share with your neighbors. A prize will be awarded for the appetizer voted the best. Bring your good cheer and meet old friends and perhaps make new friends with the neighbors in our community.

RSVP: Marlene Ettari



Association Board meetings are held the first Tuesday of each month at 7:00 pm. Members are welcome. Please contact Cal West if you desire to attend.

FYI . . .

Per requirements of the Civil Code, we are providing the following information and/or disclosures:

Meetings: Association Board meetings are held the 1st Wednesday of each month at 7:00 pm. Members are welcome. Please contact Cal West if you desire to attend. Meeting minutes are usually available a week or two after the meetings and are available to members upon request and upon reimbursement of the Association's costs for making that distribution.

Insurance Info: The Association has a "package commercial policy" with State Farm Insurance. This policy includes \$2 million for general liability, with up to \$4 million in coverage for annual general aggregate. We also carry \$2 million in coverage for officers and directors. We are required to add the following language to the above summary of our insurance policies:

"This summary of the Association's policies of insurance provides only certain information, as required by subdivision (e) of §1365 of the Civil Code, and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of insurance. Any Association member may, upon request and provision of reasonable notice, review the Association's insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the Association maintains the policies of insurance specified in this summary, the Association's policies of insurance may not cover your property, including personal property, or real property improvements to or around your dwelling, or personal injuries or other losses that occur within or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance broker or agent for appropriate additional coverage."

Collection Procedures: If dues or other assessments remain unpaid for more than 30 days after the due date, the Association may recover the reasonable costs of collection, including but not limited to attorney fees; small claims court fees; administrative expenses; a late

charge of \$30, and interest at an annual percentage rate of 12%. For accounts that become more than 60 days delinquent, the Association has the option of imposing a \$50 administrative fee for additional collection efforts. The Association may exercise any other remedy authorized by law.

Dispute Resolution: The Association's protective covenants and restrictions may be enforced by any homeowner or by the Association, or by both, as detailed by California Civil Code §1354. In summary, this section says that prior to the filing of a civil action by either an Association or an owner related to the enforcement of the governing documents, the parties shall submit their dispute to a form of alternative dispute resolution such as mediation or arbitration. The form of alternative dispute resolution chosen may be binding or nonbinding at the option of the parties.

Any party to such a dispute may initiate this process by serving on another party to the dispute a Request for Resolution. The Request for Resolution shall include (1) a brief description of the dispute between the parties, (2) a request for alternative dispute resolution, and (3) a notice that the party receiving the Request for Resolution is required to respond thereto within 30 days of receipt, or it will be deemed rejected. Service of the request for Resolution shall be in the same manner as prescribed for service in a small claims action as provided in §116.340 of the Code of Civil Procedure.

If alternative dispute resolution is accepted by the party upon whom the Request for Resolution is served, the alternative dispute resolution shall be completed within 90 days of receipt of the acceptance by the party initiating the Request for Resolution, unless extended by written stipulation signed by both parties. The costs of the alternative dispute resolution shall be borne by the parties.

Note: "Failure by any member of the Association to comply with the prefilings requirements of §1354 of the Civil Code may result in the loss of your rights to sue the Association or another member of the Association regarding enforcement of the governing documents."



Financial Report for Fiscal Year 2006

The Association budget for the fiscal year 2007 (July 1, 2006 through June 30, 2007) is summarized below. The slope maintenance assessment will be \$690 per home, a 7% increase over FY2006. This is primarily due to the increased cost of maintenance of the slopes and common areas. The assessment is payable in two installments of \$345 on 9/1/06 and 3/1/07. Annual Association fees will remain \$25.00 per year, payable on 3/1/07.

Projected Income:

Slope Maintenance Fees	\$140,100
Association Fees	<u>4,800</u>
	\$144,900

Expenses:

Electricity	\$ 876
Water	25,824
Tree Trimming/Replacement	10,800
Hauling	2,796
Maintenance Supplies	4,800
Landscaping Service Contract	75,996
Landscape Extras	4,800
Committee Events	420
Office Expenses	2,340
Taxes/Permits	480
Insurance	4,272
Audit	696
Legal	600
Cal-West Management Fee	<u>5,400</u>
Total Expenses	\$140,100



Enjoyable Walks

We have had several complaints from homeowners who, on their walks, have encountered tree branches and plants partially blocking the walkways. Please make sure that your juniper branches, palm fronds, etc. are not extending over the sidewalks. Our neighborhood is looking particularly lovely this Spring, so let's make it easy for everyone to enjoy it!

We Love Our Dogs, but . . .

To add to President Beth Mascherin's comments on page 1, the following article from the Sunday magazine, *Parade*, is informative:

Hookworm and roundworms are parasites that flourish in dog poop, and some can live in the soil for years. Children who contract these parasites while playing on contaminated ground or in sandboxes are at risk of rashes, organ damage and even blindness. Pregnant women can put their unborn babies at risk, and anyone picnicking or playing with a contaminated Frisbee can get sick. Roundworms alone infect about 10,000 Americans a year. What can you do? Don't be one of the 30% of dog owners who say they never pick up after Fido. . . .

Total Income \$144,900



It has been observed that some homeowners let their dogs "do their business" on the slopes, wrongly thinking it is only natural fertilizer. In addition to the Solana Beach City Ordinance, San Diego County's Ordinance 62.670 requires owners to pick up after their dogs, **with a fine of \$1,000 for noncompliance**. The County is concerned about excrement getting into storm drains.

Total Expenses \$140,100

Volunteer Wanted!

Are you a Master Gardener? Or someone who loves designing gardens? Would you like to lend your expertise to help select the plants in our entrance planter boxes? The HOA needs someone who will give us ideas several times a year for seasonal plants. No manual labor required! (The maintenance crew will handle that.) We would just like someone who loves plants and can spare a few hours for this project. If interested, please contact Margot Berg.



5,400

Note: this newsletter is an abridged version of the newsletter sent to all homeowners.

Board Members:

Beth MascherinPresident
Sanford Kaplan Vice-President
Margot BergSecretary
Cynthia HarrisonTreasurer
Bill GregoryCovenants/Architecture
Adrienne JonesMembership
Marlene Ettari Social Committee

Note: Please call **Cal West** with questions regarding PC&Rs, architectural matters, and your account status.

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