

Email Confirmation & Renewal Form

Below is a sticker with the information that we have on you in our database. Please take a moment to either confirm that the information is still correct or edit the information in the space below. Included with this newsletter is a self addressed stamped envelope to return the form to us. If you are paying your dues by check, simply enclose your check for \$100 with this form.

Thank you.

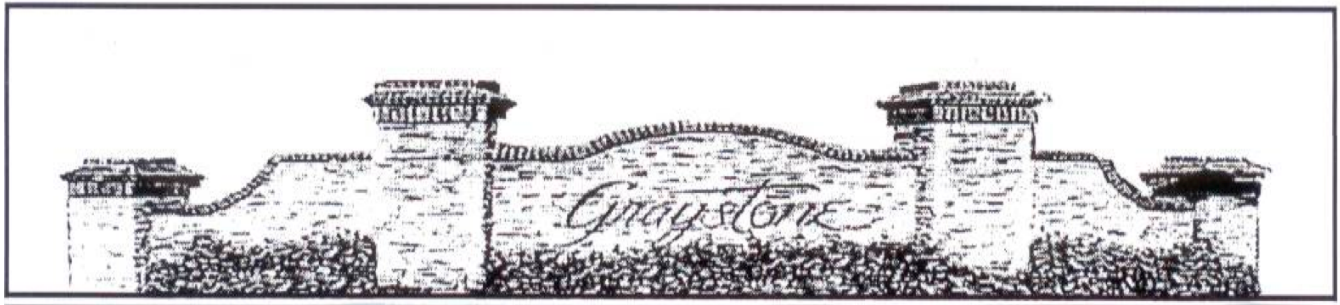
Everything is correct _____

Edited Information (if needed)

Name(s) _____

Primary email address: _____

Secondary email address: _____



Graystone of Almaden

A Neighborhood Association

April 2020 Newsletter

Renewal & Email
Confirmation

Covid-19

President's Letter

CC&R

Investigation &
Legal Advice

Open Space
Maintenance

Financial Update

Summer Picnic &

Renewal & Email Confirmation

Our new fiscal will begin in May so it is time to renew your membership in our Association. Dues remain at \$100 for the year. You can pay using PayPal or write a check. Each year along with getting your renewal payment we ask that you confirm your email addresses so we can update our database ensuring everyone gets timely information. Email is our primary form of communication. We only distribute a hardcopy newsletter once a year.

On the cover page is a form showing your Name, Address, Primary email address (if you provided one) and a Secondary email address (if you have provided us two emails).

Please send in your form in the self addressed stamped envelope. Enclose your check if you want to pay your dues by check. If paying by Paypal, just click on our website, graystoneofalmaden.org and click on the **Renew Membership Now** button at the top of the page.

Covid-19 — Neighbors Helping Neighbors

We sent the following email out on March 29 to use our Association's infrastructure to help out in a time of need — the need for help and the need to help. Check our website for updates on what we have accomplished. This is just one more example of how together we can make Graystone a great place to live.

Email — Sent on March 29

Obviously this is a trying time for all of us. Here are two ways that we (our neighborhood) might be able to help you reach out to help others. Let us discuss both:

First, anyone who is in need of some extra help, no matter how big or small, can log into our website, GraystoneofAlmaden.org, and send us a request, using the **Contact Us** button. Maybe you need someone under 65 years old to make a grocery run or pick up something for you at the drug store. We, the Association, will then communicate those needs to all the neighbors and ask for helpers. We will match up needs and helpers.

Second, if you are a health care worker (HCW) and overwhelmed with work responsibilities, maybe you can use some extra help to make it through your week. Paul McGuire, your neighbor and an Association board member, is coordinating a program with Holy Spirit Church to create a volunteer buddy system to take over those weekly shopping needs that may be almost impossible when you are asked to work 12 hour days, every day. So, if you are one of those on the front line, please contact Paul, at m McGuirepaul@comcast.net to request help. And, if you are interested in volunteering to be a HCW buddy, again, contact Paul to get more information on how you can assist.

Please use our website to communicate your needs, thoughts, suggestions and/or willingness to help out . Together, we can make this tough time a better time with neighbors helping neighbors.

President's Letter

Scott Sherwood

It is always amazing that we have concluded another fiscal year of our Association. The Association was formed 23 years ago in 1997 to focus on three important topics:

Social Benefits — *Having a structure in place to organize, disseminate information about and fund neighborhood activities.*

- The previous page in this newsletter highlights how in a time of need, we can leverage our Association to reach out to everyone to offer help and also offer ways to help out. We want to do what we can do to be of assistance to our neighbors. We have already had 2 volunteers respond to our original email. Thanks for that.
- Our summer picnic was a great success last year with approximately 80 in attendance. Once again, the food was provided by Coyote Sergio BBQ and dessert by our own Janice Rose. Delicious! As you will see in this newsletter, we are planning to hold this year's picnic on Sunday, September 13.
- Dumpster Day was, as always, a hit. Within a couple of hours, it was filled to the brim. We will hold this year's event on Saturday, September 12.
- We published a hardcopy Neighborhood Directory in 2018. Our plan is to update our database with information from this renewal cycle and publish a 2020 version in the fall.

Economic Benefits — *Increasing homeowner value by keeping our neighborhood an attractive neighborhood.*

- As always, landscaping expenses are our single largest budget item. Our annual bill for regular cleanup and trimming is \$4800.
- This past year we also started a project to improve the look at our front entrance. One of our neighbors, Jerry Chen has been the major volunteer to envision the work and then do most of the work himself. As a result, the cost, so far, has only been \$451. We are currently exploring what further work is required. But, thanks to Jerry we have new lights and stone between the wall and the sidewalk.

President's Letter (continued)

Political Benefits — *Having a united voice when dealing with City and the County.*

- We have continued our dialogue with the Santa Clara Co Open Space Authority (SCCOSA) to stay connected since they are the owners of much of the open space land that surrounds our neighborhood. So far, they have been good and responsive stewards of the land.
- We attend the Almaden Valley Community Association (AVCA) to keep in contact with our local, state and federal officials. In particular, we have already established a connection with our new D-10 Councilperson, Matt Mahan. Specifically we have explored how neighborhood organizations, such as ours, can be helpful in his work as our advocate in City decisions.

2020 Focus - *Keeping our activities impactful and easy to administer*

- We will focus on:
 - Our regular landscaping work and finishing the front entrance project
 - Communications with our neighbors and governmental agencies
 - Investigation to fully understand our CC&R's
 - Distribution of the hardcopy directory
 - Holding the ever popular dumpster day
 - Offering our fully catered family picnic

In conclusion, we hope you appreciate the benefits of our voluntary neighborhood association. For only \$100 a year, we make a big difference. Our Board is a voluntary board and we depend upon neighbors to raise their hand to help out. ***Please consider serving on the Board.*** If you are willing to explore how you can serve, please contact me at scottwsherwood@gmail.com.

Thanks in advance for filling out the database information form so we can ensure that our communication efforts are successful.

Covenants, Conditions & Restrictions

Commonly referred to as CC&R's

Numerous discussions over the past year and as a result, a major focus for 2020

Over the past year, the topic of CC&R enforcement has become more of an issue as we have engaged in discussions with neighbors on how to interpret our CC&R's and what enforcement options a homeowner has under the CC&R's. Remember, the CC&R's are only enforceable by homeowners, not the Association. The Association does not own property and therefore does not have legal standing. But, we, the Association, can help everyone understand homeowner rights and obligations and can facilitate communications between neighbors. As noted above, we have been attempting to do just that — facilitate understanding and communications between neighbors.

But we are finding that the questions and answers are complex. Before we go into more detail, let's start with the bottom line — we need to more fully understand this topic. None of us on the Association Board is an expert on this topic and we should not make up answers to complex questions. Accordingly we have identified an expert to guide our understanding, explore our options and plan any next steps. We have entered into a limited engagement with the firm of Hanna and Van Atta in Palo Alto. This firm specializes in real estate law, community association law and land use and zoning law. Our attorney, John Paul Hanna, will lead our education and investigation and then help us understand how we should proceed.

We have developed a list of questions that we have asked John to address. You are most welcome to add to our question list if you think we have missed something. Once we get some answers and do more investigation, we will communicate to everyone what we have learned and what we believe to be our next steps to sort out this important topic

Questions can be addressed to scottwsherwood@gmail.com.

The Current List Of CC&R Questions

- Can you confirm that we have legal CC&R's — if so, briefly explain why they are legal?
- If a new homeowner is not explicitly made aware of the existence of the CC&R's by the seller, are they still bound by them?
- How would a new homeowner know the CC&R's exist if they are not disclosed by the seller? Is there a link or section in the home closing documents?
- Is consistent enforcement required on all items and does inconsistent enforcement make all of the restrictions void?
 - We do not have an enforcement body; the Association only tries to address those items brought to our attention by individual homeowners
 - Seemingly, the way we are organized, we will never have “consistent enforcement” because it is up to over 100 individual homeowners to individually or collectively seek to enforce a restriction
- What is the timeframe and usual cost of an enforcement action?
- What is the probable success rate?
 - Some items seem black and white — no trailers, no 3 story houses, no livestock
 - Some items are murky — landscaping kept up to the standards of nice neighborhoods
- Can a homeowner really expect to be reimbursed for legal expenses if the homeowner “wins”?
- Should we consider modifying our CC&R's to better reflect the world today, given that they were written in the early 1990's?
 - Solar panels and TV reception have changed a lot.
 - New/better wording for clarity?
 - Do we risk opening up a pandora's box if we update?
- Suggestions on the best way to inform and educate our homeowners?

CC&R's Continued

As we move forward on the above questions with our counsel, we again review our CC&R's and remind you that the full document is posted to our website, graystoneofalmden.org. The CC&R's were established in 1993 by the developer, Pinn Brothers Homes, and are valid for 35 years (2028) and are automatically extended for successive 10 year periods unless revoked.

Below is a summary of the key items:

- Only detached single family homes are permitted, not to exceed 2 1/2 stories and a garage for 3 cars.
- No buildings, fence, or wall nearer the street than the minimum building setback
- No temporary structures, trailers, tents, garage, barn or outbuilding shall be used at any time as a residence
- No animals, livestock or poultry shall be raised or kept on any lot except for dogs, cats or other household pets
- No trailer, boat, truck (other than a pickup) or inoperative vehicle shall be kept or stored on any lot unless enclosed in a garage

When you drive through many other neighborhoods, you see the consequences of a lack of CC&R's — boats in front yards with blue tarps, commercial trucks parked in driveways, chicken coops in side yards and tents covering RV's. Our CC&R's are a real benefit to our home values and our daily living enjoyment.

Landscape Maintenance Program

The Association maintains five (5) different “open space” areas within our neighborhood boundaries. They are:

- Front entrance - Graystone sign and wall area (This is the area that we are working to substantially improve during the coming year)
- Pfeiffer Ranch - block retaining wall area and hillside
- Pfeiffer Ranch - property between the trail and the street
- Stonehill - the hillside adjacent to the open space
- Boulder Mountain Way & Rocky Crest - the hillside adjacent to the open space

Pictured below is work along Pfeiffer Ranch Road.



Financial Update

May 2019 thru April 2020

(Rounded)

Income (\$100 dues x 108 members) \$10,800

Expenses

PayPal Fees	\$ 131	(41 transactions)
Website	351	(hosting fee, support)
Landscape Maintenance	4800	(\$400 per month)
Landscape Project	451	(front entrance lights and stone)
Dumpster Day	645	(dumpster rental fee)
Picnic (net)	1261	(\$1240 contributed by attendees)
Legal (CC&R's)	1283	(initial consultation)
Administration	356	(printing, stamps, PO Box, tax filing fees)

Total Expenses \$9,278

Surplus/Deficit \$1,522 (surplus)

Reserve fund \$9,671 (current bank balance)

It has always been our goal to maintain at least a \$5000 reserve fund to allow us to manage cash flow and meet unexpected or unusual expenses, such as taking care of fallen trees and legal expenses. When we engaged with the Boulder Ridge on zoning issues, we not only spent all of our reserves but asked for and received additional donations to cover our expenses. With our \$1522 fiscal year surplus, we have fully replenished our reserves.

Our Association is in good financial shape!

**Next Big Weekend
Save the Dates!**

Dumpster Day
Saturday, September 12



Picnic

Sunday, September 13

Picnic starts at 5:00 pm
Dinner served about 6:30 pm