



1600 Hamilton Place Community HOA

January 2009



Next Board Meeting

The next Board of Directors meeting is scheduled for Tuesday, February 10, 2009, in the clubhouse. Open Forum starts at 6:30PM and is the time set aside for homeowners to address the Board of Directors. The Board meeting starts promptly following Open Forum.

Email Communication Reminder

Please remember that either "1600 Hamilton" or your specific unit address must be included in the SUBJECT BOX of all emails sent to Bill Hubbard at Community Management or they will not be opened.

Landscape Committee Meetings

The next Landscape Committee meeting will take place on Wednesday, January 28, 2009 at 7:00PM, in the clubhouse. Any landscaping items must be requested, in writing, for the Committee's consideration. Please remember that the Board of Directors provides a budget to the Committee, which determines the confines within which the Committee must develop a plan for landscaping maintenance and upgrade projects. In other words, the Committee will accommodate as many requests as possible, as long as they fit into the budget constraints, as well as the short term and long term landscaping plans.

Architectural Committee Meetings – Last Thursday of Each Month

The next Architectural Committee meeting will take place on Thursday, January 29, 2009, at 6:45PM, in the clubhouse. Please feel free to drop by and discuss any architectural issues with the committee.

Holiday Decorations

The Board of Directors would like to wish everyone a very Happy and Safe New Year and remind all residents that exterior holiday decorations/lights should now be removed from the exterior of their units.

Gutter Cleaning

Bright Outlook has completed the gutter and downspout cleaning. The cleaning carries a "no clog" warranty until May 1, 2009. If you see that your downspout has become CLOGGED after the initial cleaning, please contact the CMS customer service dept during normal business hours and they will arrange for Bright Outlook to address the problem within 2 business days, weather permitting.

New Windows Installations and Other Exterior Upgrades

The governing documents require that ALL changes to the exterior of your unit, including the replacement of windows, have PRIOR approval by the Board of Directors. In the past, several units have had new windows improperly installed without prior approval and will need to have the new windows removed and properly reinstalled. This was a very costly omission as the owners had to have them reinstalled at their cost. Please make sure you submit an application (available on the 1600 Hamilton Place website or from Bill Hubbard) for permission to make any changes or upgrades to the exterior portion of your unit so that the Board or Architectural Committee can formally approve the work or tell you why the work cannot be approved.

Cleaning Up After Pets

The Board would like to thank everyone who has made an effort to keep their patio areas and common area lawns clean and orderly. With everyone pitching in to keep their yards clean, the Board asks that you please not allow your pet to use someone else's lawn as a bathroom. The Board has received quite a few complaints about residents who have been allowing their dogs to go to the bathroom on common area lawns and in their yards. This has been causing grass and plants to die, and placing clean up duty on the wrong party. If you own a pet, the Board requests that you please be considerate of your neighbors and clean up after your own pet.

March Board of Directors Elections

You will be receiving an elections packet in the mail within the next 2-3 weeks. The members who have indicated an interest in running for one of the three available positions on the Board are:

Lynn Comer, Carl Middione, and Conrad Sanford. Please read the instructions for voting included with the elections packet and submit your secret ballot by no later than 6:45PM on Tuesday, March 10, 2009.

-OVER-

Community Management Services, Inc . 1935 Dry Creek Road, Suite 203
Campbell, CA 95008

Customer Service: 408-559-1977 - Association Manager: Bill Hubbard
Email: bhubbard@communitymanagement.com
(1600 Hamilton or your unit address must be included in the SUBJECT BOX of all emails)

1600 Hamilton Place Security Office: 408-371-1715
1600 Hamilton Place Website: www.1600HamiltonPlace.org

IMPORTANT: MASTER INSURANCE POLICY INFORMATION

The association's master insurance and earthquake coverage programs renew on March 24, 2009. Please note that, since the premiums are paid all at one time and not financed over 12 months at an additional expense, the association typically borrows a portion of the renewal amount, which is an operating expense, from the reserves and then pays the reserves back by the end of the fiscal year. You can directly help keep the premiums for the property damage portion of the master policy down by adhering to the following suggestions:

1. Replace the supply hoses to your washing machine annually or better yet, turn off the water supply to your washing machine after each use.
2. Have heating, ventilation, and air conditioning inspected and overflow lines cleaned annually.
3. Have the water heater inspected for leaking or corrosion and replace as needed. The life expectancy for a water heater is 10-12 years. If yours is older than that, it will most likely fail in the near future, causing water damage to your unit.
4. Know how to turn off the main water line into your unit. The valve is normally located along with a hose bib in entry patio of your unit, or by the entry stairs if you live in an upstairs unit.
5. Regularly inspect washing machine hoses, supply lines, ice makers, dish washers, and other appliances that use water.
6. **TURN OFF THE WATER MAIN LINE WHEN YOU ARE GOING TO BE AWAY FOR A PERIOD OF TIME.** If you live in a first-floor unit, your main water line valve is located in the patio area. If you live in a second-story unit, your main water line valve is located adjacent to the entry steps.

General Reminders for This Time of Year

1. All owners/residents should carry an HO6 Condo Insurance Policy to protect your personal property and any inside damage event not covered by the Association. This insurance is inexpensive and is easily available from any insurance agency.
2. Replacing light bulbs with the new fluorescent types can cut your power consumption by 75% (A 75 Watt fluorescent bulb uses only about 18 Watts). Right now they are on sale at Home Depot and in other stores.
3. Along with your New Year's resolutions preparing a family budget is a suggestion worth considering. Every family should have one to properly track income and outgo. If you need a form, Carl Middione, at 482-5060, will be happy to send you one free.

MEMORANDUM
COMMUNITY MANAGEMENT SERVICES, INC.
• 1935 DRY CREEK RD, SUITE 203
• CAMPBELL, CA 95008
• 408-559-1977

TO: 1600 HAMILTON PLACE OWNERS

FROM: BOARD OF DIRECTORS

DATE: JANUARY 15, 2009

RE: RESTATED CC&Rs PETITION

As has been indicated in recent newsletters, the Board is petitioning the court to approve the restated CC&Rs based on the fact that the voting totals received for approving the restated CC&Rs far exceeded a majority of the association membership (166 yes, 27 no) and that the 75% membership approval for restated CC&Rs required by the original CC&Rs was unreasonable (note that the original CC&Rs only required 51% membership approval of restated Bylaws, which easily passed 173 yes, 20 no). Attached you will find a copy of the Order Setting Hearing and Notice of Petition to Reduce Required Voting Percentage. In addition, a copy of the original petition can be found at each of the mailbox kiosks for your review. If you have any questions, please feel free to attend the next Board meeting in the clubhouse at 6:30PM on February 10, 2009.

SHARON GLENN PRATT (SBN 121947)
ROSALIA BURGUEÑO TAPIA (SBN 174198)
PRATT & ASSOCIATES
The Pruneyard Tower I
1901 S. Bascom Avenue, Suite 350
Campbell, CA 95008
Telephone: (408) 369-0800
Facsimile: (408) 369-0752

Attorneys for Petitioner
1600 HAMILTON PLACE
COMMUNITY ASSOCIATION, INC.

ENDORSED

2009 JAN -8 AM 9: 01

David H. ...
County of Santa Clara, California

By: _____
Deputy Clerk

M. Rosales

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

UNLIMITED JURISDICTION

In the Matter of

1600 HAMILTON PLACE COMMUNITY
ASSOCIATION, INC.,

a California nonprofit
mutual benefit corporation,

Petitioner.

No. 109 CV 132085

**ORDER SETTING HEARING AND
NOTICE OF PETITION TO REDUCE
REQUIRED VOTING PERCENTAGE**

(CIVIL CODE §1356)

The Ex Parte Application of 1600 HAMILTON PLACE COMMUNITY ASSOCIATION, INC. ("1600 HAMILTON" or "Petitioner") for an order setting a hearing and prescribing the manner and timing of notice of that hearing came before this Court this day. The hearing will pertain to a petition filed by Petitioner, seeking an order from this Court to reduce the percentage of affirmative votes necessary to amend the Declaration of Covenants, Conditions, and Restrictions recorded with respect to the real estate common interest development located in Santa Clara County and commonly known as 1600 HAMILTON PLACE COMMUNITY ASSOCIATION. In particular, Petitioner seeks to have the First Restated Declaration of Covenants, Conditions, and Restrictions, which was the subject of the October 1, 2008 vote, deemed approved, pursuant to California Civil Code Section 1356.

1 Satisfactory proof having been made, and good cause appearing,

2 **IT IS ORDERED that:**

3 1. A hearing be held on said Petition of 1600 HAMILTON PLACE COMMUNITY
4 ASSOCIATION on February 17, 2009, in Department 19, at 9:00 a.m., or as soon thereafter
5 as the matter may be heard.

6 2. Petitioner will provide written notice at least 15 days before the hearing of this
7 Petition as follows: (a) post said Petition and supporting documents on file in this matter as well as
8 a copy of the Order Setting Hearing at one or more locations in Petitioner's common area where the
9 documents are likely to come to the attention of Petitioner's membership, (b) mail a copy of the
10 Order Setting Hearing by first-class mail to each of Petitioner's members at their address as shown
11 in the corporate records maintained by Petitioner, and (c) provide notice to each mortgagee of a
12 mortgage and/or each beneficiary of a deed of trust on each separate interest in the development
13 entitled to notice under the terms of the Declaration of Covenants, Conditions, and Restrictions, by
14 publishing this Order Setting Hearing and Notice of Petition to Reduce Voting Percentage in The
15 Daily Journal, or any other newspaper of general circulation.

16 3. Petitioner will also give notice of said Petition and the hearing scheduled on the
17 Petition in its next monthly newsletter, if said newsletter is scheduled to be mailed before the
18 hearing, informing the members of the locations in the development's common area where the
19 posted documents may be found. On request, Petitioner will provide copies of all documents on
20 file with the Court to any member who requests such copies.

21
22 Date: **JAN - 8 2009**

23 **James Emerson**

24
25 **JUDGE OF THE SUPERIOR COURT**