

# THE GARDENS GRAPEVINE

Volume 7 – Issue 4

3045 Eastern Avenue – Sacramento, CA 95821

July - Aug 2010



2010

## BOARD OF DIRECTORS

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## MANAGING AGENT

FPI Management, Inc.  
800 Iron Point Road  
Folsom, CA 95630  
(916) 357-5300

**Gary Haugstad**  
Sr. Portfolio Mgr.

**Theresa Williams**  
Community Director

**Kurt Whisenhunt**  
Maintenance Technician  
(On-Call/PT)

## OFFICE HOURS

Mon-Fri: 8:00 am - 5:00 pm  
Sat-Sun: CLOSED  
Office Ph.: (916) 489-1604  
FAX (916) 489-1627

**After Hour Building  
Emergencies**  
(916) 271-7633



The information below concludes the series of articles on Cooperatives and briefly explains how Eastern Gardens fits in.

## **Eastern Gardens Cooperative, Inc. is...**



### THE PROPERTY

Eastern Gardens Cooperative, Inc. consists of 112 units in seven buildings situated on approximately five acres of land located in the county of Sacramento, California, Arden Arcade District. Eastern Gardens Cooperative, Inc. specific and primary purpose, as well as the general purposes for which it was formed, is an apartment housing cooperative, referred to in the Davis-Sterling Act of 1986, as a "Common Interest Development", (CID). Its purpose is to provide affordable housing for low and moderate income families on a Cooperative basis for the mutual benefit of its resident members per the Articles of Incorporation dated November 29, 1971 and recorded with the Secretary of State in the State of California.

In addition to the Davis-Sterling Act, Eastern Gardens (EG) is required to comply with the other agencies, such as, the California Corporations Code, Health & Safety Code, Civil Code, Fair Housing, local Building and Fire Codes, just to name a few. EG's governing documents, such as its, Bylaws, Occupancy Agreement, Rules and Regulations, cannot be in conflict with State and Federal laws, (e.g. EG cannot install or enforce rules that discriminate). Outdated governing documents of the corporation that are in conflict with current State, Federal local agencies will always be trumped or overruled during any litigation issues or code violations.

### NATURE OF THE PROJECT (Overview)

Though the Davis-Sterling Act mostly addresses Home Owner Associations (HOA's) for example, they own their individual single family homes or condominiums, respectfully, some things will apply due to the definition of the common interest development, even though EG existed prior to the 1986 Act we still fall into the category of the CID. Eastern Gardens is described as a Stock Cooperative, which means a corporation is formed or availed of primary for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development.

Basically, what it is saying, that in a Stock/Share Cooperative, an individual purchases a share in the corporation and becomes a member shareholder in the Corporation. The Corporation holds title to the buildings in which the residential units are located. Through his/her share, the individual is a part owner of the assets of the Corporation and subject to the Corporation's liabilities, to the extent of their investment and working capital only, the individual purchaser does not receive title to an individual apartment unit. They receive an appurtenant to this share, a Certificate of Membership, an exclusive right to occupy a selected apartment unit in accordance with the terms of the Occupancy Agreement and the Corporation's governing documents. In terms of percentage, EG has 112 apartment units each member has an average .893% share of interest (ownership) within Eastern Garden.

## **HISTORY (Overview)**

Eastern Gardens is **Not-For-Profit** corporation, (i.e., no dividends, interest earned or income is distributed to its directors, officers or shareholders in accordance with its Articles of Incorporation Article VIII. Because we do not meet the IRS criteria, (e.g. churches, schools, charities, museums, hospitals, volunteer organizations, homeless shelters and civic associations). Nonprofit corporations are formed to carry out a charitable, educational, religious, literary, or scientific purpose, therefore, Eastern Gardens is taxed accordingly.

In addition, Eastern Gardens also pays for real estate taxes. Taxes are assessed on the cooperative corporation, which is the owner of the property. Among other expenses, your monthly payments to the co-op are, in part, is used by the co-op to pay the real estate taxes. Even though you don't individually pay real estate taxes directly, federal tax laws allow you to deduct your share (Pro-Rata Share) of the co-op tax payments, as well as the mortgage interest payments, on your personal income tax return. Pro-rata share statements are provided to each EG member when they become available, usually in late February or early March and are based upon your unit size (1 or 2 bdrm).

Eastern Gardens is project based and participates in HUD's Housing Assistance Program (HAP) commonly referred to as "Section 8". During the formation and infancy stages of Eastern Gardens, HUD allocated 40 Section 8 slots, i.e. positions available for members to apply for Section 8. As project based, persons transferring to other properties will be required to apply for the Voucher System which is still Section 8 but is portable within the continental U.S. This means you will not be able to stay on Eastern Gardens project based Section 8 program, further details of the program can be provided to you by management at the business office.

## **HEALTH & SAFETY**

Safety is a big part of our lives and each of us has some responsibility, whether driving on the road, at work, or at home. Please be safety conscience when moving about the complex and remember safety practice will help shield you and your loved ones from injuries. Remember that each member has a responsibility to ensure that safety is being exercised.

Each member is responsible for keeping their parking spaces free of excess oil and grease. Slips and injuries of this nature resulting from a member's



negligence of non-compliance will be held financially responsible for the person(s) injuries and any related cost increases to EG's insurance.

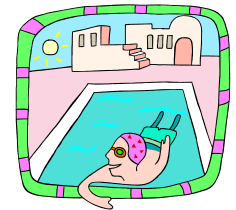
## **FIREWORKS REMINDER**



Fireworks are prohibited on Eastern Garden's property and are not to be ignited within the gated area of the property, (e.g., driveways, carports, picnic area or other common areas of EG property. EG recommends that you consider using the public streets. Our community is very small and the smoke (sulpher) released creates very unhealthy conditions not to mention the fire risks as well.

## **SWIMMING POOL USAGE**

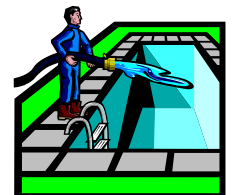
As a reminder, for your enjoyment the pool is open year round. The hours are from 8:00 am – 10:00pm. The Pool is heated from May 1<sup>st</sup> thru 2<sup>nd</sup> Monday of October. Usage of all pool furniture and accessories



will follow the heating cycle time frame. After such time all furniture/accessories will be put into storage. **ALL PERSONS UNDER THE AGE OF 14 YEARS OLD AND VISITING GUESTS MUST BE ACCOMPANIED BY AN ADULT MEMBER OF EASTERN GARDENS. FOR SAFETY PURPOSES PLEASE ENSURE THAT ALL GATES TO THE POOL ARE SECURLY CLOSED & LOCKED WHEN LEAVING AND ENTERING. DO NOT AT ANY TIME PROP OPEN OR OBSTRUCT THESE GATES. PERSON(S) DISRECARDING POOL RULES WILL FORFEIT THEIR POOL PREVILAGES.**

For your enjoyment and safety, please follow all the rules posted at the pool site and those which Eastern Gardens has established.

**FYI** – the pool is cleaned and chemically treated three times a week to ensure a healthy pool. This task is being performed by EG's new vendor "Majestic". For safety reasons, when the pool is being cleaned the pool will be closed.



## **POOL TEMPERATURE**

Most of you may know that EG is a multi-family community consisting of adults and children of all ages. For that reason we try to keep the pool temperature at a suitable, reasonable, and safe condition (environment) when reviewing requests

given to management regarding medical reasons to increase the water temperature. Because we are an apartment house public community pool for members and their guest(s) in a common area and not classified as a "Special Purpose Pool" or "Therapeutic Pool" operated as a health establishment which would be under the direction of a medical facility or personal medical direction. Eastern Gardens water temperature for the common area pool must be regulated at a comfortable range, (i.e., not too hot or too cold), for everyone's safety and enjoyment. Having researched this issue, FPI Management, Inc. and the Board of Directors have determined that 80 degrees is a temperature that meets everyone's requirements and needs and feels that this is a fair and reasonable decision for all parties concerned.

### **JULY 4<sup>TH</sup> BBQ Potluck**

When: Sunday, July 4<sup>th</sup> @ 6:00 PM

Where: Clubhouse & Picnic Area

Who: General Membership

Cost: \$5.00 or bring a side dish, potato/green/jello salads, corn on the cob, baked beans or beverages, pies, cakes...etc. Hot dogs and hamburgers will be provided.

RSVP: Dorothy Mitchell @ 419-0394, Janice Hoberg @ 978-0431, or Ardie Andrews @ 481-1052



### **MOVIE NITE**



All movies will be on the 2<sup>nd</sup> Tuesday of each month unless otherwise noted.

Details are posted inside the laundry rooms. Fifty (50) cents donation

includes movie, punch and popcorn.

**Where:** Clubhouse @ 6:30 pm.

**When and What:**

**July 13<sup>th</sup>** – "The Blind Side" Starring: Sandra Bullock and Tim McGraw. Rated PG: Family film, Goodwill.

**August 10<sup>th</sup>** – "Grey Gardens" Starring: Drew Barrymore, Jessica Lange and Jeanne Tripplehorn as Jackie O. Rated PG: Drama.

**Point-of-contact:** Kathy Kent @ 482-1533

### **2010 GIVE-A-WAY SCHEDULE**

**Bring Your Unwanted Stuff, but in Good Workable Condition**

This is an opportunity for you to give away those belongings that you've stuffed away and never use.

**Where:** Clubhouse, 8am – 11pm

**When:** Saturday December 18, 2010

**POC:** Mack Stonham @ 488-4473



### **HEATING VENTING & AIR CONDITIONING (HVAC)**



As the summer approaches, it's recommended that you leave the thermostat at a comfortable 76/78 degrees during those 105 heat days. Please Note:

That turning down the thermostat below 68 or more will only cause the blower and compressor to literally freeze up causing the HVAC to continually run and potentially clogging the condensation drain and flooding your apartment. Just set your thermostat to COOL and AUTO. By setting it to AUTO helps prevent wear and tear and you having to remind yourself "did I turn it up or down, on or off...etc?" It's not recommended that you set it to ON or FAN, if you do as a reminder the fan will run continually until you manually shut it off.



5325 Engle Rd, Carmichael (916) 489-7529

Order tickets online at: [www.cplayhouse.com](http://www.cplayhouse.com)

### **Cole Porter's Classic Musical**

**"Anything Goes"**

**June 25—July 18**

**Anything Goes** is a musical with lyrics. The story concerns madcap antics aboard an ocean liner bound from New York to London. Billy Crocker is a stowaway in love with heiress Hope Harcourt, who is engaged to Lord Evelyn Oakleigh. Nightclub singer Reno Sweeney and Public Enemy #13 Moonface Martin aid Billy in his quest to win Hope. The musical introduced such songs as "Anything Goes," "You're the Top," and "I Get a Kick Out of You."

### **IN MEMORY**

Our sincere and deepest sympathies to the family and friends of the passing of two of Eastern Garden's members:


- *Mrs. Dana McLeod*
- *Mr. Merritt Miller*



They will be missed.

## EASTERN GARDENS CALENDAR OF EVENTS

### JULY 2010

SUN	MON	TUE	WED	THUR	FRI	SAT
				1	2	3
4 POTLUCK  Independence Day	5 8:15am -Tai Chi	6 10am Coffee	7 8:15am -Tai Chi	8	9 8:15am -Tai Chi	10
11	12 8:15am -Tai Chi	13  6:30 PM Movie Nite	14 8:15am -Tai Chi	15	16 8:15am -Tai Chi	17
18	19 8:15am -Tai Chi	20 10am Coffee	21 8:15am -Tai Chi	22	23 8:15am -Tai Chi	24
25	26 8:15am -Tai Chi	27 10am Bookmobile 10am Coffee	28 8:15am -Tai Chi	29	30 8:15am -Tai Chi	31

### AUGUST 2010

SUN	MON	TUE	WED	THUR	FRI	SAT
1	2	3 10am Coffee	4 8:15am -Tai Chi	5	6 8:15am -Tai Chi	7
8	9 8:15am -Tai Chi	10  6:30pm Movie Nite	11 8:15am -Tai Chi	12	13 8:15am -Tai Chi	14
15	16 8:15am -Tai Chi	17 10am Coffee	18 8:15am -Tai Chi	19	20 8:15am -Tai Chi	21
22	23 8:15am -Tai Chi	24 10am Bookmobile 10am Coffee 6pm Spcl Mbr Mtg (Budget)	25 8:15am -Tai Chi	26	27 8:15am -Tai Chi	28
29	30 8:15am -Tai Chi	31 10am Coffee				

**AN EMERGENCY IS A PERSONAL SITUATION THAT THREATENS HUMAN LIFE OR PERSONAL PROPERTY AND DEMANDS IMMEDIATE ATTENTION, I.E., MEDICAL, BURGLARY, FIRE, THEFT AND ASSAULT – DIAL 911**