



Lake Lines

News From The Lake Sovereign Neighborhood

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LSHOA 330 Lake Sovereign Court, Canton, Georgia 30114



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Cherokee County's Premier Private Lake Community

Happy  **Holidays from the Board of Directors!**

Check Out the Remodeled Club House!

For the past two years, the Board of Directors has discussed the potential of expanding the meeting space in our Club House. In fact, it was one of the most mentioned needs in our recent owner survey. However, the current operating budget would not support the kind of work the Board felt needed to be completed to blend new space with the former look of the larger meeting room.

One of our owners, **J. R. Merendo**, approached the Board in mid-October and told us he could help our needs by donating labor, supplies and expertise to remove the walls of one of the former realtor offices. The result is an expansion of the main meeting room by about 30%. The other great news is the entire project was completed at very minimal cost and the work was done in less than two weeks. If you saw the Club House lights on between 3:30 or 5:30 a.m., it was J. R. doing his work. J. R. lined up the following suppliers who donated their time and supplies: **Jeff Marcus of Jasper Lumber - framing lumber, Leo Zapata - framing labor, Bill Wood of Atlanta Lanehart Electric, Rodney Densmore - drywall, Jerry Loftin of J&S Painting**, who not only painted the new space, but also painted all walls in the main meeting room, and Ron Lagimoniere of Georgia floors, who not only finished the new hardwood floor space, but also refinished the entire floor in the main meeting room.

We are deeply appreciative of the contribution from our good neighbor and friend, J. R. Merendo and his associates. The job is beautiful and now Charise Baker, Cathy Merendo and Sue Gross will add some new interior decorating touches to replace the wall marketing materials placed when the club house was originally built. This is just another indication of the vitality of our community and the great interest our owners have in making Lake Sovereign a great place to live.

We now have a Club House, which will better serve Association events and meetings and accommodate private events. Each year the Club House is decorated for the holidays and it is a pleasant place to host your private event. Check it out. Although the Club House usage guidelines are available on our website, we thought it appropriate to reprint them for easy retrieval.

Lake Sovereign Clubhouse Usage Guidelines

The Clubhouse is available to the residents of Lake Sovereign under the following guidelines:

All homeowners who are members in good standing can use the clubhouse for small private parties or meetings. There is a \$70.00 cleaning fee with a refundable \$300 Security/Damage Fee. A signed waiver of Association liability is required.

The Clubhouse is also available to owners in good standing for monthly functions and meetings that are available to all residents of Lake Sovereign for the purpose of promoting neighborhood camaraderie. All invitations or publications concerning such functions or meetings must contain a disclaimer acknowledging the Lake Sovereign Homeowners Association does not sponsor or endorse the event and the name of the owner representative must appear as the contact. These functions or meetings do not use any Association funds, other than utilities furnished in the normal operation of the Clubhouse. A signed waiver of Association liability will be required by the sponsoring owner. The owner representative is responsible for the clean up immediately after each meeting or a \$70.00 cleaning fee will be charged to the owner representative. Failure to return the Clubhouse to the condition in which it is delivered can be grounds for denying future use for such functions or meetings.

The Association maintains priority use of the Clubhouse for Association sponsored events or meetings such as the Halloween party, holiday party, Association Board and Committee meetings. No waiver of liability is required nor is a cleaning fee charged for Association sponsored events or meetings. The Association Board of Directors has resolved not to sponsor or endorse any meeting of a political or religious focus.

If you wish to reserve the Clubhouse, please review the agreement for use of the Lake Sovereign amenities on the website. **Please contact Sue Gross for additional information and availability.**

Board Urges Owners to Adopt the Georgia Property Owners' Association Act

The last edition of *Lake Lines* briefly discussed the Board of Director's consideration of submitting our Association Declaration, as amended, to the Georgia Property Owners' Association Act. We want to provide further details and background to support the Board's recommendation for this amendment.

What is the Georgia Property Owners' Association Act ("POA")?

Answer: The POA was adopted in 1994 by the state legislature to expand the powers of homeowner and condominium associations. This statute makes provision to better ensure an ongoing revenue stream for associations.

Our Association Declaration was created in 1997. Since the POA was enacted in 1994, isn't our Declaration already subject to the POA?

Answer: No it is not subject to the POA. Although the dates involved would seem to qualify our Declaration, subjecting it to the POA is not mandatory. Developers of most communities do not submit their communities' covenants to the POA. Although the same benefits are afforded to developers as to homeowner-managed associations, developers usually do not concentrate heavily on compliance with covenants and filing of liens for unpaid maintenance fees during the short time they are in charge of the association. Developers often contribute their own money to make up for any shortfall in unpaid maintenance fees from owners. It is just easier than pursuing the collection and legal process your Board has pursued with owners. Once a homeowner association is transferred to the owners to manage, it becomes extremely important to closely manage and protect the revenue stream of the association. Owner maintenance fees are the only primary source of revenue to operate the neighborhood. Submitting the association to the POA usually becomes the responsibility of the owner Board of Directors once the developer has relinquished responsibility.

We have been managing our Association and protecting the revenue stream of the Association now for almost two years. The neighborhood has been continually improved with common amenity maintenance, so why the need to submit our Declaration now to the POA?

Answer: The above statement is true, but as the neighborhood grows and the number of individual owners increases, more homes are offered for resale and the management, oversight and associated administrative paperwork becomes more challenging. The opportunity to miss collecting Association revenue becomes greater. Our Association is self-managed by the Board of Directors and its supporting committees. Originally the developer hired a management company to oversee the Association and the original owner Board worked briefly with the management company. It soon became evident a management company was costly and required more of the Board's time in an oversight role than if it was self-managed. A management company does not relieve the Board or its supporting committees of the responsibilities placed upon them by the Association governing documents. We believe the continuing discussion will help you see the need to adopt this important recommendation.

How does the POA help protect the Association revenue stream?

Answer: After submitting our Declaration to the POA, the Association will no longer be required to file liens at the county courthouse for unpaid owner assessments or other charges. Instead, the POA creates an automatic lien against a delinquent owner's property subject to fees owed to the Association. The POA provides that the declaration of covenants itself serves as notice that there is a lien on every lot in the community for any unpaid assessment or other charges. Currently the Board devotes considerable time filing and removing liens for unpaid assessments on fewer than 4% of our owners. Liens must initially be filed and renewed each year for any unpaid assessment, adding to the cost of the Association in filing fees, which may or may not be recovered from owners. The POA eliminates the need for this continuing annual effort by our director volunteers.

Because our declaration is submitted to the POA, closing attorneys, title examiners, purchasers or owners must contact the Association for a statement of any amounts owed to the Association prior to concluding a sale or refinance of the property or risk the existence of the automatic lien. If the association is not paid out of the proceeds of the sale or refinance, the lien continues against the property and will generally have priority over subsequent liens and mortgages.

An additional benefit of the POA's automatic lien is that it protects the Association even if the Association's records have incorrect or misspelled owner names. Under our current Declaration, rewarded liens are only effective if filed under the correct owner names. If the Association's records have an owner's name misspelled, the recorded lien may be ineffective. The POA makes the lien effective even if you have incorrect or no information about an owner. The current Board has devoted substantial time to verifying county records for correct owner name spellings, but there is still opportunity for error and under the current Declaration we could miss revenue.

Are there other benefits to our Association by submitting to the POA?

Answer: Yes, here are some of the other benefits, which help the Association stay financially viable with less administrative oversight:

Buyers and Sellers are Jointly and Severally Liable to Pay Assessments

The POA includes another provision that generally strengthens an association's assessment collection powers. The POA makes buyers and sellers jointly and severally liable for all unpaid assessments. This means that, if the automatic statutory lien is not paid at the closing, the Association can proceed against the new owner, who will be personally liable for all amounts owed prior to the closing.

Tenants are Obligated to Comply with Association Regulations

The POA also clarifies that all owners and tenants must comply with all the provision of the declaration of covenants and the association's rules and regulations. This is important to our Association as we do have several tenants in the neighborhood and extraordinary Board time has been devoted to attempting compliance with tenants who may not feel the same obligation as owners to follow guidelines and neighborhood standards.

What is required of owners to submit our Declaration to the POA?

Answer: We require seventy-five percent of our owners to agree to this amendment. That translates to obtaining ninety-six affirmative votes. The current oversight effort to gain compliance with Declaration covenants and rules and regulations is often overwhelming. The Board has the responsibility of keeping current with properties offered for sale, tracking new homes when they are sold to obtain owner names as the property is titled, collecting association initiation fees and maintenance fees and managing the refiling of liens about to expire. The amount of work involved and the responsibility is a deterrent to attracting good owner talent as director candidates. We need your approval to bring our governing Declaration in step with the current statutes afforded our Association.

The Annual Meeting Package will contain the proposed Amendment to the Declaration. We urge you to attend the Annual Meeting to vote on this important amendment. We need your support to keep our Association viable and to ensure revenue collection through the easier means provided by statute. Please mark your calendar for our February 23 Annual Meeting at 7:00 p.m. We need your approval of this amendment. The Annual Meeting is the best forum to answer any additional questions you may have and also our best means to obtain the quickest approval for the Amendment.

Typically, about 70% of our owners attend the Annual Meeting. This year we need a minimum of 75% to get this Amendment passed. Failure to receive the required number of votes will require personal visits from Board members to achieve the goal.

Thank You and



From The Board of Directors!

Free Firewood

During the hurricane season a number of logs floated into our lake. Many of them have been pulled from the lake and are on the front of the earthen dam. We need help in getting the logs removed, so be our guest and come cut up the logs and take as many as you want for your fireplace.

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Nominating Committee Update

The Association finds itself at a critical juncture for Board candidates for 2005. The Board consists of five directors. The plan to maintain continuity within the Association Board is to have at least two directors to carry over from the prior year. This year we have only one carryover director, Don Copeland. Since directors are elected for staggered two-year terms, continuity should be guaranteed.

We have a void this year, since two of our former directors resigned during the year. If there had been no resignations, the Nominating Committee would be submitting at least three candidate names. Instead the Nominating Committee must submit a minimum of four names to fill director positions. To conduct a vibrant election, we would like to have at least one more candidate than required. It is likely you will receive a call from a Nominating Committee member and we need you to give the invitation deep thought before declining. It is so easy to say my personal workload and other commitments are already overwhelming. Each of our owners have a large personal investment in our community and it is likely the first three years of our operation have been the most challenging for directors to establish policies, procedures and processes to manage the neighborhood. These are now in writing and available to future directors to manage the ongoing business operations.

2005 places new responsibilities on Directors with oversight responsibility for legal efforts just getting underway to gain monetary restitution from to be identified upstream silt depositors into Lake Sovereign. This duty requires good business judgment and the ability to negotiate through legal and other professional representation. It is possible some efforts will be resolved through litigation and other solutions through mediation.

We will be electing three directors to two-year terms and one director to a one-year term to get our director term schedule back on track. Since we anticipate the restitution effort to take between two and three years, it is important for candidates to understand the responsibility of their office. We already have professional representation underway and two to three Lake Committee members have agreed to continue in their roles to work on the restitution effort, but your Board of Directors makes final decisions.

We will also have a few committee openings when the new Board takes office. We have a special need for an editor and webmaster for Lake Lines and the oversight of our website. Jerry Lilly has given us incredible professional attention with this effort for almost four years. In that time the newsletter has gone from providing updates from the Developer to a vibrant newsworthy publication, published on a regular schedule, six times annually. Jerry would like a rest from the responsibility and we need a volunteer to take over this important job. We have a number of new owners in the neighborhood since the last Annual Meeting. Please donate your talents to the new Board in 2005.

It was disconcerting in our recent survey to see the number of surveys returned that made great comments, but when asked about their willingness to serve on a committee or as a director candidate, their answer was negative. Please think about the talent you can contribute to a vibrant neighborhood with untapped potential, before declining an invitation to run for office.

Results of Recent Owner Survey

Thanks to the thirty-five owners that took the time to respond to the recent owner survey. This represented slightly more than a 35% response from owners, although we would have liked for more owners to spend five minutes answering the survey this is deemed a good success. The survey asked for specific items to be rated on a scale from one through ten with ten as the highest rank. The average rating received for the management of the Association was an 8.5.

What did we learn from the survey comments to guide our Association in its operation in 2005 and beyond? Efforts are already underway to address some of the more prominent comments that do not require substantial funding. **We have selected some of the comments and a more comprehensive report will be available as a handout at the Annual Meeting on February 23.**

Lake Committee -

- Lake seems cleaner
- Like the fountain
- Suggest more work along the dam at the water's edge to make it easier to maintain
- Suggest more work along the boat ramp

Pool -

- Suggest better gates and lock
- Owner assistance has improved the cleanliness of the pool area
- Suggest umbrellas be replaced
- Underage children were at the pool without supervision this summer
- Better communication required as to how to obtain a pool key

Club House -

- Not big enough
- Communication not good on how to rent the Club House

Tennis Courts -

- Not appropriate size for our neighborhood size
- Need toilets at the tennis courts
- Parking space is an issue
- Courts need resurfacing

Landscape Maintenance -

- Some unsold lots are in terrible condition
- Should be nicer for our neighborhood
- Landscaping is first class, but could we replace dying trees more quickly as they die? It takes too long to grow a tree

Dock, Bridges and Dam -

- Turn the lights on earlier
- Need pressure washing and sealing

Communications -

- Lake Lines has improved
- ***Lake Lines is average***

Social -

- Needs enthusiasm and variety
- Suggest a newcomers event
- More lake events—regattas, fishing tournaments
- Would like to see a summer event
- How about another wine tasting event?
- Increase funding for Social events
- Committee tries very hard to have events for the neighborhood. More events for young, middle and senior owners
- Doing a great job, we all appreciate what they do, more than we tell them

As the surveys were tallied other observations learned were:

- Our website is underutilized. It contains pertinent neighborhood information and is a good resource for documents, guidelines, and past editions of Lake Lines
- Many of our owners claim they are unfamiliar with the neighborhood Architectural Standards, although they have been printed and distributed in owner mailboxes, printed in Lake Lines and handed out annually at the Annual Meeting. The Standards are always available on the website.
- Some owners seem unaware that exterior changes to homes and landscapes must be submitted to the Architectural Review Committee.

Our 2005 budget does contain funding for some limited pool improvements to our gate, decking, and filter area as well as resurfacing of the tennis courts. Thanks for your participation in the survey. Because of your input, we were made aware of a few items which will cost little and just require the time commitment of owners to make the changes.

Vacant Lot Clean-Up

The Board has addressed the clean-up of most of the vacant lots and we are appreciative to the owners who very promptly cooperated in the effort.

Leaf Clean-Up

We have published a reminder in the last edition of Lake Lines, but we still have a number of owners that need to give attention to leaf removal from their lawns. Special attention needs to be given to the blockage of storm sewers by leaves in front of homes. There are no street cleaning services and our landscape management contract does not provide for clearing the storm sewer entrances. Do not use the storm sewers as places to sweep lawn debris. It all ends up in our lake and we continue to emphasize the need to keep the lake as free of debris as possible. Many of our lots have Bradford Pear trees and this species does drop its leaves very late in the season. We are almost at that season, and if owners will give special attention to the clean-up, we can continue to keep the neighborhood maintained.

Garage and Moving Sale Signs

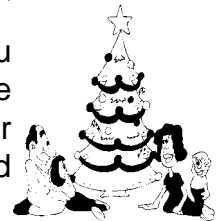
If owners sponsor a private garage sale, please remember the standards for our neighborhood signage. These signs should not be in place more than twenty-four hours before the sale and must be removed immediately after the closing hour of the sale. Recently there were multiple sales in the neighborhood on one weekend and due to inclement weather, owners failed to remove the signs.

All garage sale signs do require ARC approval. This has been an ARC Standard for more than two years and owners often forget to consult the ARC to obtain the approved stamp. Without this approval, the ARC does have the authority to remove the signs placed on common property. It is easy to obtain this approval. Please consult the Standards on the website to become familiar with the requirement.

WATCH THE MAIL FOR YOUR ANNUAL MEETING PACKAGE DURING THE WEEK OF JANUARY 23. THE ASSOCIATION GOVERNING DOCUMENTS REQUIRE A THIRTY-DAY NOTICE TO OWNERS. IF YOU DO NOT REGULARLY ATTEND THE ANNUAL MEETING, PLEASE TRY TO JOIN US THIS YEAR AS WE DO NEED YOUR POSITIVE VOTE TO AMEND OUR DOCUMENT, AS DISCUSSED EARLIER IN THIS EDITION. THE ANNUAL MEETING IS AN OPPORTUNITY TO BETTER UNDERSTAND THE BUSINESS ENVIRONMENT IN WHICH THE BOARD OF DIRECTORS MANAGES THE OPERATION.

CHECK OUT THE HOLIDAY LIGHTS!

Thanks to our owners who invest the time to decorate their homes. No doubt you notice the number of cars that drive through the neighborhood to view the decorations. This is just another way to bring attention to the beauty of our neighborhood. Thanks to the Lake Committee for changing the nozzles and lighting effect on the lake fountain for the holidays.





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SOCIAL HAPPENINGS!!

Don't Forget to Take a look at the attached photos!!

The last two months have gone by pretty fast, so let us update you on all of the events that took place.

Halloween Party

We had another great turn out for the Children's Halloween Party with many new ghost, goblins, witches, princesses, etc. It was great to see many new neighbors with their children. The format was like a festival with many new games, a fun room and of course plenty of baked sweets and pizza. Thanks to Godfathers Pizza for their participation and coupons for the children's free mini pizza. The witches of Lake Sovereign are working on planning next year's party, so be ready to be spooked.

Chili & Pie Cook Off

The newest event was our Chili & Pie Cook Off, which was a great success. The weather was definitely "Chili" weather with 9 Chili Head teams participating. We want to thank our local fire department from the Bells Ferry Station for being our judges and showing up with the fire truck ready to put out any fires. The people's choice award went to "Texas Red-hoots" which was made up of 3 Chili Heads (Kyle McGrew, B. J. and Earl Gearhart). The judge's choice went to the "The Atomic Fire Bombs" also consisting of three Chili Heads (Cathy Merino, Cathy Servo & Charise Baker). Their black pants with flames on the bottom definitely gave them the upper edge. The best pie award went to Sue Gross with her banana cream pie and Becky Hudson won for her key lime pie. Thanks to Judy Bagwell for creating a Lake Sovereign Chili Cook Off sign for the clubhouse and the five-foot painted chili pepper that will definitely come in handy next year.

Ornament Exchange

The next event was our Annual Ornament Exchange, which was open to all Lake Sovereign ladies. We had a great turn out with many new faces. The most popular 2004 ornaments seemed to be the Monkey, A ballerina Cow and the Lady Shopper. The night was filled with plenty of wonderful appetizers, desserts and plenty of holiday cheer. Thanks to Charise Baker for hosting the event and her special guest, Larry Wagner, who played beautiful Christmas music on the baby grand piano.

Holiday Dinner Party

We closed the 2004 Social Calendar by wrapping up the last big event with our Holiday Dinner Party at Winchester Grille in Canton. The participation was awesome with everyone enjoying a wonderful meal, live entertainment from John Gardner, a local singer and guitarist. There were door prizes and a "hi-tech" show that featured many of our owners. Thanks to Christi Martinez & Crissy Stokley at the Winchester for making the evening so wonderful. Winchester's has a great New Year package. Call now for reservations at 770-345-8000.

We enjoyed planning these events for all of you and look forward to new exciting events in 2005. Please feel free to contact anyone on the Social Committee for any suggestions you may have for Children and Family events.

All of us from the Social Committee wish you and your families a safe and happy season.

Charise Baker
Jane Gunnin
Cathy Merendo

Judye Derr
Becky Hudson
Debra Pesta



Sue Gross
Alex LeCher



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Lake Lines

