



Eastern Gardens Co-op

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www.easterngardenscoop.org

October 16, 2013

To: All Members and residents of Eastern Gardens Cooperative, Inc.

Subject: Amendment/Additions to Rules, Regulations & Policies

On September 6, 2013 and September 18, 2013 letters from your Board of Directors titled "Amendments to Rules & Regulations, Common Areas, Gardening, & Storage (Memberships Thirty-Day Review Notice)" was disseminated to the general membership to help provide a clearer understanding on the issue of "Common Area", "Storage" and "Gardening". The letters advised the membership of their right to a thirty-day review of a proposed (DRAFT) of amendments to EG's governing documents, specifically, its rules, regulations and definitions in order to help provide a clearer understanding of the common areas. The proposed draft of amendments was open for membership participation by submitting their written comments and suggestions which were to be placed in the board's mail box located inside the business office before the end of the thirty-day review period, (i.e. close of business Monday, October 7, 2013). At which time after the end of the memberships thirty-day review and comment period, the responses were gathered by the board for their review and discussion.

This is to inform the membership that during an executive meeting by the Board of Directors held on October 10, 2013, in the clubhouse the following, rules, regulations and definitions, were reviewed, discussed and voted upon and approved by an affirmative majority vote of the Officers/Directors of Eastern Gardens Cooperative Corporation. To better facilitate this process and to inform the general membership, attached are those newly amended changes to Eastern Gardens governing documents.

NOTE: Below are the amended and adopted and repealed rules found in Eastern Gardens Membership Handbook. Please keep this notification for your own personal record, changes are:

1. Amendment of definition #11 "Common Elements & Areas" page 8 of membership handbook.
 - a) The existing definition was deleted in its entirety and the proposed amendment was adopted. See final newly adopted amendment on "Definitions".
2. Amendment of Regs & Rule #6, "Gardening" page 42 of membership handbook.
 - a) The existing reg. & rule #6 "Gardening", was deleted in its entirety and replaced with "Pots & Plants". See final newly adopted amendment.
3. Adopted Regs & Rules #25, "Storage". Was adopted and added to Eastern Gardens Regs & Rules. See final newly adopted rule.

CERTIFICATION

By an affirmative majority vote of the Officers/Directors of Eastern Gardens Cooperative Corporation hereby certify that, pursuant to Chapter 3 Article 5 of the California Civil Code. The amendments, additions were made part of Eastern Gardens governing documents on October 10, 2013, per the conditions as stated above. In addition, per Eastern Gardens bylaws a copy of the amendments will be forwarded onto HUD for their files.

Sincerely,
Janice Hoberg, President/Director
Ed Healy, Secretary/Director
Shirley Brown, Director
Linda Manning, Alternate Director
Eastern Gardens Board of Director

Jerry Ontiveros, Vice President/Director
Kathy Slotterback, Treasurer/Director
Lynette Haley, Alternate Director

NOTE: Bold italics represents the newly adopted amendments and additions to EG's Rules & Regulations and double strikeouts equals removal of existing statements.

DEFINITIONS

Membership Handbook page 8.

11. COMMON ELEMENTS & AREAS *Common Area is defined as the entire common interest development except for the separate interests in the development. In accordance with, Civil Code 4075 "Definitions".* ~~include picnic & barbeque area, lawns, flower gardens, driveways & carports, walkways, breezeways, swimming pool, clubhouse, laundry rooms, and storage buildings, exterior steps, exterior lighting fixtures, installation of central services, such as, power, telephone D-mark boxes, gas, water, all utility lines, sewer, drainage, water and other pipes and conduits.~~

- a. Separate Interest. The "separate interest" of your apartment unit is the air space bounded by the interior surfaces of the perimeter walls, floors, ceilings, windows, and door for which you receive an appurtenant for your purchased share a "Certificate of Membership", granting you an exclusive right to occupy a selected apartment unit in accordance with the terms of the Occupancy Agreement and the Corporations governing documents.*
- b. Exclusive Use Common Area. Exclusive use common area, sometimes referred to as "restricted common area", is defined as those common areas outside the memberships separate interest, as defined above. Restricted Common Areas shall not be used for the exclusive use by the membership, for example, no construction, building, erecting or assembling of structures of any kind. Other purposeful items but not limited to are, security/screen doors, sun screens on windows and door bells, the member must comply with Article 13 of the occupancy agreement by writing a letter to the board prior to installation.*

RULES AND REGULATIONS

Membership Handbook page 42.

Regs & Rules #6. GARDENING POTS & PLANTS: ~~Trimming of trees and shrubs is the responsibility of our landscaping service. An outside water hose bib is provided for the convenience of downstairs dwelling units and other members who should need to use it.~~ *You are permitted to have eight (8) each potted plants within your breezeway or patio area, that are not to exceed a 14" vase/pot in diameter and/or a 5 gallon vase/pot in size and must be at least 6-8" away from the building. They cannot be planted permanently into the ground or attached, affixed, or hung to the building, nor obstruct access in the breezeways or hinder the grounds keeper from doing their job; neither shall they violate Articles 6 & 7 of the Occupancy Agreement or other members rights to a safe and healthy living environment.*

Regs & Rules #25 STORAGE: *Garbage cans, bottles, brooms, mops, toys, shelves, shopping carts, gardening tools, fitness equipment, cardboard boxes, household furniture, excessive decorative items and similar personal property are to be kept inside the apartment, ADA equipment excluded so long as they do not obstruct the egress/ingress. Patios, and breezeways are to be used for patio furniture and bicycles only, (limited to size of table & number of chairs and quantity of bicycles, space permitting) . Areas located outside of front doors, are part of the common areas and cannot be used for storage, this includes outside next to apartment building(s). In addition, there are to be no poisons, i.e., insecticides, pesticides, or herbicides, of any type or kind, this will include potting soil and fertilizers, whether sprayed or applied in pellet form, or stored on the outside grounds of the common areas.*

Final newly revised and adopted amendments in its entirety as approved by an affirmative majority vote by the Board of Directors during an executive meeting held on October 10, 2013.

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