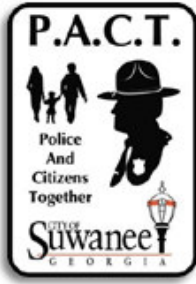


# Brushy Creek Times

Summer 2008 Edition

Web Site: [www.BrushyCreekHOA.com](http://www.BrushyCreekHOA.com)



## CRIME UPDATE: FREE Fingerprinting

For All Children In  
Our Subdivision!!!

This Thursday,  
June 19, '08 At 6:30pm

**Downtown Suwanee Crossroads Ctr.**

### Directions:

[http://www.suwanee.com/  
aboutsuanee.directions.php](http://www.suwanee.com/aboutsuwanee.directions.php)



Boletín de noticias ahora accesible en línea  
([www.BrushyCreekHOA.com](http://www.BrushyCreekHOA.com)) en español, coreano e inglés!

Newsletter Now Available At Web Site In Spanish,  
Korean and English!

스페인어, 한국어 및 영어안에 ([www.BrushyCreekHOA.com](http://www.BrushyCreekHOA.com)) 온라인  
이용자료 지금의 확보



## YOUR BOARD

Tanya Frees -  
[tanyafrees@yahoo.com](mailto:tanyafrees@yahoo.com)

Renee Merris -  
[rmerris@yahoo.com](mailto:rmerris@yahoo.com)

Jennifer Kudick -  
[jkudick@charter.net](mailto:jkudick@charter.net)

# Summer Is Here!

Dear Brushy Creek Homeowner,

Soon you will receive a copy of the new proposed Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Brushy Creek. A vote on the new proposed amendments will take place July 22, 2008 at 7:00 pm at the Suwanee Public Library. Last October a vote was held but a quorum was not met. The Amendment may only be effective if approved by a two-third (2/3) vote of homeowners. The board would like to encourage you to vote on these new amendments by proxy. A stamped envelope will be provided for your convenience.

There was a lot of discussion about the proposed amendments at the last meeting. From this meeting, a committee was assembled to review the proposed amendments. This committee included Jeff Covert, Larry McHale, Paul Lostumbo, Jamie Jagers, and Michael Tetreault. The board would like to thank these homeowners for their time and help. With the suggestions of this committee, changes were made to the proposed amendments.

One suggestion from the committee was to allow homeowners to vote on each amendment separately instead of the whole package. The board is pleased to say that this will be possible with the new proposed amendments. When you receive the amendments, they will be numbered. You will be able to vote in favor of the whole amendment on the proxy OR you will be able to vote for each section separately on the proxy. An exception is with the Georgia Property Owners' Association Act. In order to vote in favor of any other section in the proposed amendments, you must also vote in favor of the Georgia Property Owners' Association Act.

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*“Changes to the Special Assessment were met with a lot of opposition at the last meeting. This section has been removed from the new proposed amendments.”*

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*“With the suggestions of this committee, changes were made to the proposed amendments. One suggestion from the committee was to allow homeowners to vote on each amendment separately instead of the whole package. The board is pleased to say that this will be possible with the new proposed amendments. A stamped envelope will be provided for your convenience.”*

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Changes to the Special Assessment were met with a lot of opposition at the last meeting. This section has been removed from the new proposed amendments.

The board encourages you to read through the new proposed amendments which you will receive soon. A copy of the current Declaration of Covenants, Conditions, Restrictions and Easements for Brushy Creek is available on the Brushy Creek HOMEPAGE, [www.BrushyCreekHOA.com](http://www.BrushyCreekHOA.com) Please feel free to compare the old and new. In an attempt to answer questions, the following tries to explain in layman terms the purpose of each section of the amendment.

# A Quick Review, 4-U

## Section 1&2. Georgia Property Owners' Association Act.

A POA has no expiration date, while an HOA, which is what we currently operate under, does expire and once it has expired, it takes 100% approval from homeowners to extend it. Once our HOA expires it would be impossible to get it reinstated and after expiration, there would be no protection for homeowners.

The debts owed by a BC homeowner to the BC POA would follow the property so that if someone purchases a Brushy Creek home, which has a balance due to the Association, the balance due would be retrieved through the escrow process. The laws governing condos and POA state that if there is a balance outstanding it is covered by law as a lien. The lien is automatic.

## Section 3. Delinquent Assessments

This section was changed for clarification and also adds that if a homeowner is delinquent for more than 30 days that the homeowner will no longer be able to vote on any matter.

## Section 4. Statement of Account

This section is a clarification as well.

## Section 5. Initiation Fee

An initiation fee would be collected from new purchasers at property closing. It is somewhat like an initiation fee to some golf clubs or other clubs. You pay a fee when you join, for the privilege of playing golf and using the facilities that others have built and paid for. Then you pay ongoing monthly or yearly fees to maintain the facilities. Initiation fees will be deposited into the reserve account, which has been dangerously depleted over the years (The reserve account is set up by HOAs and POAs to replace items which wear out. In the case of Brushy Creek, these items would include the common area fencing, brick wall, lighting, irrigation and trees which die.)

## Section 6. Leasing Restriction.

We currently have 12 rentals in Brushy Creek - that is over 10% of the neighborhood. The board has had many complaints from homeowners about the dilapidation and the lack of pride in the neighborhood. The rental properties constitute a large portion of the unkempt homes in BC. Those who have been living in BC for several years have seen a continual slide in the appearance of the neighborhood, which seems to directly relate to the rise in percentage of rentals. Rentals bring transient residents who are notably less motivated to maintain property and less likely to allow homeowners to peacefully enjoy their own homes.

At a previous PACT meeting, Officer Rintoul said that the board should be strong on limiting rentals, indicating that more rentals mean more crime.

If there are too many rentals in a subdivision, it is very likely that lenders will discontinue lending on Brushy Creek property, or they may lend, but with very dismal interest rates. This means that you may need to find cash buyers for your property. With all the options open to buyers in this market, this is reason enough for prohibiting more rentals in Brushy Creek.

Under the Grandfather Clause, leasing will be allowed to continue for the existing homeowners who are currently renting or leasing, if each one submits their lease agreements to the BC board in a specified time period. Once the house is sold, the new owner cannot rent or lease the property if the current number of leases is at 5% or more.

## Leasing Restriction (Con't)

If the rentals are currently at 5%, the homeowner will be put on a waiting list. If a homeowner can show undue hardship, such as a job transfer, they may be granted a permit to lease over and above the 5% limit.

## Section 7. Vehicles and Parking

The parking restriction is very fair and normal for a residential neighborhood. Vehicles must be parked in the garage or driveway. This is a clarification of the existing covenants.

## Section 8. Enforcement, Fine and Suspension of Use

This is a clarification, which allows the POA to enforce the Covenants.

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***“Positive Changes Are Coming & You Need To Vote If You Live In Brushy Creek. These Changes Protect You & Everyone Around You. Your Board & Committee Members Have Worked Really Hard Over The Past Year & Are Even Giving You A Self-Addressed, Stamped Envelope In Which To Send In Your Vote.”***

*Committee Member*

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## YOUR BOARD

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Tanya Frees -  
tanyafrees@yahoo.com

Renee Merris -  
rmerris@yahoo.com

Jennifer Kudick -  
jkudick@charter.net

# Una revisión rápida, 4-U

Sección 1& 2. Georgia Acto de la asociación de los propietarios. UN POA no tiene ninguna fecha de vencimiento, mientras que expira un HOA, que es lo que funcionamos actualmente debajo, y una vez que ha expirado, él toma la aprobación 100% de dueños de una casa para ampliarla. Una vez que expira nuestro HOA él fuera imposible conseguirlo reinstalado y después de la expiración, no habría protección para los dueños de una casa. Las deudas debidas por un dueño de una casa al POA seguirían A.C.A.C. la característica de modo que si alguien compra un hogar matoso de la cala, que tiene un de balance debido a la asociación, el debido de balance fuera recuperado sin embargo el proceso del fideicomiso. Las leyes que gobiernan propiedades horizontales y el POA indican que si hay un equilibrio excepcional es cubierto por la ley como embargo preventivo. El embargo preventivo es automático.

Sección 3. Gravámenes delincuentes Esta sección fue cambiada para la clarificación y también agrega eso si un dueño de una casa es delincuente por más de 30 días que el dueño de una casa podrá no más votar sobre cualquier materia.

Sección 4. Declaración de la cuenta Esta sección es una clarificación también.

Sección 5. Honorario de la iniciación Un honorario de la iniciación sería recogido de nuevos compradores en el closing de la característica. Es algo como un honorario de la iniciación a algunos clubs de golf o a otros clubs. Usted paga un honorario cuando usted ensambla, el privilegio de jugar a golf y de usar las instalaciones las cuales otros han construido y han pagado. Entonces usted paga honorarios mensuales o anuales en curso para mantener las instalaciones. Los honorarios de la iniciación serán depositados en la cuenta de reserva, que se ha agotado peligroso durante los años (la cuenta de reserva es fijada por HOAs y POAs para substituir los artículos que se usan. En el caso

de cala matosa, estos artículos incluirían el cercado común, la pared de ladrillo, la iluminación, la irrigación y los árboles del área que mueren.)

Restricción de renta de la Sección 6. Tenemos actualmente 12 alquileres en la cala matosa - que está sobre el 10% de la vecindad. El tablero ha tenido muchas quejas de dueños de una casa sobre la dilapidación y la carencia del orgullo en la vecindad. Las características de alquiler constituyen una porción grande de los hogares desalinados adentro A.C. Los que han estado viviendo adentro A.C. por varios años han visto una diapositiva continua en el aspecto de la vecindad, que parece relacionarse directamente con la subida del porcentaje de alquileres. Los alquileres traen a los residentes transitorios que se motivan notablemente menos para mantener la característica y menos probable permitir que los dueños de una casa disfruten pacífico de sus propios hogares. En una reunión anterior del PACTO, el oficial Rintoul dijo que el tablero debe ser fuerte en la limitación de los alquileres, indicando que más alquileres significan más crimen. Si hay demasiados alquileres en una subdivisión, es muy probable que los prestamistas continúen el préstamos en característica matosa de la cala, o pueden prestar, pero con tipos de interés muy tristes. Esto significa que usted puede necesitar encontrar a los compradores de efectivo para su característica. Con todas las opciones ábrase en los compradores en este mercado, éste es razón bastante de prohibir más

alquileres en cala matosa. Bajo cláusula de abuelo, la renta será permitida continuar para los dueños de una casa existentes que son actualmente de alquiler o de renta, si cada uno somete sus acuerdos de arriendo A.C. al tablero en un plazo especificado. Una vez que se vende la casa, el nuevo propietario no puede alquilar o arrendar la característica si el número actual de arriendos está en el 5% o más.

Si los alquileres están actualmente en el 5%, pondrán al dueño de una casa en una lista de espera. Si un dueño de una casa puede demostrar dificultad indebida, tal como una transferencia del trabajo, pueden ser concedidos un permiso de arrendar superior al límite del 5%.

Vehículos y estacionamiento de la sección 7. La restricción del estacionamiento es muy justa y normal para una vecindad residencial. Los vehículos se deben parquear en el garage o la calzada. Ésta es una clarificación de los convenios existentes.

Aplicación, fino y suspensión de la sección 8. del uso Ésta es una clarificación, que permite que el POA haga cumplir los convenios.

**Los “cambios positivos son & que viene; Usted necesita Para votar si usted vive en cala matosa. Estos cambios le protegen & Cada uno alrededor de usted. Su & del tablero; Los miembros del comité han trabajado realmente difícilmente sobre el último & del año; Sea uniforme Dándole un sobre Self-Addressed, estampado en el cual para enviar en su voto.”**

## YOUR BOARD

Tanya Frees -  
tanyafrees@yahoo.com

Renee Merris -  
rmerris@yahoo.com

Jennifer Kudick -  
jkudick@charter.net

# Korean Version

## 단면도 1&2. 조오지아 지주의 협회 행위.

POA는 그러나 우리가 지금 밑에 운영하는 무슨인 HOA는, 그리고 만료되는 만기 날짜를 일단 만료되면, 그것 가지고 간다 자택 소유자에게서 100%년 그것을 확장하기 위하여 승인을 보내지 않는다. 일단 우리의 HOA가 그것 그것을 복직되어 얻게 불가능하면 만료되면 만료 후에, 자택 소유자를 위한 아무 보호도 없을 것입니다. B.C. POA에 B.C. 자택 소유자가 빛지고있는 빛은 누군가가 협회에 차감 부족액이 있는 솔 같은 시내 가정에는 구매하는 경우에, 차감 부족액이 조건부 날인 증서 과정이라고 그러나 만회될 것이다 것입니다. 그래야 재산을 따를 것입니다. 콘도와 POA를 경세하는 법률은 걸출한 균형이 있는 경우에 유취권으로 법률에 의해 포함된다라는 것을 주장한다. 유취권은 자동적이다.

단면도 3. 태만한 평가 이 단면도는 정화를 위해 자택 소유자는 더 이상 어떤 사정든지에 투표할 수 있을 없을 자택 소유자가 30 일 동안 태만한 경우에 바뀌고 또한 그것을 추가한다.

단면도 4. 계정서 이 단면도는 또한 정화이다. 단면도 5. 개시 요금 개시 요금은 재산 종결에 새로운 구입자에게서 모아질 것입니다. 그것은 몇몇 골프 클럽 또는 다른 클럽에게 개시 요금 같이 약간 이다. 당신은 골프를 하고는과 다른 사람이 건축하고 지불한 기능 사용하기의 특권을 당신이 결합할 때 요금을 지불한다. 다음 당신은 진행하는 매달 기능을 유지하기 위하여 연회비를 지불한다. 개시 요금은 위험하게 수년에 걸쳐 고갈된 준비금 계정으로 예금될 것이다, (대체하기 위하여 준비금 계정은 HOAs와 POAs에 의해 지치는 품목을 설치된다. 솔 같은 시내의 경우에, 죽는 이 품목은 검술하고, 벽돌 벽, 정화, 관개 나무 공동 지역을 포함할 것입니다.)

단면도 6. 빌리는 금지. 우리는 인근에 있는 지금 12의 임대료의 10% 이상 있는 솔 같은 시내 있다. 널은 인근에 있는 금지의 황폐 그리고 부족에 관하여 자택 소유자에게서 많은 불평이 있었다. 임대 재산은 단정치 못한 가정의 큰 부분을 B.C. 안으로 구성한다. 수년 동안 B.C. 안으로 살고 있는 사람들은 직접 임대료의 백분율에 있는 상승과 관련시키는 것을 보이는 인근의 외관에 있는 연속적인 활주를 보았다. 임대료는 재산을 유지하기 위하여 현저하게 보다 적게와 자택 소유자가 평화롭게 그들의 자신의 가정을 즐기는 것을 허용하게 거의 없는 동기를 주는 일시적인 거주자를 데려온다. 이전 협정 회의에서, Rintoul 장교는 널이 임대료가 더 범죄를 더 의미한다라는 것을 나타내는 임대료 제한에 강해야 한다고 말했다.

세분에는 너무 많은 임대료가 있는 경우에, 대금업자가 솔 같은 시내 재산에 대여를 중단하거나, 아주 음침한 금리로, 그러나 빌려줄지도 모른다 가능성이 높다. 이것은 당신이 당신의 재산을 위한 현금 구매자를 찾아낼 필요가 있을 다는 것을 의미한다. 모든 선택권으로 이 시장, 이것에 있는 구매자에게이다 솔 같은 시내에 있는 임대료 더 금지를 위한 충분히 이유 여십시오. 기득권 조항의 밑에, 빌리는 것은 각자가 지정된 기한에 있는 널에게 그들의 차용 계약을 B.C. 복종시키는 경우에, 인 기존하는 자택 소유자를 위해 계속하는 것이 허용되지 않거나 세놓거나 빌린. 일단 집이 판매되면, 새 주인은 빌림의 현재 번호가 5% 이상에 있는 경우에 재산을 세놓거나 빌릴 수 없다.

임대계약 금지 (Cont) 임대료가 5%에 지금 있는 경우에, 자택 소유자는 순번 명부에 있을 것이다. 자택 소유자가 과도한 빈고를 일 이동과 같은 보여줄 수 있는 경우에 그들은 5% 한계 그 위에 빌리는 허용을 수여될지도 모른다. 단면도 7. 차량과 주차 주차 금지는 주거 인근을 위한 아주 공정하다 정상이다. 차량은 차고 또는 차도에서 주차해야 한다. 이것은 기존하는 약속의 정화이다. 사용의 단면도 8. 실행, 벌금과 취소 이것은 POA가 약속을 실시하는 것을 허용하는 정화이다.

"긍정적인 변화는 다가오는 &이다; 당신은 필요로 한다 당신이 솔 같은 시내에서 사는 경우에 투표하기 위하여. 당신의 널 & 위원은 지난 한해동안 &를 진심으로 열심히 일했다; 당신에게 Self- 주고 있다 조차 제시하곤, 각인된 봉투 당신의 투표에서 보내기 위하여."

Brushy Creek's Board of Director's strives to make your home owning experience enjoyable. We focus on enriching our community by keeping property values on the rise and maintaining well-kept exterior finishes on and around our home and yards.

## YOUR BRUSHY CREEK BOARD OF DIRECTORS

Tanya Frees - tanyaafrees@yahoo.com

Renee Merris - rmerris@yahoo.com

Jennifer Kudick - jkudick@charter.net

## Money BEST PLACES TO LIVE

READ ENTIRE ARTICLE ABOUT SUWANEЕ:

<http://money.cnn.com/magazines/moneymag/bplive/2007/>

## Have You Recently Moved Into The Brushy Creek Neighborhood?

If you have recently moved into Brushy Creek in the past 6 months, please update your contact information by calling: (770) 451-8171 or e-mail: [jkudick@charter.net](mailto:jkudick@charter.net).



## Free Fingerprinting For The Children Of Brushy Creek !!!

## P.A.C.T. Crime Meeting

- June 19th
- 6:30
- The Suwanee Crossroads Center / City Hall  
323 Buford Highway, Suwanee, GA



## A List of Helpful Duct Cleaners, Plumbers, Electricians, Painters, and Other Resources & Contacts Are Available For You On-line At [BrushyCreekHOA.com](http://BrushyCreekHOA.com)

Your BC HOA Board is developing a list of high-quality, helpful technical contacts and resources for such services as: [appliance repair](#); [painting](#); [trim work](#); [window installation](#); [plumbing](#); [landscape](#); [pest control](#); [electricians and more](#). If you recently hired a company that you would like to recommend to your neighbor(s), please e-mail us their contact info. and we'll put in on-line at our BC HOA web site. E-mail [BRUSHYCREKHOA@YAHOO.COM](mailto:BRUSHYCREKHOA@YAHOO.COM).

## GAS LANTERN MANTLES

**REMEMBER, GAS LANTERNS IN BRUSHY CREEK NEED TO REMAIN LIT AS WE DO NOT HAVE STREET LAMPS. IF YOU NEED MANTLES, PLEASE CONTACT [jkudick@charter.net](mailto:jkudick@charter.net).**

**THE PRICE FOR A SET OF 2 IS \$6.40.**

## INSURANCE INFORMATION INSTITUTE

The mission of the Insurance Information Institute (I.I.I.) is to improve public understanding of insurance -- visit [www.iii.org](http://www.iii.org) for more information.

## III.org INTRODUCES "KNOW YOUR STUFF" FREE SOFTWARE FOR HOME INVENTORY

At KnowYourStuff.org, you can download the I.I.I.'s new home inventory software for free!

This software makes creating a home inventory fun and easy. Once you have completed your inventory, it is easy to keep your information up to date. Download for free and find out more information by visiting [www.iii.org](http://www.iii.org) or [www.knowyourstuff.org](http://www.knowyourstuff.org).

NOTE: Brushy Creek HOA and its representative do not endorse these products, we are simply providing them for you as helpful references for you to review at your convenience.

## Eva Kennedy Road Improvement Project

The City of Suwanee will undertake improvements to Eva Kennedy Road, from Stonecypher Road to approximately the Brushy Creek subdivision. The project is not scheduled yet, but likely will be undertaken before the end of the year, depending upon completion of acquisition of right-of-way easements. Improvements will include adding curb and gutter, replacing the sidewalk on the south side of the roadway, and installing three oval-shaped, landscaped islands to help reduce speeds along the road. The approximately \$790,000 project will be funded through SPLOST.

The road is expected to remain open while improvements are being made, although traffic may be reduced to one lane and delays should be expected. Updated information will be posted to [www.suwanee.com](http://www.suwanee.com) as the start of the project nears.

For more information about news in Suwanee, GA, read the City of *Suwanee's Crossroads Newsletter* at [www.Suwanee.com](http://www.Suwanee.com).