



COMMUNITY INFORMATION

SUMMERFIELD HOMEOWNERS ASSOCIATION, INC.

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COMMON AREAS

Summerfield Association consists of several Common Areas owned and maintained by the Association for the common use and enjoyment of the owners. These areas include the community pool and green space on the north and south side of the pool (Elmfield Lane and Oakfield Way), the equestrian trail easements along the side and back of the neighborhood, and the walking pass-throughs, which give residents easy access to the center of the development, as well as the entrance to the neighborhood on Summerfield Lane off Espola Road. (See *Summerfield CC&Rs: Article I, Section 4*)

OWNER/OCCUPANT INFORMATION

Disclosure of Governing Documents

According to California Civil Code, the seller is required to provide the buyer a copy of the HOA's CC&Rs; and that any seller is liable to a penal sum of \$500.00 and attorney's fees for failure to provide the CC&Rs information to the buyer. These documents are typically provided to the buyer in escrow. A copy of all governing documents are available for free download from the Summerfield website (summerfieldpoway.com). A hard copy may be obtained from the Association for a fee.

It is advisable that absentee owners provided these documents to their tenants as part of their rental agreements. Absentee owners and tenants failing to uphold the CC&Rs will be notified of violations. Failure to do so puts the owner in violation of the CC&Rs and subject to legal litigation.

Homeowners

The Board of Directors maintains a database of all residents within Summerfield in order to ensure that all mailings, newsletters and notices will be properly received. If you are a new homeowner, please contact the Board with the following information:

Name, Address, Phone Number, Cell Phone (optional), Email Address

Landlords and Tenants

We request that all landlords and tenants provide us with the most current contact information, including:

Name, Address, Phone Number, Cell Phone (optional), Email Address

Tenants are obligated to abide by all of the Bylaws, Covenants, Conditions and Restrictions (CC&Rs), and Architectural Standards established by the Association. Landlords are required to provide a copy of these documents to their tenants. These documents can be obtained from the Association for a fee. Violation notices will be sent to absentee owners as well as tenants. Bringing the property into compliance is ultimately the responsibility of the absentee homeowner.

Newsletter & Other Communications

The Board publishes a quarterly newsletter—*Summerfield Scoops*—which is emailed to homeowners and tenants. Your email address will be used for the sole purpose of sending this newsletter and other important Association information. Your email address will not be sold,

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leased or distributed to any outside entity. If your email address changes over the course of time, please notify us.

Send your information to:

summerfieldpoway@gmail.com

<http://summerfieldpoway.com>

Summerfield Homeowners Association

PO Box 28143

San Diego, CA 92198

COMMUNITY POOL

Pool Season

The Summerfield community pool is officially open Memorial Day weekend through October. During the off-season, the pool and restrooms are locked for safety and security reasons. In the event of unseasonably hot weather in the off-season, the pool may be opened for homeowners to enjoy.

Pool Rules

Children, ages 14 and under, must be supervised by an attending parent or an adult that has assumed that responsibility. The supervising adult must be at least 18 years old. There is no lifeguard on duty!

- Pool hours are from 6:00 am to 10:00 pm
- Children, ages 14 and under must be supervised by an attending parent or an adult that has assumed that responsibility. The supervising adult must be at least 18 years old.
- The gate to enter the pool area must be kept locked at all times. Please do not grant access to people without keys. Our pool is for the use of our residents and their guests.
- No diving or jumping into the pool.
- No profanity, running or unsafe conduct will be permitted.
- No pets are allowed in the pool area.
- No gum, glass objects, or smoking allowed in the pool area. Beverages and food are allowed in the pool area, but not in the pool. Please use trash receptacles.
- Boogie boards or kickboards are not allowed. Only swimmers involved in organized swimming instruction may use kickboards.
- Hardballs such as tennis balls or smash balls are not permitted.
- Parents are responsible for their children. Damage to the pool area by residents, their children or their guests will be paid for by the residents.

Please review the Pool Rules sign at the pool for additional rules. Any infraction of these rules is cause for immediate dismissal from the pool. If repeated infractions occur, pool privileges will be revoked for the entire season. Every homeowner has the right and responsibility to enforce these rules and is encouraged to do so.

If you hear or observe unauthorized people in the pool area after hours, observe suspicious behavior in our neighborhood, or witness illegal behavior, please call the Sheriff at **(858) 513-2800**. In addition, please call or email one of the SHOA Board members to report incidents. The address of the pool is: *12841 Oakfield Way*.

Pool Keys

To safeguard our young children and to better protect the Summerfield Homeowners Association, the pool has a key lock system which requires a key to enter and exit the pool area.

- **Keys for Owner Occupants:** The Board provides one key to new homeowner upon receipt of escrow documents. One additional key can be obtained for a \$5 fee.
- **Keys for Non-owner occupants:** Upon request, non-owner occupants may obtain one key for a \$5 refundable fee with submission of contact information.

Pool Party Rules

If you plan on having a pool party, it is your responsibility to clean the pool area after your party. That includes all food items and trash off of the tables and pool deck. It is also your responsibility to haul your trash home. We keep extra bags at the bottom of the trash can so you can leave the trashcan ready for the next group. We operate on the honor system, but if the pool area is not sufficiently cleaned after each party, we will require a cleaning deposit for all parties. Please remember when hosting a party at our pool, adequate adult supervision is paramount. We, the homeowners, as an association will bear the consequences if there is an accident or injury.

LIABILITY

California Civil Code Section 1365.9 was intended by the Legislature to offer civil liability protection to owners of the separate interest in the common interest development that have common areas owned in tenancy-in-common if the association carries a certain level of prescribed insurance that covers a cause of action and tort. It further provides that any cause of action in torts against any owner of a separate interest arising solely by reason of an ownership interest as a tenant-in-common in the common area of a common interest development shall be brought only against the association and not against the individual owners of the separate interest, if both of these insurance requirements are met: (1) the association maintain and have in effect for this cause action, one or more policies of insurance which include coverage for general liability of the association, and (2) the coverage is at least three million dollars (\$3 million) if the common interest development consists of more than one hundred separate interest. Summerfield Homeowners Association has liability insurance coverage of \$3 million for the common areas. *(See Summerfield CC&Rs: Article VII, Section 8.)*

EQUESTRIAN TRAILS

Homeowners have raised questions regarding the equestrian trails which run through Summerfield. We consulted with our attorney, and received the following information:

- 1) The trails are in the form of easements across various lots within Summerfield. Deeds and maps indicate the easements cross Lots 18, 22, 23, 56, 57, 66, 108, 109, 110, 111, 112, 119, 120, 158, 159, 160.
- 2) An easement is an interest in real property, which is held concurrently by the owner of the underlying property and the owner of the easement. An easement creates a right to use another's property in the way specified in the document creating the easement. The owner of the equestrian trail easements is the Summerfield Homeowners Association. Thus, as to the portions of lots subject to equestrian trail easements, the right to use that portion of the lot by the owner of the lot is subject to the Association's right to maintain an equestrian trail. (If you own a lot which is subject to an easement, you may confirm this by reviewing your deed and/or title insurance policy, which will show an easement for an equestrian trail was reserved by the developer.)
- 3) The maintenance of the easement is the responsibility of the owner of the easement that is, Summerfield Homeowners Association. The owner of the lot (legally known - as the "servient tenement") has no responsibility for maintenance unless the parties enter into an agreement shifting the maintenance obligation. Also, the owner of the lot may take no action which unreasonably hinders the use of the easement; for example, the owner of the lot may not clear brush or trees on the easement and leave the waste on the easement.
- 4) In order to facilitate good relations between the owners of lots and the Summerfield Homeowners Association, the owner of the easement, owners of easements should apply to Summerfield for the right to make changes on the portions of the lots subject to the equestrian trail easement; this would include removal of brush and trees or other landscaping alterations which would affect the utility of the equestrian trails.

If you have any questions, you may contact the Board of Directors.

NEIGHBORHOOD SAFETY

Reporting Crime

If you hear or observe unauthorized people in the pool area after hours, observe suspicious behavior in our neighborhood, or witness illegal activity, please call:

Poway Sheriff Department
Non-Emergency
(858) 513-2800

Poway Sheriff Department
Emergency
911

In addition, please call or email one of the Summerfield HOA Board members to report the incident.

The address of the pool is: **12841 Oakfield Way.**

Non-emergency Calls

Residents living in Poway (and other communities served by the Poway Sheriff Department) can go on-line to report crimes that do NOT require a deputy's response. The website is: www.sdsheriff.net.

Incidents that can be reported on this site include:

- harassing phone calls
- lost property
- theft
- vandalism
- vehicle burglary

To report crimes other than those listed above, call:

Poway Dispatch Center (858) 565-5200.

Free Underground Service Alert

If you are planning to dig a hole or do any excavation on your property, contact the Underground Service Alert of Southern California, also known as DigAlert. This is a FREE one-call notification service that will contact all owners/operators of underground lines in the area who will then mark or locate their lines within two days. The owner/operators of underground lines are required to mark their facilities prior to your excavation, *if you call before you dig*. If you do not call, you will never be covered. Once you call and wait two full working days, your excavation activity will be considered valid. For more information, call 811 or visit www.digalert.org.