

**LAGUNA WEST ASSOCIATION
RULES AND REGULATIONS**

EFFECTIVE OCTOBER 1, 1993

A. PREAMBLE

A-1. The authority for the Board of Directors to form and enforce rules and regulations is provided by the Declaration of Covenants, Conditions and Restrictions (CC&R'S) under Article IV, Section 4 and Article IX, Section 1(d) of the adopted Bylaws. A copy of the CC&R'S and Bylaws were given to each owner at the time of purchase of their lot.

A-2. The Board of Directors has or will create a Rules and Regulations Advisory Committee. The duty of this committee is to advise the Board of Directors regarding the Rules, the Bylaws and the CC&R'S.

A-3. The Manager of the Laguna West Association has been instructed by the Board of Directors to require the compliance of all persons on Association common areas with the provisions of all Rules, By-laws and the CC&R'S. In the instance of a person violating the Rules, the By-laws or the CC&R'S, the Manager has further been instructed to do any of the following:

- a) Obtain names and addresses of violators and report to the Board of Directors.
- b) Remove the persons from the Association common areas, if necessary.
- c) Call upon a law enforcement agency for assistance.
- d) Call upon residents to assist him in his duty.
- e) In the case of residents' children, make an effort to contact their parents immediately, prior to making the action called for in (b), (c) and (d) above.

A-4. The Rules as contained herein are issued by the Board of Directors. They are supplemental to the conditions of ownership in the Declaration of Covenants, Conditions and Restrictions. If there is any conflict the provisions of the Declaration will prevail.

The Rules are intended as a guide to the conduct and activities of all members, lessees and residents of the Laguna West Association and their guests, to the end that everyone living in and using the facilities will enjoy the maximum pleasure without annoyance or interference from others. Strict observance and adherence is urgently requested by the Board of Directors.

B. COMMUNITY RELATIONS

B-1. All members and residents must be registered with the Manager.

- a) Association members are those individuals owning a lot or unit at the **Laguna West** community.
- b) Residents are defined as owners and members of their families living on the premises of the project, or lessees and members of their families living on the premises of **Laguna West**.
- c) Owners leasing their home retain their voting right in the Association but assign the use of all common facilities of the project to the lessee of their home. The lessee assumes the privileges and responsibilities of membership as hereinafter stated, but does not have a voting right. The vote belongs only to the owner. Non-resident owners are not permitted to use any common area facilities when so assigned to a lessee except as a guest of a resident.
- d) The lease or rental agreement must be in writing and must be for a term of not less than 30 days and **be subject to the CC&R'S, Bylaws and adopted rules.**

- B-2.
- a) Guests must be accompanied by a host or hostess of the Association when using the common areas of the Association.
 - b) It is the right of each resident to question the presence of any person who appears to be trespassing on the common areas and/or advise the Manager regarding the situation.

B-3. Members, lessees and residents are responsible for payment of all cost of repairs for all damage to the Association's common areas caused by themselves, members of their families or their guests.

B-4. All activities, whether individual or group, shall be conducted at a noise level that is reasonable and not disturbing to other residents. Each owner or resident is responsible for the conduct and behavior of their children, guests, and any visiting children and for any property damage caused by such persons.

- B-5.
- a) Signs, advertising or other devices, or miscellaneous paraphernalia shall not be exposed or attached in any fashion to or on windows, fences and exterior walls or any other areas of buildings or grounds, unless written approval has been obtained from the Board of Directors. **NO VENDOR ADVERTISING SIGNS ARE PERMITTED.**
 - b) One sign of reasonable dimensions advertising the home for sale or rent may be displayed in the window of a home, yard area or other areas designated by the Association. Only approved signage specifications may be utilized.

- c) Political signs not to exceed three (3) square feet are permitted provided any such signs are removed within 24 hours after the appropriate election.
- d) In order to maintain the uniform aesthetic attractiveness of the Association and compliance with the CC&R'S, residents are requested to ensure that all window treatments visible from the outside are neutral or lined with a neutral backing. Aluminum or metal foil or other reflective materials is prohibited.

B-6. Common area, time clocks and lighting systems are to be adjusted and/or set by authorized personnel only.

- B-7. a) Garages are solely to be used for the parking and storage of cars, boats or similar vehicles. They are not to be used or converted for any type of living or recreational activities. Garages shall be kept clear so as to permit parking of the number of vehicles for which the garage was designed. **THE PLACEMENT OR MAINTENANCE OF MOBILE HOMES, MOTOR HOMES, TRUCKS, COMMERCIAL VEHICLES, CAMPERS, BOATS, TRAILERS, MOTORCYCLES, TRAIL BIKES, OFF-ROAD VEHICLES, BICYCLES, OR SIMILAR VEHICLES IS PROHIBITED EXCEPT WITHIN ENCLOSED GARAGES FROM ADJOINING LOTS AND STREETS.**
- b) Garage doors must remain closed except for entering/exiting and when the garage is in use and attended.
- c) Residents must keep the driveways clean of any oil or other stains at all times.
- d) Vehicles, toys, or bicycles are not allowed to be parked or placed so they block or interfere with pedestrian traffic on the sidewalks. The placement of unattended tricycles, play toys, or other equipment in front yards and areas visible from adjoining lots is prohibited.

B-8. Indefinite parking exceeding 72 hours of any vehicle including trailers on any street or on any driveway is prohibited.

B-9. No outside radio aerials, television aerials, microwave or satellite dishes, or connections shall be installed, erected or constructed on any separate interest or any common area.

B-10. A reasonable number of normal and customary uncaged household pets may be maintained within a home under the following conditions:

- a) Whenever pets are outside of the resident's lot, they must be on leash.
- b) Residents must clean up after any mishap performed by their pets.
- c) Residents shall be responsible for any personal injury or property damage caused by their pets.

- d) Pets emitting excessive noise, or in any manner unduly disturbing other residents, may be removed by order of the Board of Directors after notice and a hearing pursuant to the Bylaws.
- e) Guests are not allowed to bring pets onto Association common landscaping areas.
- f) No animals shall be maintained for any commercial purposes.
- g) **RESIDENTS MUST PREVENT DOGS AND OTHER PETS FROM CONTINUOUSLY BARKING OR MAKING OTHER LOUD NOISES.**

B-11. No outside clothes lines are allowed to be installed except within fenced yards so as not to be visible from streets or the ground level of adjoining lots.

B-12. No business activities of any kind are to be established, maintained, permitted or conducted in any home or on any portion of the common areas. The use of front yards and garages for garage sales which clutter areas visible from the street for more than two (2) days within any twelve (12) month period are prohibited. Exterior signs advertising garage or yard sales are prohibited.

B-13. Residential lighting fixtures are to be unobtrusive and compliment the design of the home with no observable glare. All exterior light fixtures must be approved by the Design Review Committee.

B-14. LAKE USE

- a) The lakes are available for use by residents and their guest only.
- b) **NO BOATS OR WATERCRAFT IN EXCESS OF 16 FEET ARE ALLOWED TO OPERATE ON THE LAKE. NO GASOLINE, COMBUSTION-TYPE, POWER ENGINE BOATS OR WATERCRAFT ARE ALLOWED.**
- c) **NO LIVE BAIT OTHER THAN EARTHWORMS SHALL BE USED FOR FISHING.**
- d) **NO SWIMMING OR WADING IS ALLOWED IN THE LAKE.**

B-15. ARCHITECTURAL CONTROL

- a) The Design Review Committee (Committee) has developed guidelines concerning exterior changes to your home and improvements to your lot. These guidelines conform with the CC&R'S of our Association. The purpose of these guidelines is to provide the required information and forms regarding any exterior changes and modifications of the home so the Committee may render its decision. **Please refer to the "Single Family Design Guidelines" and the "Single Family Landscape Design Guidelines" for specific requirements.**

Please send all applications for approval to THE MANAGEMENT COMPANY at:

**VierraMooreSantos Management Services, Inc.
P.O. Box 7915 ATTN: GEORGE MOORE
Stockton, CA 95267**

- b) When applying for approval, please send as much information as you can and include the following specific items:
1. Completed Application Form.
 2. Exact location: use a scale drawing if applicable.
 3. State color, size, composition and description.
 4. Photo, sketch, copy of an advertisement or facsimile.
 5. Contractor's name or company making the item etc.
 6. Two sets of plans.

Please remember that you must get approval BEFORE making any changes or additions.

- c) Alterations, additions or modifications made to your lot or the exterior surfaces of your home must have prior written approval from the Architectural Committee or the Board of Directors. This includes some landscaping improvements, exterior lights, solar energy systems, fences, walls, sun screens, bamboo blinds, decks, lattices, pools, spas, color changes, sheds, flagpoles, sports apparatus and other improvements. **NO BASKETBALL STANDARDS VISIBLE FROM A NEIGHBORING LOT OR THE COMMON AREA ARE ALLOWED.**

- d) Any alterations that do not have prior written approval by the Committee or Board of Directors will be removed by the homeowner and the area will be restored to its original condition. Should the homeowner fail to comply, the Association will pursue its legal remedies including, but not limited to having the alteration removed at the owner's expense.

HOMEOWNERS ARE RESPONSIBLE FOR THE ACTIONS OF THEIR TENANTS AND GUESTS.

IT IS EVERY RESIDENT'S RESPONSIBILITY TO OBEY THESE RULES.

PERSONS WHO REPEATEDLY VIOLATE RULES MAY LOSE THEIR PRIVILEGES.

REMEMBER, THE COMMON AREAS ARE FOR THE ENJOYMENT OF ALL LAGUNA WEST ASSOCIATION RESIDENTS.

D. ENFORCEMENT

Fines: To insure compliance with the above mentioned rules, Owners may be fined not less than \$10.00 nor more than \$50.00 per day per infraction or continuation of violations. Fine amounts are to be set by the Board of Directors based on the merits of each violation.

Due Process Requirements. Before the Board imposes any monetary penalties or suspension of membership rights or Common Area use privileges against any member for failure to comply with the Declaration, the Bylaws or the Association Rules, the Board must act in good faith and satisfy each of the following requirements:

1. The member must be given 15 days prior written notice specifying the nature of the damage or alleged violation and stating the time, date and place that the member will have an opportunity to be heard. Notice may be delivered personally or by mail. If the notice is given by mail, it must be sent by first class or registered mail to the last address of the member as shown on the Association's records.
2. The member will be given an opportunity to be heard, orally or in writing, by the Board. Members shall have the opportunity to present witnesses on the member's behalf and to cross-examine any witnesses that may testify against the member. After the hearing, the Board shall determine whether owner damage or a violation has occurred and, if so, may impose a "Remedial Assessment" and/or a discipline which shall become effective not less than five (5) days after the date of the hearing or the Board may take such other action as may be appropriate.