



Summer Meadows Newsletter

Presented by the
Summer Meadows Board
www.summermeadows.com

Spring 2006

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You may contact the board through the Summer Meadows website: www.summermeadows.com or through Jennifer Lundmark.

Neighborhood Lights Walk



Congratulations to the family at 869 W. Park Ave. They received the most votes during the **Neighborhood Lights Walk** which was held on December 11. They won a \$50.00 gift card to Lowe's. Maybe they'll use it to buy more lights for next year.....?

Thank you also to the neighbors on the W. Chilton and Coral Key cul-de-sacs. Both streets had great light displays that were fun to look at. All the decorations added a festive atmosphere to our neighborhood!

Looking forward to the holiday season again next year!

Community Garage Sale/Events



Community Garage Sale. March 4 & 5, 2006. We will advertise via A-frame signs at the six main entrances of the neighborhood. Here's a great time to clean out your garage and meet your neighbors!

If you are interested in being a part of a team to plan more neighborhood events, please contact Joy Eske through the "Contact Us" section of the website.

Board News



- Recent construction along the canal by the city has destroyed some landscaping. The City will be replacing all damaged landscaping.
- The Board recently approved money coming from reserves to replace grass areas along common walls with gravel. This will decrease water damage to the walls.
- Board is working on getting CC&Rs posted on our website.

- The amount of litter has increased significantly along our streets. Please be considerate of our neighbors and use the trash receptacles that are located in each common area!
- Please read enclosed article
- Annual homeowners' meeting is scheduled for April 5, 2006, at Playa del Rey at 6:30 pm. **Did you know that a raffle will be held of those present to win a 6 month reprieve of your assessments?**



THE ARIZONA REPUBLIC'S "*ASK THE HOA GUY*"
FRIDAY, JANUARY 13, 2006

Welcome to "Ask the HOA Guy," the weekly column that provides relevant information on homeowner and condominium owner HOA issues. Augustus H. Shaw IV, the "HOA GUY" is the founding member of The Shaw Law Firm and limits his practice to representing Homeowner Associations, Office Condominium Associations, Timeshare Associations and Developers of Homeowner Associations throughout Arizona. Please submit all questions or comments to hoaguy@theshawlawfirm.com . For more information about Augustus H. Shaw IV, the HOA GUY, please see his website, www.hoaguy.com . The HOA GUY may also be heard on the air waves on 1100 KFAX Radio every Tuesday from Noon to 1:00pm on the popular radio show HOA Today.

Dear HOA Guy:

The "current" issue in my HOA is parking on the street. Our community is not gated and the streets are maintained and owned by the City of Peoria. The CC&R's allow for absolutely no parking on the streets whatsoever. Not only does this include residents, it includes any visitors you may have. My question is, how can the HOA enforce the rules by fining residents and towing vehicles parked on a publicly owned street? Thanks in advance for your help, Amy Tidwell, Peoria, AZ.

Dear Amy Tidwell,

Regulating parking on publicly owned streets may be accomplished under well-established notions of contract law. It is well established that recorded restrictions and covenants may be more restrictive than local statutes and ordinances that might otherwise govern property. This is due to the contractual nature of homeowner associations. Owners who purchase Lots within an association buy their Lots with "constructive notice" of restrictions, including any applicable vehicle parking restrictions. Constructive notice means that they are provided a copy of the restrictions and are required to have read and understand them. Since Owners choose to purchase a Lot despite of and with notice of the restrictions, they are contractually bound by the restrictions, even if the restrictions are more restrictive than local law.

There is case law that supports the above assertion that CC&R based restrictions on parking is valid due to the contractual nature of CC&Rs.

Thus, under both contract law and common law, HOAs may enforce parking restrictions on public or privately owned streets as long as their CC&Rs or Rules provide said authority.