

December 8, 2000

Dear Seastrand Home Owner,

Enclosed you will find the approved "Resolution of the Seastrand Board of Directors Homeowner's Association, #00-01".

This Resolution becomes effective 30 days from the date of this mailing, or January 8, 2001.

The Board of Directors adopted this Resolution after discussion with the Developer and review by an attorney who specializes in Homeowner Association law. The goal of this resolution is to define and clarify "Obstruction of View" as noted within your existing Covenants, Conditions, and Restrictions, or CC&Rs.

The Board of Directors called a meeting inviting all owners to participate in open discussion to assist the Board in producing an appropriate, enforceable and mutually equitable policy regarding the "Obstruction of View" issue. The Board, using the information and input from those owners present, compiled the enclosed Resolution.

In addition to Resolution #00-01, I have enclosed a copy of the existing **Resolution #93-02, dated November 11, 1993**. This Resolution identifies the enforcement policy that will be used to bring homes into compliance when it is determined that there is a violation of Resolution #00-01. Please read this and keep it as part of your records.

I have also enclosed an **Architectural Application** for your use. This application will be needed in order to remove any existing trees that fall within the "Obstruction of View" policy, or for any re-landscape plans you may need to submit.

Please be advised that the fence height restriction will NOT apply to plantings between homes separated by wooden fences, as they are set back far enough as to not be considered an obstruction.

The Resolution also allows for **EXCEPTION** only by written consent by **AT LEAST** the neighbor on either side of your home. This exception will **NOT** run with the property, and can be revoked at any time by either neighbor granting you your exception. All written exceptions you receive must be sent with original signature to the management offices, and will be kept on file.

Accordingly, please take the necessary steps to bring your rear landscape into compliance per Resolution #00-01, within the next 30 days, by trimming and/or removing any plant material that has grown taller than the Resolution definition, or by submitting written consent from both

bordering neighbors which state that your landscape, even though it has obstructed their view, is found to be acceptable at this time. All such exception waivers need to be in management offices before the January 8, 2001 deadline to avoid violation processes. I have drafted an example of an acceptable waiver for your use.

If you have any questions regarding this Resolution or need further definition, please contact me at 865-3363.

Sincerely,

Teri L. Gard, CCAM
Association Manager
Seastrand Owners Association

Encl.: Resolution #00-01 – Obstruction of View
Resolution #93-02 – Landscape Enforcement policy
Architectural Application
Waiver Sample

**SEASTRAND OWNERS ASSOCIATION
WAIVER PER RESOLUTION #00-01
OBSTRUCTION OF VIEW**

I/We _____ (Name), owners in title to
_____ Sea View Parkway, hereby grant waiver of Resolution #00-01, to my
neighbor, _____ (Name)
Owner of title to _____ Sea View Parkway, who has existing landscape
within their rear yard that currently DOES or WILL obstruct my view as defined in
Resolution #00-01. Accordingly, by my signature below, I waive my right to the protection of
my view, enforceable by Resolution #00-01. I further acknowledge that I can, at any time,
without notice to said neighbor, when submitted in writing and presented to management, revoke
this waiver without cause. At time of such revocation, my neighbor residing at
_____ Sea View
Parkway will be required to comply with Resolution #00-01 by removing my view obstruction.

(Owner Signature)

(Date)

(Owner Signature)

(Date)

Resolution #00-0 1
Date: December 8, 2000

Seastrand Homeowners Association

Resolution Of the Board of Directors

Obstruction of View

Having been duly moved and seconded, let it be resolved that the Seastrand Board of Directors have established the following criteria for definition of, preservation to and enforcement regarding “obstruction of View” as noted in CC&Rs pages 19 3.32, as follows:

1. Nothing is to be installed, maintained or otherwise erected that would extend any higher than the top height of the perimeter and back wrought iron fences as installed by the Developer. Any variation from this standard will be construed to be in violation of the CC&Rs and/or Rules and standards of the Association.
2. Enforcement of this resolution shall fall within the existing scope of Resolution 93-02, dated November 11, 1993, attached for reference.
3. EXCEPTION to the above guidelines may be obtained by written consent from neighbors on both adjacent sides (right & left) of the unit requesting exception. The original signed exceptions must be kept on file with the association offices. This consent will not run with the property and may be revoked by either neighbor at any time, by written complaint from any resident of Seastrand THAT HAS THEIR VIEW OBSTRUCTED BY THE EXISTING PLANTINGS.
4. EXCEPTIONS will be granted to the four homes 2809, 2857, 2901, and 2969 that do not share, on one side of lot, a fence line with any other Seastrand lot, but with a city park and/or Seastrand common area. Those lots may maintain plantings along those shared fence lines, higher than the fence top for privacy reasons. However, 2857 and 2901 can request that Seastrand maintain the common area at fence height to ensure their own view.

5. Definition of view is considered to be Bayside View from either side of the lower level of the existing home and shall not constitute view from any 2nd floor window, deck, balcony or other elevation other than lower level, back of existing home.
6. Obstruction of view will not include any existing construction of a home, additions, or modifications to that structure that exist at the date of this resolution, as long as modifications were duly approved per policies and standards. Any obstruction of view created from growth planted or volunteered outside a fenced in lot, (with the exception of those plantings maintained by Seastrand) belonging to the Harbor Bay Isle Community Association, City of Alameda, or Shoreline Park, will not fall within these restrictions set down by Seastrand. Person to that agency must direct enforcement of view to these entities.

