

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.

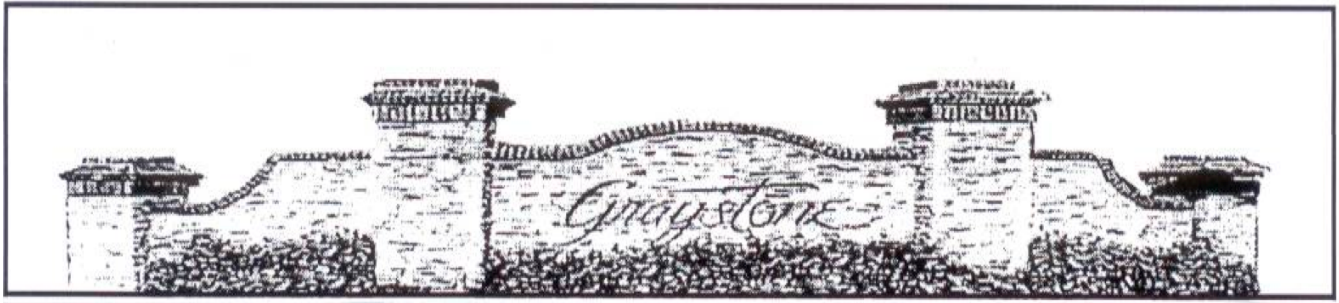
Everything is correct _____

Edited Information (if needed)

Name(s) _____

Primary email address: _____

Secondary email address: _____



Graystone of Almaden

A Neighborhood Association
April 2021 Newsletter

Renewal & Email
Confirmation

Facebook Group

President's Letter

CC&R

Investigation &
Legal Advice

Open Space
Maintenance

Financial Update

Summer Picnic &
Dumpster Day

Renewal & Email Confirmation

Our new fiscal begins in May, so it is time to renew your membership in our Association. You may have already received an automated reminder that your membership was expiring. While true, that website feature being activated caught us by surprise. Sorry for any confusion, but 22 neighbors have already renewed! Annual 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.

Let's Connect!

If 2020 taught us anything, it is that “social distancing”, while very wise behavior, reminded us of our need to connect — to be with family, friends and yes, neighbors too. Going forward, we decided that our neighborhood could use a new tool to facilitate our ability to help out when needed, lend an ear to a concern, or perhaps, learn a bit of new information. So, we have created our own Facebook group page. In addition to an annual newsletter, one-way emails and a website, we want to add a platform that allows for timely exchange of information, *all the while ensuring the experience is safe and contained to just ourselves – our neighbors.*

Why Facebook?

There are many social platforms to choose from such as NextDoor, Instagram and Twitter, so why choose Facebook? Our decision is based on our specific needs. We need a calendar/event feature for setting key dates throughout the year such as our annual dumpster day and picnic. We need to communicate with owners who may not be living in the immediate area, something that the geo-fencing feature in NextDoor does not accommodate. We want a specific group identity where content is shared only among the members, something that is not in Twitter. We want to share more than just pictures like Instagram, but resource information as well. Most important, we want to encourage two-way communication among neighbors. Facebook Groups does all of that.

I am not sure I like Facebook!

We recognize, in the current social climate, some of us have reservations about social media and Facebook specifically. We will continue with the annual newsletter and email communication for matters of importance. To ease your concerns about negative aspects of social media we put together a FAQ to address those concerns. So, we hope you will give it a try. If you have any additional questions, please reach out.

Next Steps

On the next two pages, we address **Facebook Security** and then specifically **How to join our Facebook Group**. So, please join and share your questions and observations. We know that neighborhood safety and security are important topics that will benefit from sharing. And, everyone is looking for trusted contractors and other service providers. So, have at it. Share away!

Special Incentive — Free Food!

To encourage every family to try our Facebook Group and come to our picnic, we will give you a credit for **One Picnic Fee of \$20** if someone in your household signs up. We will keep track of every family that joins and when you come to the October picnic, we will deduct \$20 from your tab. Such a deal!



Facebook Groups are Safe and Easy to use!



Can just anyone see what is going on with Graystone or what I post?

No. Only approved members will ever see what is going on.

Can other members see my profile or what I post on Facebook outside of the group?



No. Only people you select to be your friends can see what you post outside of the group. Likewise, you will not see what they post outside the group unless you are their friend as well.

Who can be a member of the group?



Only Homeowners and those residing in the development will be approved for membership.

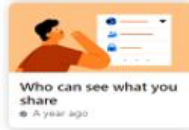
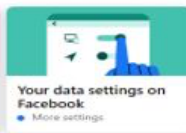
Where can I go to get help setting up my Facebook account correctly?



There is a lot of help available directly from Facebook or you can email us.
https://www.facebook.com/privacy/checkup/?source=settings_and_privacy

Privacy Checkup

We'll guide you through some settings so you can make the right choices for your account.
What topic do you want to start with?



You can check more privacy settings on Facebook in Settings.

I am ready to join, how do I find the group?



Search for: **Graystone of Almaden Neighborhood Association**
Or: <https://www.facebook.com/groups/854908331926138>



Graystone of Almaden Neighborhood Association

Private group · 13 members



+ Invite

About Discussion Rooms Members Events Media Files



Click here to learn more about the group

Click here to read and post comments to the group

Start your own live discussions (with video)

Meet fellow group members

Click here for upcoming activities

Find / post pictures here

Find information resources here

Invite other people to join

How do I find the group?



Search for: Graystone of Almaden Neighborhood Association
Or: <https://www.facebook.com/groups/854908331926138>

President's Letter

Scott Sherwood

As I say every year, it is amazing that we have concluded another fiscal year of our Association. The Association was formed 24 years ago in 1997 to focus on three important topics and we are still working hard to achieve those ends.

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

- The previous article in this newsletter is a great example of how we can provide a structure to help disseminate information using Facebook Groups. The Association can set this up and monitor posts to ensure that all comply with the rules, including no one is allowed to be a member unless they are a homeowner and/or resident here.
- Our 2019 summer picnic was a great success. Our 2020 picnic was a little too quiet, given we cancelled due to Covid. So many people have shared with me how much they missed getting together and reconnecting and meeting new neighbors. Hopefully by scheduling our 2021 picnic in early October we will all be vaccinated and ready to party. We are planning to add extras to celebrate! We will hold this year's picnic, Covid willing, on Sunday, October 10.
- Dumpster Day was, as always, a hit. We ordered two dumpsters and filled them both. And the amount of hazardous waste was crazy. We will hold this year's event on Saturday, August 14.
- We last published a hardcopy Neighborhood Directory in 2018. Our plan is to update our database with information from this renewal cycle and publish a 2021 version shortly.

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.
- Last year we also started a project to improve the look at our front entrance. This year we finished the upgrade by adding stone between the sidewalk and the street. The amount of stone that we bought was surprising. It took well over 3 tons of stone!

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 County 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) meetings, currently on Zoom, to keep in contact with our local, state and federal officials. We have 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. Matt has set up several task forces to address pressing issues. We encourage you to check out his website and consider volunteering on an issue of personal interest.

2021 Focus - *Keeping our activities impactful and easy to administer*

- We will focus on:
 - Our regular landscaping work, plus
 - Addressing our ever-growing trees that seemingly always need trimming
 - Communications with our neighbors
 - Forming and monitoring our Facebook Group
 - Communicating on our CC&R's
 - Major article in this newsletter
 - Distribution of the hardcopy directory
 - We missed last year. Oops.
 - 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 scottsherwood@sbcglobal.net.

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

We have investigated our CC&R's and have some answers!

First off, it is important to put our CC&R's into context. While they are important and legal, they are no substitute for good neighbor to neighbor communications and consideration. Most, if not all of the restrictions, are pretty standard. Almost no one wants to look at a boat stored in a driveway or listen to a bunch of chickens. But, we found that we needed to better understand CC&R's in general and ours specifically. Local zoning laws and codes have changed over the years and those laws do supersede CC&R's. Examples of those changes include allowing satellite dishes and solar panels and accessory dwelling units, called ADU's.

As noted, the topic of CC&R enforcement has become more of an issue as we have engaged with neighbors on how to interpret our CC&R's and what enforcement options a homeowner has under the CC&R's. But, please remember, that for over two decades, we have been able to talk with neighbors to resolve all concerns without taking legal action. To understand these restrictions better, we engaged an attorney who specializes in this area of the law. Here is what we learned.

**Legal Advice, Per John Paul Hanna, Attorney
Hanna & Van Atta
2020**

Your CC&R's are a valid legal document.

The declaration is recorded and therefore is a matter of public record and everyone is presumed therefor to have notice of the existence of that document, whether they actually know about it or have seen it or read it, or not. All owners of the property in the subdivision are bound by those restrictions

Inconsistent enforcement of restrictions can at times lead to finding that a particular restriction is no longer enforceable, however, that outcome is generally in cases where a home-owners association is a body with enforcement authority and it consistently fails over time to enforce a particular restriction. In your case, the Association is not a common interest development association and is not subject to the Davis-Stirling Act. Your Association is a public benefit corporation and joining is voluntary.

Enforcement for the restrictions is up to the lot owners acting either individually or together. Any lot owner may bring an action against any other lot owner to enforce the restrictions in the event of a violation. In such an action the prevailing party is entitled to reasonable attorneys fees and court costs. The normal process for enforcement would involve hiring an attorney to file a complaint in Superior Court, serve the owner or owners of the lot or lots allegedly violating the restrictions and seek injunctive relief. Such actions usually take a minimum of several months of time and attorneys fees would in most cases exceed \$10,000 and, depending on the circumstances, could be greater than that.

To amend our CC&R's between now and 2028, it would require all lot owners to agree. Thereafter, it would require 51% of lot owners to amend.

Email From CS Title Co

To confirm the existence of our CC&R's on each "track" in our neighborhood, we asked CS Title to do a search on all of our tracks to confirm that the CC&R's apply to all tracks. The email below is confirmation that while a bit challenging to understand, our CC&R's do apply to all tracks.

From: Thomas, Sarah (CTC) <Sarah.Thomas@cstitleco.com>
Sent: Thursday, May 21, 2020 3:01 PM
To: Weber, Laura <laura.weber@cbnorcal.com>
Subject: RE: Trying to find the CC&Rs for Graystone HOA in San Jose, 95120

From our title department

"Attached are the docs that came up for each tract when doing a CCR search. Tract 8746 does not have specific CCRs. Tract 8646 references the same Declaration of Restrictions and amendments for Tract 8517. Both pieces come out of tract 8517, the CCR's for tract 8517 caption the entire tract 8517, without mentioning specific lots nor specifically not including the remainder pieces. So the CCRs for tract 8517 attach to the remainder lots including tract 8746 and 8646."

In Summary

As a reminder, all the documents are posted to our website, graystoneofalmaden.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:

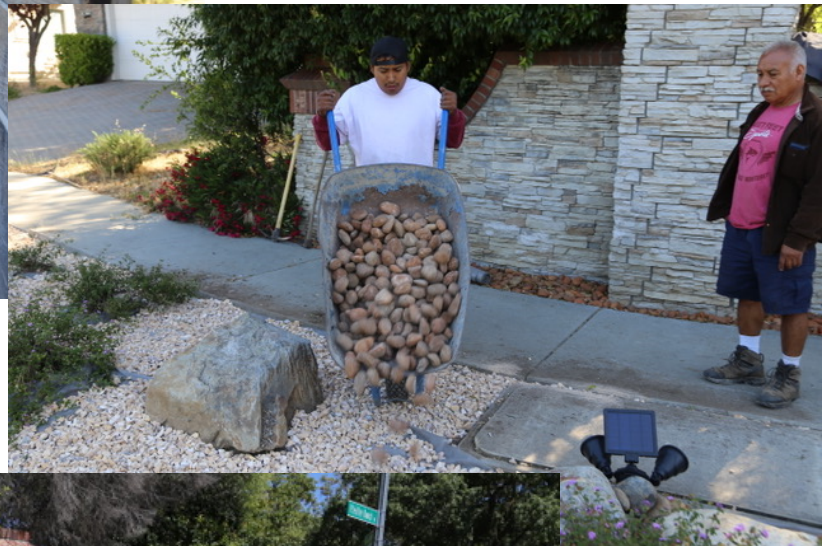
- Only detached single family homes are permitted, not to exceed 2 1/2 stories and a garage for 3 cars.
- No buildings, fence, or wall nearer the street than the minimum building setback
- No temporary structures, trailers, tents, garage, barn or outbuilding shall be used at any time as a residence
- 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 located in back 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 (Pictures below)
- 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



Financial Update

May 2020 thru April 2021

(Rounded)

Income (\$100 dues x 116 members)		\$11,600
Expenses		
Landscape Maintenance	4800	(\$400 per month)
Landscape Project	4050	(front entrance stone and labor)
Dumpster Day	1190	(dumpster rental fees)
Picnic	0	
Legal	608	(CC&R consultation)
Administration	689	(printing, stamps, PO Box, tax filing fees, PayPal fees, website)
Total Expenses		\$11,337
Surplus/Deficit		\$ 263 (surplus)
Reserve fund		\$16,112 (current bank balances)

It has always been our goal to maintain a 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.

Our Association is in good financial shape!

**Next Big Weekend
Save the Dates!**

Dumpster Day
Saturday, August 14



Picnic

Sunday, October 10

Picnic starts at 3:30 pm
Dinner served at 5:00 pm