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Lake Lines

News From The Lake Sovereign Community

Neighborhood Clean Up Day



Working Together

On a picture perfect October Saturday many of our Lake Sovereign Neighbors worked together to spruce up our Community.

(see the attached work day photo album)

What a Work Day Success!!

More than 60% of Association households turned out for the October 18 Work Day. The turnout was a great showing of the interest in our neighborhood during our first year as an owner operated Association. Several homeowners had conflicts in their calendars and could not join us on the 18th, so they contributed their time prior to the work day in preparing neighborhood signs for painting and others contributed after the 18th with additional power washing and painting.

Earlier the Common Grounds Committee reviewed proposals for some of the work that was accomplished. The total cost of these proposals was more than \$10,000. The annual budget did not allow for this kind of expense and thanks to four hours of dedication from participating owners, the work was achieved without expending Association funds.

Volume 3 Issue 7



The following work was accomplished:

1. All street signs and common property light poles were cleaned, repaired and repainted ✓
2. The lake bridge and walkways were power washed and the railing and pontoon braces were painted ✓
3. The Club House was power washed and the pool area and pump area totally cleaned and prepared for winter ✓
4. The Club House walkway and porch and steps have been stained and sealed ✓
5. Landscape stone was installed near the boat ramp and seating area ✓



Thanks to all of the participants who contributed to the work above and beyond with supplies and labor. It was a great autumn morning to be with neighbors and meet new neighbors. Thanks to the Social Committee for providing all of the refreshments!



Annual Homeowners Meeting



NOTICE

Mark your calendars for **Wednesday evening 7:00 p.m., February 25**, for the Annual Homeowner Meeting. **The meeting will be held at the Bells Ferry Community Center.** Three of our current Board Members will remain in office and two will be replaced with newly elected Board members to serve a two-year term. This approach allows for continuity for managing the Association.

We need candidates to run for the Board to serve for a two-year term. In 2005 the three Board members elected last year will have served their terms and in 2005 three new directors will be elected. Your interest and your biography should be submitted to Kyle McGrew, Secretary to the Board and Chairperson for the Nominating Committee at 330 Lake Sovereign Court, Canton, GA 30114. Annual meeting packages will be mailed to owners on or about January 15.

We remind owners the agenda for the Annual Meeting is to elect new directors, present the 2004 budget, which will be approved by the Board at its December 9 meeting, and to provide general information as well as the 2004 goals, objectives and challenges. Individual concerns and issues should be brought to the Board of Directors at their regularly scheduled monthly meetings. The Board meets the second Tuesday of the month at 7:00 p.m. at the Club House. A question and answer period, for interested owners, will be available after adjournment of the Annual Meeting business meeting agenda.

We need chairpersons for the Architectural Review and Pool Committees. Without these two very important committees we do not have a healthy and viable Association. The Architectural Review Committee approves all new building plans and oversees compliance with the external portion of the submitted plan during construction to make sure it is within the ARC standards. This committee is also responsible for oversight of compliance with the Association governing document provisions regarding external repair and maintenance of existing properties as well as additions to existing properties.

The Pool Committee is responsible for managing the family oversight schedule during the pool operating months and oversight of the pool maintenance contract and general operation of the pool area and maintenance of applicable common property.

We would like to see some new faces volunteer for both of these two very important committees. Your interest may also be dropped off at the Club House mailbox or just give John Krueger a call.



Homeowner First Installment Maintenance Statements

The first statements for Annual Homeowner Maintenance will be mailed on or about December 15, 2003 and are payable January 1, 2004. The first installment is in the amount of \$575.00 (50% of \$1,150). The proposed 2004 budget does NOT anticipate a maintenance increase in 2004.

Homeowners have until January 31, 2004 to pay the first installment, but earlier payments are appreciated. Any payments not received by January 31 incur a late charge of 12% per annum retroactive to January 1. Any delinquent homeowner accounts at February 28, 2004 will be turned over to the Association collection attorneys and appropriate action taken to file property liens accordingly. Any owner who is not current with their maintenance and late charges at the time of the Annual Meeting (February 25) will not be eligible to participate as a voting member of the Association, in accordance with the Association governing documents.

Easement



Several owners have questioned whether the areas marked with erosion controls on Lake Overlook Drive and East Shore Drive from the new sub-division, Crestmont; represent additional streets between Lake Sovereign and Crestmont. These are not street connections; they are easements for connection to the sanitary sewerage system. The developer of Crestmont is responsible for revegetating these areas when the connections have been completed. Other owners have raised concern about the increased load of sewerage on our West Ridge Drive pumping station from the Crestmont subdivision. From time to time the West Ridge Drive pumping station does emit odor. This is what we have learned from the Cherokee County Water and Sewerage staff:

1. The West Ridge Drive pumping station is underutilized and additional homes gaining access to it will be more positive in eliminating odor
2. The pumping station does have daily electronic monitoring as well as staff visits to oversee it, but some odor is always a possibility.
3. The most vulnerable times for odor are heavy use times—early morning, noon and between the hours of 5:00 p.m. and 7:00 p.m.
4. Officials tell us heavier use of laundry detergents, bath and shower soaps and dishwasher detergents are significant contributors to eliminating odor, so we are interpreting this to mean lots of cleanliness with good smelling soap is a good thing for the pumping station!

We were surprised to learn from the Water and Sewerage folks that our pumping station is so significant to the southern end of Cherokee County. With all of the construction in our area, they tell us we can only look to improved efforts in minimizing the periodic odor.

Common Grounds Committee

You have probably noticed we have added more holiday decorations around the Club House area this year. The Association will continue to upgrade its decorating efforts as funds allow.



Signage



“Homes for Sale” signs have been posted at our entrances bearing the Lake Sovereign Logo. The purpose of these more distinctive signs is to discourage individual Realtor signs at our entrances. The Cherokee County ordinance does allow Realtor directional signs during the hours of 3:00 p.m. Friday to 7:00 a.m. Monday. Some Realtors are excellent at placing and removing their signs within the ordinance requirements. Others often forget about the ordinance.

The County can be called about the signs and the Realtor can be fined for not removing the signs timely. To date, the Association has been removing the signs, when they are left, to avoid fines. The signs are placed discretely in the bushes near the entrances. If your Realtor is not meeting our signage standards, please inform them to avoid any future fines from the County.

The advantages of the more stately signs, supplied by the Association, are they fit the theme of the neighborhood and can also stay visible throughout the entire week. They are not realtor signs and they are located on Association property. You may have also noticed the price increase on the developer sign at the entrance on East Shore Drive. This was done at the suggestion of realtors in agreement with the developer. **Our thanks to Carolyn Gehl and Joe Gross for overseeing and managing the growing responsibility for neighborhood signage.**

You are reminded of the ARC signage standards, which cover homes listed for sale, garage and neighborhood sales, etc. Please consult your ARC standards dated August 4, 2003 for a refresher. When properties are not in compliance the owner is reminded and if the property is vacant, the realtor is informed of our requirements. Basically, properties listed for sale are restricted to one sign allowing an information banner on the primary sign and one information package sign. Estate style signs are preferred for existing properties and vacant lot signs have a square footage size restriction. Estate signs are not permitted on vacant lots. The majority of our properties are in compliance and the Association has notified non-complying property owners or their realtors. All real estate signage is to be professionally lettered and of material which is not easily bent in windy conditions.

Motorcycles/Motorized All Terrain Vehicles



We still have homeowners whose children are disregarding the rules on footpaths and bridges by using them for motorbikes and other motorized vehicles. **Use of these vehicles is destroying our walkways and also breaking the filaments in our bridge lighting from vehicle vibration.** Some of our undeveloped common area is also being utilized by these motorized vehicles as dirt bike paths. **These areas do not permit such vehicles.**

All owners are reminded Section 5.17(b) of our Association Declaration is very definitive as follows:

Motorcycles and/or motorized all terrain vehicles are prohibited from use on the Property. Property and Common Property are defined terms of the governing Declaration which states: Common Property means all real property (together with any and all improvements now or hereafter located thereon) owned by the Association or in certain instances over which the Association has been granted permanent easements, for the common use and enjoyment of the Owners.



We are attempting to avoid purchasing barriers and signage for natural conservation common property areas. Please inform your children of the Association standards and covenants and take responsibility for the safe operation of these vehicles within the law. **This continuing and growing issue is best managed by responsible parenting.** Speeding continues to be an issue in the neighborhood with these vehicles as well as owner vehicles. Our neighborhood continues to grow and we all have the responsibility of safeguarding the health and safety of our neighbors and their families.

Owners are also reminded to review Section 5.07 Nuisance, of the governing Association Declaration. Generally non-compliance with this Section is the responsibility of individual owners to contact the authorities for enforcement against non-complying property owners.

Pool Report



The pool cover is to be installed this week. This is a major improvement, which will add to the safety of our neighborhood and also reduce expenses. Our monthly out-of-season pool maintenance bill will reduce from \$200 per month to \$75 per month and we will also be able to stop running our filtering system during the winter months. This will not only save wear and tear on our new filter system (replaced earlier this year), but will significantly reduce our monthly winter power bill by approximately \$150 per month. All in all the life of the very best pool cover is estimated at eight to ten years and with the cost savings it is easy to calculate the benefits from this improvement.



Dogs



Dog owners are reminded, although we have a large area of Association Common Property, it is not a place to deposit animal waste. Owners are requested to clean up after their pets when walking them in common property areas. Several complaints have been received from walkers in our neighborhood about dog waste on sidewalks and common areas. The Association landscape management company reminded us recently that we are paying for a common ground fertilization program and it does not require supplementing from owner and guest pets.

As we enter the colder weather season owners are reminded doghouses are permitted, but they must be of exterior colors and materials related to the exterior of the home. Doghouses must be screened from view from surrounding streets and main thoroughfares and discretely located so as not to cause a nuisance to neighbors. Clotheslines and/or fenced dog runs are not permitted in Lake Sovereign.



Advertising Program

Our Lake Lines advertising program continues to grow and help supplement our operating budget for additional improvements like holiday decorations, supplies for the neighborhood Work Day, etc. Although neither the Board of Directors nor the Association endorse these advertisers or their work or services, you may have opportunities to suggest to your business contacts, the value of placing an advertisement in Lake Lines. Please refer any potential advertisers to John Krueger or write to the Association at 330 Lake Sovereign Court, Canton 30114. It is a great deal—six business card sized publications for \$40.00. Rates will be quoted for larger size advertisements.

Sincerely,

John Krueger

President - LSHOA

The Board of Directors requested our Association counsel to prepare the following article. Throughout the year we have heard from several owners they were unaware of our Association and its covenants at the time they purchased their Lake Sovereign property. The Board felt this might be helpful in more fully understanding the value an Association can bring to home values as well as the responsibility of potential property purchasers to be informed when considering a home purchase.

WEISSMAN, NOWACK, CURRY & WILCO, P.C.

ATTORNEYS AT LAW

**UNDERSTANDING COMMUNITY ASSOCIATIONS
AND FINDING THE RIGHT FIT**

By: Jamie Platt Lyons, Esq.
and Marilyn Morrow, Esq.

For centuries, real estate developers have combined individual ownership of property with the shared responsibility and use and enjoyment of common areas in one community. It is only more recently that developers have begun to create subdivisions with organized owners associations operating mandatory membership residential communities. This more intricate establishment represents a more complex form of property ownership that has become widespread across the major cities and suburbs of the United States. A community association can take one of several forms, such as a condominium, a single-family home community, a cooperative or a time-share development. Regardless of the type of mandatory membership association established, typically the property in the community and the owners of such property are subject to restrictive and affirmative covenants (obligations) contained in a recorded legal instrument known as a declaration of covenants.

A restrictive covenant also can be a protective covenant. Either way, such a covenant prohibits an owner from doing specific things within the community. Examples of restrictive/protective covenants are limitations on: the number and type of pets owners can have; the extent to which owners can operate businesses out of their homes; and the degree to which owners can make architectural changes to the exterior of their homes or lots. The owner who wants to paint a house bright orange and cannot do so because of a recorded covenant feels restricted by such covenant. However, the neighboring owner might feel protected by the exact same provision.

Affirmative covenants normally require owners to do something or take some action. The obligations to pay assessments and to maintain and keep the homes in good condition are the most common affirmative covenants in most community associations.

Usually, the declaration of covenants is recorded in the county land records prior to the sale of homes or lots in the subdivision. Absent any recording issues, the declaration is binding on all owners who purchase property in the community after it is recorded by the developer. This means that each owner, by purchasing a lot in a mandatory subdivision, automatically becomes a member of the association and is obligated to comply with all of the restrictive/protective and affirmative covenants in the recorded declaration, plus any other legal instruments of the association. This is the case even if the owner never receives a copy of the covenants or even knows they exist.

UNDERSTANDING COMMUNITY ASSOCIATIONS
AND FINDING THE RIGHT FIT continued

One must remember that mandatory membership communities have become popular as a means for owners to enjoy common recreational facilities and a community-wide standard of appearance. This is because the assessments in such mandatory membership communities are used to enforce the covenants and to maintain, insure and operate the recreational facilities and other property in the community. However, a potential real estate purchaser needs to recognize that while some owners look forward to comprehensive restrictions because they normally include the strongest mechanisms to preserve the uniformity of exterior appearance and common standards within the community, such intricate regulations may not be the best housing choice for people with unusual tastes or strong non-conformist tendencies who may feel choked by the covenants. Buyers of homes in mandatory membership subdivisions must accept the reality that in communities with covenants, owners give up certain rights that they might enjoy in other forms of housing for the protection and benefit of the community as a whole. When searching for the "perfect home" a buyer must weigh this reality against the value of making completely independent decisions about the future appearance and use of their property with the knowledge and understanding that without covenants, all of their neighbors will have the right to make such independent decisions as well.

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ACC NEWS Update

As you prepare your home for winter, avoid using plastic covers for exterior windows visible from the streets as it makes for an unattractive appearance.

Please give some thought to bagging leaves which collect in curbside gutters and can block the storm drains. If you're 'upstream' from the lake, these leaves will eventually deposit into the lake, adding debris/silt. The association is doing its part by continually clearing the leaves from our maintained common areas. We need owners to continually clean up leaves and dormant plant growth throughout the slow-growing season.

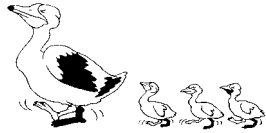
Some young/tender plants benefit from wrapping during winter nights. In recent years several of the plant suppliers in our area have been selling plants which are not generally suited for our winter climate. It is enticing to purchase these plants during the growing season. At this time of the year there is a tendency for owners to attempt winter protection by covering these plants throughout the winter. Front yards or rear yards visible from a main thoroughfare or the lake should not contain plantings which must remain covered during the daylight hours.

Owners of vacant lots are asked to keep their lots in good order, with growth within 5 feet of the curb cut low, silt fences intact and stretched for effectiveness, and free from deposits of construction debris or other discards. Curb areas should be kept clean to avoid storm sewer blockage. Letters have been sent to vacant lot owners regarding these standards and our landscape maintenance company can perform work for owners at a cost of \$100 per clean-up, if the owner so chooses. Vacant lot owners have been requested to restore their lots by December 15.

Thank You! ... to our residents and builders for their timely submission of projects for approval by the Architectural Review Committee. We will continue to strive for prompt turnaround of your requests.

Lake lot owners – If/when you cut weeds or aquatic growth in the lake, please remove the trimmings. If they are left in the lake they often float onto a neighboring shoreline, adding to that neighbor's workload, or finally sink and become part of a future silt build-up issue. Some of the growth is encroaching from owner properties into the lake and owners are asked to return their shoreline to its original boundary. It has been a difficult year with the smartweed infestation, but nature is now starting to help resolve this issue.

Best wishes to you and yours for the holiday season. *Michael Stepp*



ON OUR LAKE

the Lake Report from *Phyllis Lea*

Lake Sovereign's appearance continues to improve as the weeds in the lake disappear from sight. The Lake Committee will continue to monitor the aquatic plants in the lake throughout the winter.

Our current aeration system in the lake has been shown to have no positive affect with increased oxygen or de-stratification in the lake. This type and size aeration system is designed for much smaller and deeper lakes. More appropriate systems are being investigated.

Lake front homeowners are requested to remove any floating weeds or debris from their shorelines. Some of the owner shorelines are beginning to encroach into the lake due to lack of maintenance to control growth. Even a buffer area requires continuing maintenance attention. A well maintained shore line adds beauty and value to the entire community as well as the individual home.

Mute Swans – Beauty vs. Nuisance



Our Lake Sovereign Mute Swan is indeed beautiful and graceful. Some residents have suggested acquiring a mate for our new resident. The following excerpts from the February 2002 issue of "Birding" might suggest otherwise.

Mute Swans were introduced to North American city parks, zoos, aviculture collections and estates in the late 1800's and early 1900's. The intentional releases and accidental escape of these birds resulted in a rapidly expanding free-flying population.

It is well known that exotic waterfowl can have negative ecological impacts on native species, particularly if the introduced species is aggressive, competes with other waterfowl for food or habitat, and/or hybridizes with native species. Although hybridization is not currently a problem with the Mute Swans in North America, the species' size, extremely aggressive disposition, and voracious appetite make it a strong competitor with substantial regional impacts on native waterfowl and their habitats.

Populations of Mute Swans in North America have been growing at an astounding rate. Mute Swans have large clutch sizes and are capable of laying replacement clutches. The southern Ontario population is presently about 2,000 birds and is increasing at 10 to 15 percent per year. At this growth rate, the southern Ontario populations will double every seven to eight years.

The rapidly growing Mute Swan population is of concern for numerous reasons. Mute Swans are one of the most aggressive species of waterfowl in the world; they regularly attack other species of waterfowl, as well as other wetland-dependent birds. They also are known to attack humans. Mute Swans maintain large territories (> 15 acres) during mating, nesting, brood rearing, and foraging; they have even been reported to occupy territories throughout the year. During incubation and brooding, cobs actively patrol the perimeter of their territory and aggressively defend it, thereby forcing native species to nest and feed in less-preferred areas.

By displacing other waterfowl from their territories, Mute Swans reduce the amount of staging and breeding habitat available to native species of ducks and geese. This probably reduces the carrying capacity of (with respect to number of birds and capability of birds to acquire body fat) coastal wetlands for staging and breeding waterfowl. Mute swans have also been reported to kill ducks, Canadian Geese, Pied-billed Grebes, and herons, and cause nest abandonment in Least Terns, Black Skimmers, Forster's Terns, and Common Terns. Therefore, as the quality and quantity of wetland habitat continues to decline in North America, increasing populations of aggressive Mute Swans serve to further reduce the carrying capacity of remaining habitats for wintering, staging and breeding waterfowl as well as other wetland dependent avifauna.

Competition in waterfowl will most likely occur on wintering and/or spring staging areas where food is most limiting. Whereas coastal Great Lakes wetlands are most important as staging habitat for native waterfowl, these habitats are now being used year round by Mute Swans. Being primarily herbivorous aquatic foragers, Mute Swans consume daily at least six to eight pounds (wet weight) of submerged aquatic plants, including leaves, stems, roots, stolons, and rhizomes. Because adults also tend to paddle and rake the substrate to dislodge food for themselves and their cygnets, additional vegetation is uprooted and destroyed, further decreasing the availability of food for native waterfowl.

Given the unparalleled competitive abilities of the Mute Swan, and the almost total lack of predators, it seems highly probable that Mute Swans will continue to increase exponentially. As natural causes are unlikely to limit the population in the future, it seems prudent to control the species before the population becomes much larger.

Birding Magazing Feb. 2002



Garage Sale Lake Sovereign is planning a subdivision wide Yard Sale to be held **in early spring** - There will be no charge per household, just to put up their own sign or balloon in front yard. Many more customers come out on Fridays, so **we will hold ours Friday and Saturday (or Friday Only if you chose) 8:30A - 4:00P** - Exact date to be chosen soon. For more information call **Tiana Pauline** and or **P.J. Beer**.

Also, anyone else interested in getting in on the swim lessons for kids this spring call **Tiana Pauline**. The instructors came to our pool last summer and all who participated were very pleased.

LAKE SOVEREIGN SOCIAL NEWS



Cathy & Tony Zarvou and big brother Aaron are pleased to welcome their new arrival, Alex John. Alex was born on November 23rd at 12:18 a.m. and weighed in at 6 lbs. 12 oz.



John & Leslie Graves

Gary & Kelly Copeland

Norman & Maria Campbell

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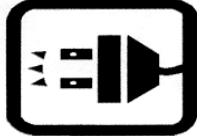
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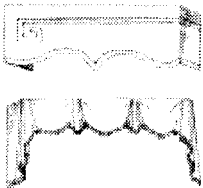
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Full Page	\$ 500
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All advertising will be displayed in black and white only, with final copy to be supplied by the advertiser. All advertisers will receive a copy of Lake Lines. Interest in placing advertising should be directed to Lake Sovereign Homeowners Association, Inc., 330 Lake Sovereign Court, Canton, GA 30114.



&



From Your Lake Sovereign Board of Directors

Sue Gross
Susan Nelson

John Krueger

Phyllis Lea
Michael Stepp

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