Sandpiper Cove Homeowners' Association

RULES AND REGULATIONS ARCHITECTURAL STANDARDS

Approved by the

Sandpiper Cove Homeowners' Association Board of Directors & Sandpiper Cove PAC (Project Architectural Committee)

Effective: January 10, 2013

Supplement to the Community of Harbor Bay Isle Owners' Association Community Architectural Committee Architectural Rules and Standards

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TABLE OF CONTENTS

SANDPIPER COVE

Introduction	1
SECTION I – GENERAL RULES & REGULATIONS	2
Garage Doors – (Keep Closed)	2
Garbage and Recycling Containers	2
Landscape Responsibility	2
Noise	2
Parking Rules and Enforcement	2
Pets	3
Playground	3
Side Yard Easement Obstruction	3
Signs (See Community of HBI House Rules)	4
Speed Limit	4
Sports Apparatus & Recreational Uses	4
Temporary Structures	4
Tenants	4
Vehicle Storage	4
Window Coverings	4
SECTION 2 - ARCHITECTURAL STANDARDS (Modifications)	
Additions to Existing Dwellings	
Second-Story Additions	
General Design	
Design Specifications	
Approval and Codes	
Third-Story Additions	
Other Modifications	
Adjoining Front Yards	
Air Conditioners	
Ancillary Structures – See CAC Architectural Rules	
Animal Shelters – See CAC Architectural Rules	
Antenna – See CAC Architectural Rules (Antenna)	
Arbors – See Exterior Painting, page 19 and CAC Architectural Rules	
Attic Ventilation	
Awnings	
Balconies and Second Story Decks	
Barbecues or Fire Pits	8
Basketball Standards – See Sports Apparatus & Recreational Uses, page 4	_
and the CAC Architectural Rules	
Chimneys, Stove Pipes and Metal Flues, Vents and Exhaust	
Clothes Drying Facilities – See CAC Architectural Rules	
Curb Street Address Painting	
Decks	8

Dog Run – See CAC Architectural Rules	9
Door Addition and Replacement – See CAC Architectural Rules	9
Door (Entry)	9
Door (Garage)	9
Door (Screen)	
Downspouts – See Re-Roofing Gutters and Downspouts, page 14	9
Drainage – See CAC Architectural Rules	
Driveways	
Fences: Also see SECTION 6 – FENCE SPECIFICATIONS (page 24)	10
Fences: All	10
Fences: Short	11
Fences: Tall	
Fences: GATES AND GATE REPLACEMENTS	11
Firewood	11
Fountains	11
Garage Door – See Door (Garage), page 9	11
Gates – See above, Fences: Gates and Gate Replacements	11
Gazebos – See CAC Architectural Rules	11
Gutters – See Re-Roofing Gutters and Downspouts, page 14	11
Lights	
Mailbox and Mailbox Post	12
Painting Exterior of House	12
Patios and Paving	12
Planters	13
Porches	13
Re-roofing – Homeowner Responsibility/Instructions	13
Re-roofing – Class A-Rated Treated Cedar Wood SHAKE Roofing System	13
Re-roofing – Asphalt-Fiberglass SHINGLES	14
Re-roofing – Couplet Homes	14
Re-roofing – Gutters and Downspouts	14
Re-roofing – Metals and Flashing	14
Re-roofing – Spark Arrestors	144
Re-roofing – Tar and Gravel Roofs	15
Satellite Dish – See CAC Architectural Rules (Antenna)	15
Security Systems	
Screen Door – See Door (Screen), page 9	15
Siding	
Skylights	
Solar Collectors	15
Spas and Hot Tubs – See CAC Architectural Rules	15
Storage Structures	
Swimming Pool – See CAC Architectural Rules	
Trellises	
Utility Wires – See CAC Architectural Rules	16
Ventilation Devices – See CAC Architectural Rules	
Walks – See CAC Architectural Rules	

Weather Vanes	16			
Wind Chimes– See Noise, page 2	16			
Window Additions and Replacements – See CAC Architectural Rules				
(Doors and Windows)	16			
Window Tinting – See CAC Architectural Rules				
SECTION 3 – PLANT GUIDELINES	17			
Artificial TurfError! Bookmark not	defined			
Landscape	17			
Plant Choices				
Rock				
Rock Gardens				
Top-dressing				
Tree – Adding				
Tree – Maintenance				
Tree – Removing/Replacing				
Vegetable Gardens				
SECTION 4 - PAINTING	19			
Borrowing the Sandpiper Cove Paint Palette Book				
Exterior Painting				
Exterior Painting (cont'd).				
Suggestions for Paint Preparation and Repainting the Exterior of Your Home				
House Element Terms (Sample)				
SECTION 5 - APPEAL AND ENFORCEMENT				
Appeal Policy	23			
CC&R Enforcement Procedures	23			
SECTION 6 – FENCE SPECIFICATIONS for 3' and 6'	25			
Fence – Sample of Abutted Design	25			
Fence – Sample of Fence Post				
Fence – Sample of Board-on-Board and Louver Design				
Fence – Check Sheet for 3' and 6' Fence				
SECTION 7 – APPROVED LOCKING MAILBOXES	27			
SECTION 8 – SECOND STORY DESIGN	28			
Plan 4				
Plan 6				
D I 0	20			

INTRODUCTION

These Rules and Regulations and Architectural Guidelines were developed to maintain our property values, to enhance our neighborhoods, and to promote harmonious living in the Sandpiper Cove Association. To all homeowners who have enhanced and maintained their properties, thank you. The definition of any terms or conditions herein, which are subject to interpretation, shall be determined by the Sandpiper Cove Association Board of Directors.

Related Documents: These Rules and Regulations are set forth in accordance with Article III, Section 7 of Sandpiper Cove Homeowners' Association Declaration of Covenants, Conditions and Restrictions (CC&Rs). These Architectural Standards are set forth in accordance with Article V, Section 5 of Sandpiper Cove Homeowners' Association Declaration of Covenants, Conditions and Restrictions (CC&Rs). These Architectural Standards shall be applied together with the Sandpiper Cove Homeowners' Association Rules and Regulations and the Community of Harbor Bay Isle Owners' Association Community Architectural Committee (CAC) Rules and Standards. In case of any conflict between these documents, the more restrictive shall govern.

Special Note: The Sandpiper Cove Board has adopted a policy related to neighbor disputes affecting property values, each case to be assessed and enforced individually per Article IV, Section 4, ii, of the Association's CC&Rs.

Community Architectural Review: Sandpiper Cove owners are strongly encouraged to review the Community Architectural Committee (CAC) rules and standards for the specific requirements that apply to proposed property improvements anywhere in the community of Harbor Bay Isle including Sandpiper Cove. Additional guidelines also applicable to Sandpiper Cove have been established and are contained in these Sandpiper Cove Homeowners' Association Rules and Regulations Architectural Standards. The term "guidelines" shall have the same force and effect as the term "rules and regulations."

Common Areas are those parcels of land owned by the Sandpiper Cove Homeowners' Association or the Community Association and are intended for use and maintenance by the members of those associations.

Commonly Maintained Improvements are improvements located on public right of way that are maintained by the Sandpiper Cove Homeowners' Association on behalf of all of the Association homeowners as a common benefit and expense, or by the Community of Harbor Bay Isle Owners' Association on behalf of all members of the Community Association as a common benefit and expense.

Common Area Use Petitions: Should a resident wish to use a common area for an exclusive use social or recreational function, the resident shall petition the Sandpiper Cove Board of Directors in writing for a hearing a minimum of 10 (ten) days prior to the next regular Board meeting. The petition shall include the resident's name, address, telephone number, the date, the purpose of the event, and the number of people to be in attendance. The petitioner need not attend the Board meeting. The Board shall consider the petition at its next regular meeting, take all facts into consideration and shall render its written decision to the petitioner within 3 (three) working days of the meeting.

SECTION I – GENERAL RULES & REGULATIONS

GARAGE DOORS - (KEEP CLOSED)

Residents are urged to keep their garage doors closed except during entering and leaving the garage to reduce the possibility of unlawful entry and theft.

GARBAGE AND RECYCLING CONTAINERS

Garbage or recycling containers may be left at the street curb for pickup on the evening prior to pickup and on the pickup day scheduled in the area by the City. At all other times, containers shall be stored inside a resident's garage or side yard behind a fence, <u>out of public view</u>. Garbage containers shall be covered at all times to avoid odor and loose trash. Containers shall not be placed in the Association's landscaped Common or curb strip area at any time.

LANDSCAPE RESPONSIBILITY

Homeowners are expected to maintain the landscaping of their property. Lawns, plants and trees shall be properly fertilized, trimmed, and kept in good health. Plantings shall be adequately watered consistent with current water regulations. Grass or shrubbery shall not be allowed to constitute a fire hazard. Weeds shall be removed. Bare ground shall be kept to a minimum or mulched.

NOISE

Noise Restrictions: Residents shall mitigate <u>noise of any kind</u> that is discernible on other property or that interferes with a neighbor's concentration, sleep or reasonable enjoyment of their home environment. Exterior speakers, horns, whistles, bells or other sound devices, except security devices used exclusively for security purposes, are prohibited; such devices and their operation shall comply with the City of Alameda Noise Ordinance #2177.

Insect Traps (Electronic): Insect traps shall not create a nuisance to neighboring properties.

Wind chimes: As noted above under Noise Restrictions, if the sound from wind chimes mounted on the exterior of a residence intrudes on neighboring property, the chimes must be placed in the atrium as a mitigating measure. If mitigation fails to resolve the problem, the chimes must be removed.

PARKING RULES AND ENFORCEMENT

Owners, their tenants, and guests shall comply with the City of Alameda Parking Regulations The City of Alameda has specific ordinances concerning parking vehicles in front and side yards, overnight parking of large vehicles, restrictions on vehicle street parking and recreational vehicles, trailers and boat trailers. See City of Alameda Parking Regulations as defined in Alameda Code, Chapter IV, Article 11, Sections 4–25.1, 8–7.8, 8-7.10 and 8-7.11. (http://bit.ly/QWZSyT) Please be considerate. Do not park in front of mailboxes during delivery hours. This will help to ensure delivery of mail.

PETS

Pet Limitations: A reasonable number of pets per unit are permitted. Pet guardians are responsible for complying with the City of Alameda Animal Control. See Alameda City Code, Chapter VII, Section 7-3.7.

Pet Behavior: No unreasonably noisy, destructive and/or aggressive pets are permitted in Sandpiper Cove. The Board of Directors has the final authority to determine if a pet is unreasonably noisy, destructive and/or aggressive.

Pet Control: Pet guardians and pet walkers shall clean up after their pets that have soiled the common areas, streets, sidewalks, curb strips and/or private property. Pets are not allowed in someone else's yard without the property owner's okay. Pet guardians and pet walkers are responsible for complying with the City of Alameda Municipal Code, Chapter VII, Section 7-3.8 Leashing, and Section 7.39 Control of Dogs, Control and Removal of Dog Feces Ordinance #2747. (http://bit.ly/QWZSyT).

Pet Domestic Birds: Birds may be kept inside or outside a house provided the birds do not disturb neighbors or damage common areas or commonly maintained areas.

Pet Complaint Procedures: Pet guardians are responsible for complying with the City of Alameda Ordinance #1714. Initial complaints shall be directed to the City of Alameda. When the Sandpiper Cove Board of Directors or the Association's Manager receives one verbal or written complaint regarding a pet, a First Notice will be sent to the pet guardian. The Notice shall contain the specific nature of the complaint and the remedy sought. If two or more complaints are received regarding the same pet, or if the Board determines the pet to be a nuisance, the pet guardian will be called before the Board for a hearing regarding the complaints. The Board shall consider all facts and render its decision in writing to the guardian within 3 (three) working days following the hearing. The Board may require the guardian to remove the pet permanently from the Sandpiper Cove Association property.

PLAYGROUND

The playground is reserved for residents and their guests. The playground may only be used in daylight hours. No one over the age of 12 is permitted on the playground equipment. No glass containers are permitted in the play area. An adult must accompany children playing on the playground. Only one child at a time is permitted on a swing and no child shall be allowed to jump off rather than slide down the sliding board. You must pick up after any pet you bring to the playground area.

Be careful and also be considerate of others; you are using the equipment at your own risk. No rough playing is permitted. Make sure the equipment is being used properly. Please report any abuses of the playground equipment to security.

SIDE YARD EASEMENT OBSTRUCTION

If owners of Plan 4 and Plan 8 homes have an emergency fire side yard easement on either side of their lot, the resident shall maintain this area free of obstructions or hazards for persons using them for emergency fire exits. A three-foot wide passageway from the atrium, fire door to the

front of the lot and the fire door shall be accessible at all times. In an emergency situation, please call 911 and Harbor Bay Security.

SIGNS (SEE COMMUNITY OF HBI HOUSE RULES)

SPEED LIMIT

The speed limit in a residential area is 25 (twenty-five) miles per hour. However, a slower speed is recommended when driving in Sandpiper Cove because of the high degree of pedestrian and bicycle traffic by both adults and children. Drive slowly enough to stop for pedestrians crossing the street.

SPORTS APPARATUS & RECREATIONAL USES

See Basketball Standards Section, page 9.

TEMPORARY STRUCTURES

Temporary structures for sheltering building materials during major property improvement work is permitted for a reasonable period of time but shall be removed within 3 (three) days of the work's completion. The temporary structure shall be located to reduce visibility from public ways and neighboring property.

TENANTS

Owners are accountable and responsible for the consequences of their tenant's activities. Owners shall provide copies of the Sandpiper Cove Association's CC&Rs, Rules and Regulations, and the Sandpiper Cove and Community Architectural Guidelines to tenants. Lease and rental agreements shall include a requirement that tenants shall comply with all Association regulatory documents. To have for use in an emergency, please notify the Community Association office with tenant information 865-3363.

VEHICLE STORAGE

Long-term vehicle storage of motorized boats, trailers, campers and large trucks is not allowed outside of the owner's garage on private property or on Sandpiper Cove Association streets for more than 72 (seventy-two) hours. A commercial rental storage facility is available to the Community; you are encouraged to use its facilities.

WINDOW COVERINGS

Window Covering Restrictions: Reflective material window covering is prohibited. The prior written approval of the Board of Directors may permit window tinting of non-reflective, dark charcoal color material.

Such materials as cardboard, paper and foil are prohibited.

SECTION 2 - ARCHITECTURAL STANDARDS (Modifications)

Prior Approval Required:

The CC&Rs provide that no exterior building or landscape improvement or alteration of any kind may be made until approved in writing by the Community Architectural Committee (CAC) or Board of Directors. An architectural application and plans shall be submitted and approved <u>prior</u> to commencing property improvements.

ADDITIONS TO EXISTING DWELLINGS

Additions to existing dwellings shall conform with the Community Architectural Committee (CAC) Rules and Standards and the following, more restrictive requirements:

In addition to the application submittal requirements of the Community Architectural Committee (CAC), applications for room additions reviewed by the Sandpiper Cove Project Architectural Committee (PAC) shall also include accurately drawn, typical architectural details to show clearly that proposed exterior conditions will match the existing structure.

All new room additions to existing dwellings shall be constructed of wood frame construction to match the construction and be harmonious with the architectural character of the existing dwelling. Exterior finish materials, colors and details, such as door and window sash, roof eave, and architectural trim details of the proposed addition shall match similar details of the existing dwelling.

Solariums or other room additions constructed predominantly of pre-manufactured metal and glass components, such as aluminum window sash with glass and metal in-fill panels, are specifically prohibited, since their overall appearance tends not to be harmonious with the architectural character of homes in Sandpiper Cove.

Second-Story Additions

General Design

On February 6, 2002, the Board of Directors of the Sandpiper Cove Homeowners' Association approved guidelines that were developed by a committee formed to address the issue of second story additions. The Board of Directors adopted these guidelines for Sandpiper Cove homeowners who are considering the construction of a second-story addition to their Sandpiper Cove property. Owners who wish to proceed shall make these guidelines available to their architect or general contractor. Owners are reminded that all additions shall first be reviewed and approved by the Project Architectural Committee and the Community Architectural Committee before applying for a building permit with the City of Alameda.

As stated in the architectural guidelines for the Community of Harbor Bay Isle: "Owners who purchase property in Harbor Bay Isle, as a master-planned community, have a right to expect that necessary or desirable changes to original conditions and installations will be made strictly within a reasonable and consistent framework."

The applicant shall have the burden of demonstrating that any proposed second-story addition is compatible with the Design Specifications set forth below.

These guidelines are in addition to, and intended to augment, the provisions of the architectural controls set forth in the Covenants, Conditions & Restrictions of Sandpiper Cove, any architectural standards previously promulgated by the Board of Directors, the provisions on Community architectural control in the Declaration of Covenants, Conditions and Restrictions for the Community of Harbor Bay Isle, and the architectural guidelines of the Community of Harbor Bay Isle.

These guidelines apply to any second-story addition proposed to be constructed on any lot within the Sandpiper Cove subdivision, as described in the Declaration of Covenants, Conditions and Restrictions for Sandpiper Cove recorded June 21, 1979 as Instrument Number 79-20011.

Design Specifications

- (A) No addition shall be approved that will result in a dwelling with more than a total of four bedrooms.
- (B) Neighbors' Property The privacy, light and air of neighboring properties shall be carefully considered as demonstrated in the guideline drawings. Objections from immediate neighbors shall be given great weight by the architectural committee.
- (C) Design The design of the proposed addition shall be consistent and compatible with: two story homes built by the developer during original construction of the Sandpiper Cove project; the architectural style of the existing building; and the various architectural styles in the immediate neighborhood.
- (D) No second-story additions will be permitted on duplex "couplets" lots or buildings.
- (E) See the approved SPC SECOND STORY DESIGN on page 28.

Approval and Codes

- (A) The applicant seeking approval of a second-story addition shall submit the following to the Community Architectural Committee (CAC) in triplicate:
 - (i) Proposed plans and specifications prepared and signed by a licensed California architect.
 - (ii) A certificate by the architect certifying that the proposed addition and any proposed foundation modifications meet all applicable City of Alameda Codes and Ordinances.
 - (iii) A certificate by a licensed structural or soils engineer certifying that the proposed addition is appropriate for and compatible with the existing foundation or for the foundation as it will be modified as shown on the plans for the proposed addition. The engineer shall also certify that the completed structure will place no greater unacceptable load on the existing soil than the original construction, or that the plans include modifications that will distribute any additional load in such a manner that the completed structure will place no greater demand on the Association's structural leveling reserves than the original structure.
- (B) Approval for the proposed second-story addition shall be obtained from: the Sandpiper Cove Project Architectural Committee (PAC), the Community Architectural Committee (CAC), and the City of Alameda.

- (C) If the homeowner is using the approved SPC design for a second story addition, the application to the Planning Department will be treated as a minor design review as part of issuing a building permit and the homeowner is not expected to provide additional information. This would reduce the processing time by at least 3-4 weeks.

 If a homeowner chooses to submit plans other than the approved SPC design for a second story addition, the city will treat it as a major undertaking and the fee will be higher. The homeowner shall obtain 1) CAC/PAC approval and 2) approval of a Planned Development Amendment via a public noticed hearing before the Planning Board. The homeowner may be required to provide additional information. This typically takes from 3-6 months, may not be approved, or may be approved with conditions and cost upwards of \$1,000.

 Also see the approved SPC SECOND STORY DESIGN on page 28.
- (D) All submittals, notices and hearings shall be as set forth in the Declaration of Covenants, Conditions and Restrictions and Architectural Rules and Standards of the Community and Sandpiper Cove Associations.
- (E) Refer to page 23, SECTION 5 APPEAL AND ENFORCEMENT, for the Appeal Policy available to homeowners, Boards and Committees.

Third-Story Additions

Third-story additions are not permitted within the Sandpiper Cove Association.

OTHER MODIFICATIONS

<u>In addition</u> to the provisions of the Community's Architectural Committee's (CAC) Rules and Standards, the following standards apply:

Adjoining Front Yards

Homeowners in Sandpiper Cove whose front yards adjoin are encouraged to consider ways by which their front yard landscaping can be developed for an integrated appearance. For example, neighbors can agree to use the same landscape materials and design their landscaped areas to flow contiguously from one yard to the other without an apparent division at the property line. In a development of small lots, such as Sandpiper Cove, the effect of this integrated approach to front yard landscaping can be to increase the apparent size of the adjoining lots and to enhance the "curb appeal" and value of both properties, and the property values in the entire neighborhood. The Sandpiper Cove Board of Directors shall consider applications for modifications to adjoining front yards on a case-by-case basis.

Air Conditioners

Window and rooftop models are not permitted. Rear yard at-grade models that do not unreasonably impact neighboring property or create noise that interferes with concentration or sleep of neighbors will be considered. Applications for appropriately concealed and muffled air conditioners, including those based upon bona fide medical necessity, will be considered.

Ancillary Structures - See CAC Architectural Rules

Animal Shelters - See CAC Architectural Rules

Antenna – See CAC Architectural Rules (Antenna)

ARBORS - SEE

Exterior Painting, page 19 and CAC Architectural Rules

Attic Ventilation

Ventilation devices shall match or be compatible with those installed by the original developer. Turbines are prohibited. If mounted on a gable end, the ventilator shall be painted to match the house surface color to which it is attached. Roof installations shall be located on the least visible side of the roof ridge.

Awnings

Not permitted.

Balconies and Second Story Decks

Not permitted.

Barbecues or Fire Pits

Permanent installations shall be lower than the fence height and shall be located in an area that will not permit smoke to unreasonably intrude into neighboring property.

Basketball Standards - See CAC Architectural Rules

Chimneys, Stove Pipes and Metal Flues, Vents and Exhaust

Fireplace chimneys shall be compatible in material, color, and details of construction with the chimney installed by the original developer.

Clothes Drying Facilities - See CAC Architectural Rules

Curb Street Address Painting

Not permitted unless authorized and approved in advance by the Sandpiper Cove Association Board of Directors.

Decks

In addition to the requirements of the Community's Architectural Committee Rules and Standards, ground level decks shall not exceed a height of 12 (twelve) inches from the grade and shall be no closer than 6 (six) inches to a fence post. The deck surface shall be a minimum of 5 (five) feet below the top of surrounding fences. Adequate drainage and weed control shall be maintained beneath aboveground decks. Moisture and insect barriers are recommended for installation between the deck and house wall. Wood decks shall be constructed of Redwood or Cedar. Pressure-treated wood may be used for the deck's under-structure. Other materials, such as Trex-type composite wood, may be considered at time of application. The deck shall be left to weather naturally or finished with a clear penetrating sealer. Also see LANDSCAPE, page 17

Dog Run - See CAC Architectural Rules

Door Addition and Replacement - See CAC Architectural Rules

Door (Entry)

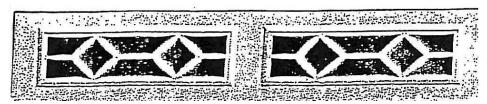
Front entry doors may be either stained or painted. If painted, the front entry door color shall be selected from the Sandpiper Cove paint palette color scheme for the house (see

EXTERIOR Painting, page 19).

Door (Garage)

Garage doors may be replaced with wood or wood-grained metal doors (lift up or roll up) with the following garage door designs:

- Wood door (Lift up) with no windows.
- Wood grained metal doors (roll up) with no windows. Wood-grained long panel metal doors with 4 long panel opaque windows located in top panel only that matches the design below.



All garage doors shall be <u>one</u> color and shall match either the siding or trim color for the house within 30 (thirty) days of the new door's installation. Also, see

EXTERIOR Painting, page 19.

Door (Screen)

A front entrance screen door is permitted provided that the screen door and its hardware match <u>or</u> are aesthetically compatible with the front door. The screen material shall match the existing window screening. If the screen door is painted, it shall match the front door color.

Downspouts - See Re-Roofing Gutters and Downspouts, page 14

Drainage - See CAC Architectural Rules

Driveways

Extension of existing driveways into landscape areas for additional parking is prohibited. Colored coatings or painting of driveways is prohibited except for clear sealers. Every reasonable effort shall be made to clean up oil and rust stains.

Fences: Also see SECTION 6 – FENCE SPECIFICATIONS (page 25)

Fences: All

An approved Architectural Application is required before starting a fence addition, replacement, repair or painting project. Any fence, or fence section, addition or replacement shall comply with SECTION 6 – FENCE SPECIFICATIONS, page 25.

Replacement of original developer fences is encouraged.

If property owners share the same section of fence (tall or short) to be repaired or replaced, only one of the property owners need submit an Architectural Application for the shared fence section to be replaced. If one of the fence-sharing neighbors plans to replace other fence sections on their property, that owner shall also submit an Architectural Application for the other fence section replacements.

Only <u>original developer painted</u> fences in very good condition may be repainted until they are replaced. For colors, see EXTERIOR REPAINTING, FENCE COLORS, page 19.

If an original developer fence that is to be repainted is contiguous with a neighbor's original painted fence (short-to-short or tall-to-tall fence), or runs parallel with the sidewalk and is visible from the street, both owners shall complete an Application showing the same color choice to provide for consistency of color.

All fences are to be constructed to comply with SECTION 6 – FENCE SPECIFICATIONS, page 25. New fences shall not be painted. Instead, a clear sealer may be used to extend the life of the fence.

Replacement of short or tall fences may be board-on-board (boards overlap), louver (boards overlap on an angle similar to window shutters), or abutted (boards touch but do not overlap) in design. See sample on page 25 - SECTION 6 – FENCE SPECIFICATIONS FOR 3' AND 6.

Fences shall be maintained in good condition.

Replacement fence heights shall match the height of the fence being replaced. Changes in the height may be applied for and approved on a case-by-case basis.

The Association may approve the removal of fences in connection with landscape changes or other proposed property improvements.

Lattice fence extensions are discouraged and may require a City of Alameda PDA (planned development amendment). If approved, the lattice extension shall comply with the Community Architectural Committee (CAC) "Community of Harbor Bay Isle Standard Details for Community Fence extension." The lattice extension's wood shall be allowed to age to match that of the wood fence on which it is installed.

Fences that are <u>not</u> shared with a neighbor are the sole responsibility of the homeowner. The homeowners sharing the Community Association fence along Robert Davey, Jr. are the exception to this rule.

Fences: Short

Original developer short fences shall be replaced unless repair entails only the replacement of a broken board.

Brick short fences will be considered for approval as a replacement for the short wood fence. <u>If</u> there is brick facing on the house, the brick fence shall match the brick on the house.

On a case-by-case basis, the PAC/CAC may approve a three-foot high "separator" section of black wrought iron fence, including a black wrought iron gate, to separate the back yard from the front yard. For example, this type of "separator" fence may be used to keep a small pet in the back yard. The wrought iron separator will <u>not</u> be approved to replace the short or tall fence. A short, wrought iron separator will <u>only</u> be considered for placement on the back half of the property in <u>either one</u> of the following cases.

- The wrought iron separator shall connect in a straight line <u>from</u> the side of the residence <u>to</u> the tall fence on the property. The wrought iron separator may not connect with the short wood fence.
- The wrought iron separator shall connect in a straight line from the side of one residence to the side of the neighboring residence, provided that both property owners agree to the placement of the wrought iron separator. The property owner who prepares the application shall attach a letter of concurrence from their neighbor.

Fences: Tall

Repairing of tall fences will be considered for approval at the time of Application submission.

Fences: GATES AND GATE REPLACEMENTS

The gates of the fences shall be of the same design as the wood fence or be made of wrought iron. Wrought iron gates shall be painted black.

Firewood

Storage is permitted in rear yards or where it is not visible from a public way or entry walkways. Firewood shall be stacked in an orderly manner. Firewood shall not be stored within 1 (one) foot of any fence or the owner's dwelling, and it shall not be stored within 2 (two) feet of the wall of a neighboring house to avoid possible infestation from the firewood.

Fountains

Rear or side yard fountains not visible from a public way are permitted if they do not create noise that interferes with your neighbor's concentration or sleep. Front or entry side yard fountains visible from a public way may be approved if they are an integral part of an overall landscape plan and are designed to simulate a natural stream or rivulet.

Garage Door - See Door (Garage), page 9

Gates - See above, Fences: Gates and Gate Replacements

Gazebos - See CAC Architectural Rules

Gutters - See Re-Roofing Gutters and Downspouts, page 14

Lights

Outdoor lighting shall conform to the Community Architectural Committee (CAC) Rules and Standards.

Seasonal lights are allowed only during the holiday season. They may be installed each year after November 20 and shall be removed before February 1.

Mailbox and Mailbox Post

The Sandpiper Cove Homeowners' Association is responsible for the purchase, installation and maintenance of the <u>mailbox posts</u> and for the installation, address numbers and maintenance of the <u>mailboxes</u>. When a new mailbox is required, homeowners shall be responsible for the purchase of an approved black mailbox (locking or non-locking). Homeowners may visit the Association office to view one of the approved locking mailboxes and prepare an architectural application. A picture of the approved locking mailboxes can be found on page 27 or the manufacturer's web site. See the Pinnacle or the Pinnacle Plus at www.lockingmailbox.com or call 877-968-4827 for additional information. The Pinnacle and Pinnacle Plus are the same size but the Pinnacle Plus is thicker and slightly heavier. Newspaper tubes are not permitted.

One inch address numbers (black on white) will be placed on the front of the mailbox door when installed.

Painting Exterior of House

In addition to the requirements of the Community Architectural Committee (CAC) Rules and Standards, exterior painting shall conform to the requirements of the Sandpiper Cove Approved Exterior Color Palette. Once exterior repainting preparation has commenced, the house repainting shall be completed within 90 (ninety) days.

Owners shall submit architectural applications for all house exterior painting. Color scheme shall not be the same color scheme as the house on either right or left side in the same block.

All homes that are "couplets," with contiguous rooflines, shall repaint at the same time with identical paint colors. Both unit owners shall submit separate repainting applications.

Also see

EXTERIOR Painting on page 19.

Patios and Paving

Paving is defined as groundcover material made from concrete, pave-stone, brick, flagstone, aggregate, or crushed rock. Also see the CAC Architectural Rules (Patios) regarding clearance.

<u>Rear Yards</u>: Paint or colored coatings are prohibited. Subtle surface stains will be considered if required to reduce bothersome solar glare and if the surface proposed for such coating is not visible from a public way. Also see LANDSCAPE above.

Front Yards: Paint or colored coatings are prohibited. Also see page 2, LANDSCAPE RESPONSIBILITY.

Planters

Planter boxes at grade shall not exceed 16 (sixteen) inches in height. They may be constructed of Redwood or Cedar and left natural or treated with a clear sealer. They may also be constructed of masonry to match the masonry of the house and painted. If painting, see

EXTERIOR Painting, page 19. Planters shall not allow earth to come within 6 (six) inches of other wood construction of a dwelling, fence or other structure. Above-grade planters shall be not less than 6 (six) inches clear from any fence post and shall not be constructed adjacent to neighboring dwellings to allow for maintenance of fences and houses.

Porches

Front porches are not permitted unless part of the architecture of the original dwelling.

Re-roofing - Homeowner Responsibility/Instructions

Roofs shall be maintained in good condition. The homeowner must submit an architectural application form to the Association (CAC) prior to installing a new roof. Replacement roofs are to be installed and maintained in accordance with all applicable City of Alameda codes; the requirements and guidelines in the Community Architectural Committee and Sandpiper Cove Homeowners' Association Architectural Rules and Standards; and the Declaration of Covenants and Restrictions (CC&Rs).

Each **property owner is individually responsible** for ascertaining assurance from a roofing professional that the owner's dwelling will support the weight of the roofing system assembly.

Before installing a roofing material that **exceeds** <u>450 pounds</u> **per square**, the Homeowners' Association **strongly encourages** the homeowner to obtain a Structural Engineering Report certifying that the house can support the excess weight of the roofing material.

Homeowner shall state on the architectural application whether the gutters and downspouts will be replaced. If replacing, include the design, size, and material and/or copy of product information. Also include the color the gutters and each downspout will be painted. See SPC R&Rs "EXTERIOR PAINTING," (Section 4, Painting) for painting instructions. Also see RE-ROOFING – GUTTERS AND DOWNSPOUTS below.

The new re-roofing material shall be either **Wood Shake** or **Shingles**. See choices below.

Re-roofing – Class A-Rated Treated Cedar Wood SHAKE Roofing System (300 to 350 pounds per square depending on the thickness)

<u>Meeker Cedar Products</u> wood shake OR the <u>Clarke Group</u> cedar wood shake.

Both manufacturers' cedar shakes are treated by the Chemco Company to create the cedar shake roofing system.

This roofing system requires the wood shake to be installed over 72-pound mineral coated felt cap sheet OR ½ inch Georgia Pacific's "Dens-Deck" and solid 15/31 inch plywood sheathing or nominally spaced (strip) sheathing.

This will achieve a Class A-rated roofing system approved by the City of Alameda under Roofing Ordinance #2575.

Re-roofing – Asphalt-Fiberglass SHINGLES

Always verify current warranty offered by the manufacturer.

GAF Materials Corporation shingles (<u>www.gaf.com</u>):

Grand Sequoia Value Designer Lifetime Shingles – 365 lbs/square

Colors: Charcoal / Shakewood / Slate / Weathered Wood

Grand Canyon Ultra-Premium Designer Lifetime Shingles – <u>465</u> lbs/square

Colors: Black Oak / Mission Brown / Stone Wood / Storm Cloud Gray

Timberline Ultra HD Lifetime Shingles – 310 lbs/square

Colors: Charcoal / Slate / Weathered Wood

CertainTeed Corporation shingles (www.certainteed.com):

Presidential Shake shingles – 365 lbs/square

Colors: Autumn Blend / Charcoal Black / Country Grey / Platinum / Shadow Gray

Presidential Shake TL shingles – <u>480</u> lbs/square

Colors: Autumn Blend / Charcoal Black / Country Grey / Shadow Gray

LandMark TL shingles – 390 lbs/square

Colors: Aged Bark / Country Grey / Moiré Black / Shenandoah

Re-roofing - Couplet Homes

All homes that are "couplets" with contiguous rooflines shall re-roof at the same time with identical materials and colors. Both homeowners shall submit an application to re-roof.

Re-roofing - Gutters and Downspouts

Gutters and downspouts shall match the developer installation in size and design, using either galvanized steel or aluminum material. Plastic-type, snap-together gutters and downspouts are not permitted by the CAC. Drainage shall not adversely impact on neighboring property. See

EXTERIOR Painting, page 19, for painting information.

Re-roofing - Metals and Flashing

All roof metals (flashing, diverters, vents, pipes, etc.) and any exposed metal nosing at the roof edge shall be painted when re-roofing. See Exterior Painting, page 19.

Homeowners are advised at the time of re-roofing to have their roofing contractor: 1) verify the required "Z" chimney flashing is properly installed, 2) assess its current condition, and 3) assess the other roof flashing.

Re-roofing - Spark Arrestors

New roofs shall have chimney and stovepipe spark arrestors of not greater than ½-inch mesh in compliance with City Ordinance #2575. Also see Exterior Painting, page 20.

Exterior Painting Re-roofing – Tar and Gravel Roofs

Areas of roofs that are tar and gravel will be replaced with like material.

Satellite Dish - See CAC Architectural Rules (Antenna)

Security Systems

Security boxes shall be installed and operated to comply with City of Alameda Ordinance #2123, Chapter 10. Security lighting shall be operated in accordance with the Community Architectural Committee (CAC) Rules and Standards for light fixtures and lighting.

Screen Door - See Door (Screen), page 9

Siding

Replacement materials shall match the original developer installation. Other siding materials that match the appearance of the original siding will be considered at the time of application. CertainTeed siding is approved for use as an alternate siding.

Skylights

See CAC Architectural Rules and Standards.

Solar Collectors/Solar Tubes

See CAC Architectural Rules and Standards.

Spas and Hot Tubs - See CAC Architectural Rules

Storage Structures

In addition to the Community's requirements for ancillary structures, storage structures shall not be installed closer than 12 (twelve) inches from any fence post and shall not be constructed adjacent to any neighboring dwelling. The owner shall maintain storage structures in peak condition at all times.

Swimming Pool - See CAC Architectural Rules

Trellises

Architectural accent trellis additions to the exterior of the house may be left natural or painted. See

EXTERIOR Painting, page 19. Painted trellises are difficult to maintain. So before painting, consider whether or not the type of plant material can be removed from the trellis for repainting maintenance. If the trellis is painted, the plant material should grow on the trellis, but not weave among the slats, so that the material can be moved away from the trellis to allow for repainting. The CAC will consider approvals for painting trellises on a case-by-case basis.

Utility Wires - See CAC Architectural Rules

Ventilation Devices - See CAC Architectural Rules

Walks - See CAC Architectural Rules

Weather Vanes

Weather Vanes may be approved if appropriate in scale and design to the architecture of homes in Sandpiper Cove.

Wind Chimes- See Noise, page 2

Window Additions and Replacements – See CAC Architectural Rules (Doors and Windows)

Window Tinting - See CAC Architectural Rules

SECTION 3 – PLANT GUIDELINES

Owners should review the Community Architectural Committee (CAC) Rules and Standards for landscaping guidelines, all of which are applicable to Sandpiper Cove.

Landscape

<u>Rear Yards (not visible from public ways)</u>: At least 20 percent of the total rear yard area shall be landscaped with live plant material.

<u>Front Yards (visible from public ways)</u>: At least 60 percent of the total yard area shall be landscaped with live plant material.

Also see page 2, LANDSCAPE RESPONSIBILITY.

Plant Choices

See CAC Architectural Rules, Plant Materials – Prohibited, Discouraged and Encouraged

Rock

Moss rocks may be used as accents.

Red or white rock is not permitted in any location per the CAC Rules.

Multi-color earth tone rock and pea gravel are acceptable ground cover. Also see LANDSCAPE above.

Rock Gardens

Rock gardens will be considered if they are carefully designed, contain an acceptable balance of rock and live plant material, and are compatible with the landscape character in the immediate neighborhood. Also see LANDSCAPE above.

Top-dressing

Bare soil in front yard planting areas shall be dressed out with wood chips or mulch. Also see LANDSCAPE, page 17.

Tree - Adding

Attach a drawing to the application indicating exactly where it will be planted, the tree name and maximum height that you will allow the tree to grow. See *Tree – Maintenance* (next paragraph) when choosing a location for the new tree. Do not choose a tree on the CAC Architectural Rules, Plant Materials - *Prohibited* or *Discouraged* list, a tree that is inappropriate for the available space or a tree that normally grows tall enough to affect a neighbor's right of site and sunshine. Always consider what impact your new tree will have on the neighbor. Do not add a tree if the tree limbs will extend over the neighbor's property, possibly shade out their existing plants/vegetation or drop limbs, leaves, etc. on their yard. If this happens, you may be asked to top, trim, or remove the tree.

If your neighbor wants to add a large tree on their property, the best time for you to voice your concerns or objections to the PAC, BOD, or Association Architectural Committee is when you receive notification of your neighbor's application to add the tree.

Tree - Maintenance

Tree branches shall not touch or overhang roofs. Root guards shall be installed for any tree planted within 6 (six) feet of any structure or walkway to minimize root invasion damage. Tree branches overhanging private and public sidewalks shall be kept trimmed. If tree branches overhang the neighbor's property, trim the branches if the neighbor requests it.

Tree - Removing/Replacing

Attach a drawing to the application indicating which tree will be removed. If you choose to plant another tree, indicate the name and location of the new tree and do not choose a tree on the CAC *Prohibited* or *Discouraged* list. Also see <u>Tree – Adding</u> and Tree – Maintenance (above paragraphs) and the CAC Architectural Rules, Plant Materials – Prohibited, Discouraged and Encouraged.

Vegetable Gardens

Vegetable gardens may only be planted where they are not visible from public ways.

SECTION 4 - PAINTING

BORROWING THE SANDPIPER COVE PAINT PALETTE BOOK

The Sandpiper Cove Board of Directors offers this Color Palette book as a convenience. Please be sure to protect it from loss or damage. Your Board of Directors thanks you for your cooperation and compliance with Sandpiper Cove's house repainting rules.

THIS BOOK MAY BE BORROWED FOR 24 (TWENTY-FOUR) HOURS ONLY so other homeowners will have the opportunity to borrow one of our limited number of copies. In special circumstances, a longer borrowing period not to exceed 48 (forty-eight) hours may be arranged with the approval of the Community's Architectural Administrator.

A \$50 deposit check will be collected and promptly returned to you after this book has been returned in good condition to the Community's offices.

<u>Please keep the pages clean</u>. You may carefully remove the individual color chip pages so that you can better see the colors, but be sure to return them to their proper locations. Please do not fold or bend the pages.

We hope that all questions you may have will be answered in this book. Please read all of the enclosed information before calling the Architectural Administrator with questions.

When your architectural application for repainting is approved by the Community Architectural Committee (CAC), a copy of the "Guidelines for Exterior Repainting" is attached to your approval letter. Please read it carefully and provide a copy to whoever is painting your house so that you will be able to obtain an approved final inspection of the house repainting.

EXTERIOR PAINTING

If using a paint contractor, please provide a copy of these Rules to your contractor.

Prior to commencing work, you shall submit an Architectural Application to the Community. Please state on your Architectural Application which color scheme you are proposing to use on your home and which of the trim and/or accent colors you plan to use.

Your Architectural Application shall be reviewed by the Sandpiper Cove Architectural Committee (PAC) and approved by the Community of Harbor Bay Isle Architectural Committee (CAC) before painting your home. Colors shall be selected from a single scheme, which consists of a pre-approved set of matching colors for siding, trim, and accent in the Sandpiper Cove Color Palette.

Homeowners may propose new color schemes to the SPC Board of Directors for consideration of additions to Paint Palette. Contact the SPC Manager for further instructions.

You may use any brand of paint you wish as long as the colors match the Sandpiper Cove Paint Palette colors.

- 1. Your home shall be painted using colors from one of the color schemes in the SPC paint palette. There currently are 41 (forty-one) color scheme choices.
- 2. Paint FINISH: The SIDING color finish shall be Flat, Low Sheen, or Satin.
 - The TRIM color finish shall be Flat, Low Sheen, Satin, or Eggshell.
 - **Exception**: The garage door finish may only be flat, low sheen or satin.

Exterior Painting (Cont'd)

- For the <u>ACCENT color</u>, the finish shall be Flat, Low Sheen, Satin, or Eggshell.
 Exception: If using the TRIM or ACCENT color on the <u>side garage door</u> and/or the <u>front door</u>, the finish must be semi-gloss.
- 4. **Front entry doors** may be stained or painted using the scheme's selected <u>ACCENT color</u>; paint finish must be semi-gloss. Stains must be wood toned and will be considered a new color scheme, subject to approval by the Board of Directors.
- 5. Garage doors shall be painted one color.
- 6. All **roof metals** (flashing, pipes, spark arrestors, etc.) shall be painted to match the roof color.
- 7. Any exposed metal "**nosing**" at the roof edge (narrow strip at top of fascia) on fascia shall be painted to match the adjacent house color.
- 8. **Vents, downspouts, diverters, rafters, and meter boxes** shall be painted to match the house siding or trim color to which they are attached. If attached to brick, the paint color shall be the siding color (trim color may be used as long as the trim color is used elsewhere on the house).

9. Fence Colors

Original developer-painted tall or short fences that are in very good condition may be repainted with one of the following colors until such time as they are replaced (**replaced fences may NOT be painted**):

- A. Kelly Moore, Alabaster K-37-1
- B. Sherwin Williams Everest White 2137
- C. Sherwin Williams Fence Post White 2074

Applications to paint the original short fence to match the dwelling's siding color will be considered on a case-by-case basis. To be considered, the short fence shall not abut the homeowner's own tall fence or a neighbor's tall or short fence. If the house siding color is changed, this fence shall be repainted the new siding color or one of the three approved colors, or the short fence may be removed or replaced.

10. Wrought iron gates shall be painted black.

If the house element is not listed below, use the siding color.

The following categories of colors are defined for the various elements of your home. Some models may not have all of the listed elements.

Color 1: SIDING COLOR may be used on the following areas:

Siding of home (largest surface area of the home)

Garage Doors

Utility door (where gas meter is enclosed)

Color 2: TRIM COLOR may be used on the following areas:

Arbor

Downspouts (See A. below – must match house element to which attached)

Eaves and rafters (the projecting overhang at the lower edge of a roof)

Garage doors

Gutters

House posts

Fascia boards

Trim boards that are around the doors, garage doors, and windows

Trim boards adjacent to the roof edges

The Trim Color 2 may also be used on anything on the Color list 3.

Color 3: ACCENT COLOR – if you choose to use an accent color, it may only be used on the following areas:

Door – front door or the side garage door

Gutters

Louvers – mock (simulated) & dormer (set vertically into a small gable projecting from a sloping roof)

Shelf (used for potted plants) on the house and the supporting piece below the shelf Trellis

Fascia Trim board – ONLY the board that is behind a gutter Window planter box

A: The color of the following list of house elements shall match the siding or trim color to which they are attached

Downspouts (this is a CAC rule)

Nosing at roof edge (this is a CAC rule)

Rafters

Vents on house

{If any of these are attached to brick, they may be painted the siding or trim color.}

B: The following list shall match the roof color

Diverters

Flashing

Pipes

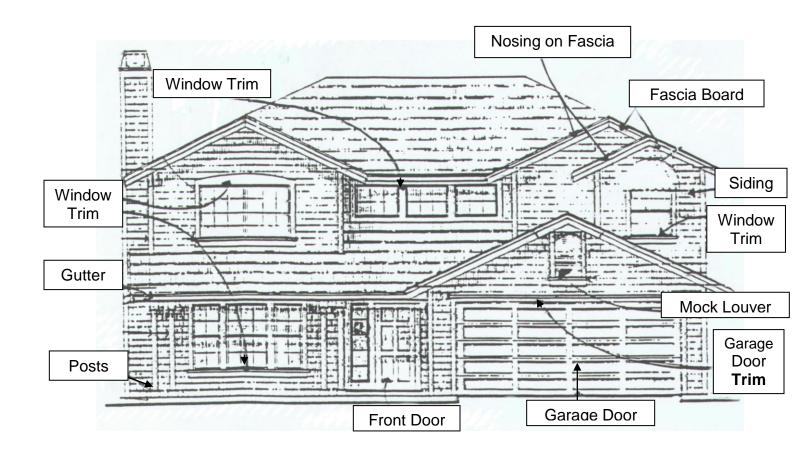
Spark arrestors

Vents & all other roof metals

<u>SUGGESTIONS FOR PAINT PREPARATION AND REPAINTING THE EXTERIOR</u> OF YOUR HOME

- 1. Power-wash house exterior to remove loose paint and dirt.
- 2. Caulk and prepare exterior, removing all chipped paint, and reset popped nails; sand the siding and trim, if necessary to create a smooth painting surface.
- 3. The primer paint coat should be oil-based ask your painter for advice.
- 4. The paint coat can be either oil-based or latex ask your painter for advice.
- 5. Pipes, sheet metal vents, and other miscellaneous metal elements on the roof shall be painted with a rust-retardant undercoat with a final paint coat in a color to match the roof color.
- 6. Owners are urged to paint the raw metal of <u>security alarm boxes</u> (leaving only the decal area unpainted) to match the surface to which it is attached. Security boxes shall be painted if rust is evident.

HOUSE ELEMENT TERMS (SAMPLE)



SECTION 5 - APPEAL AND ENFORCEMENT

APPEAL POLICY

Right of Appeal: If the Sandpiper Cove Board or Project Architectural Committee (PAC), or affected Sandpiper Cove owner is dissatisfied with a decision of a Community Standing Committee [e.g. an architectural applicant to the Community Architectural Committee (CAC)], the affected Party may appeal the decision to the Community Board of Directors by submitting a written request for a hearing with the Board within 10 (ten) days of receiving written notice of the Committee's decision. The Community Board President and the Village VI Representative shall determine within 7 (seven) days whether the appeal shall be heard by the Community Board or the Sandpiper Cove Board, or whether the decision should be referred to the Standing Committee for reconsideration of its decision.

Appeal to the Community Board: If an architectural applicant, Sandpiper Cove Board or Project Architectural Committee (PAC), or affected Sandpiper Cove owner is dissatisfied with the subsequent ruling of a Project Board or a Community Standing Committee, the dissatisfied Party may appeal the action to the Community Board of Directors by submitting a written request for a hearing with the Board within 10 (ten) days of the date of the contested action.

<u>Final Decision of the Community Board</u>: If the Community Board grants a request for an appeal hearing, the Board may uphold, reverse or modify the decision of the Sandpiper Cove Association Board or Community Standing Committee.

CC&R ENFORCEMENT PROCEDURES

<u>Urgent Reports</u>: To expedite the correction of <u>urgent</u> matters regarding unlawful conduct or health and safety issues, or an association, management, maintenance or subcontractor performance problem, residents should immediately call the Sandpiper Cove Association Manager. If a call is received after office hours, the Security Officer on duty will take the call.

Resident CC&R Violation Reports: Residents may report non-compliance with the Association's CC&Rs by calling or writing to the Sandpiper Cove Association Manager along with the address or location of the alleged violation. Some violations (i.e. alleged noise nuisance violations, parking violations, etc.) may require detailed, written, information from the accuser prior to the issuing of a first Violation Notice to the accused.

Scope of Enforcement: Violations of the Association's governing documents and these Rules and Regulations, will subject the violator to the CC&R Violation enforcement procedures contained in Article XIII.

<u>First Step:</u> When the Manager or Board receives information concerning a possible CC&R violation, an attempt will be made to resolve the matter by telephone or Courtesy Letter

Second Step: If not corrected within the time specified in the Courtesy letter, A First Violation Notice will be sent to the owner (courtesy copy to the resident if the home is tenant occupied) requesting correction of the violation within 30 (thirty) days. First Violation Notice will include the details of the violation and the possible assessment of monetary fines or any other penalties.

Third Step: Failure to comply as requested in the First Violation Notice will result in a Second Violation Notice requesting the violator appear before the Board of Directors for a CC&R enforcement hearing or correct the violation prior to the scheduled hearing and inform the Board, in writing, of the correction.

All Notices will be mailed by 1st Class Mail. The Second Violation Notice will be Certified Return Receipt U.S. Mail and will include the date, time, and location of the Hearing; the specifics of the violation or complaint; the range of possible penalties if not corrected; and the assessment of any fines.

<u>Fourth Step</u>: The Sandpiper Cove Board of Directors shall hear the charges during a formal Board hearing. Following the hearing, the Board shall convene an Executive Session, shall take all facts into consideration and determine whether the owner/tenant has violated the CC&Rs; the deadline for correcting the violation; and the penalty for failure to comply. The owner or owner's agent shall be notified in writing of the Board's decision within 3 (three) working days following the date of the hearing.

Rescheduled Hearing: If the owner or owner's agent can show acceptable good cause as to why he/she cannot attend the hearing, he/she shall notify the Board at least 48 (forty-eight) hours prior to the originally scheduled hearing. If the Board accepts cause, it will reschedule the hearing and deliver notice of the new date 10 (ten) days prior to the rescheduled hearing.

Hearing Default: If an owner or owner's agent called for any hearing fails to appear or to request a postponement of a hearing as prescribed in "Rescheduled Hearing" above, the Board shall proceed with the hearing In Absentia. The owner will be notified, in writing, of the Boards decision within 7 (seven) working days following the date of the hearing.

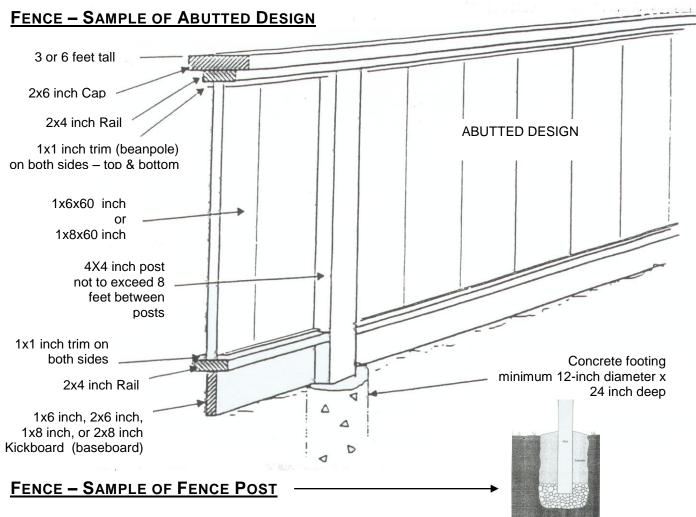
Alternative Dispute Resolution and Further Enforcement on Owners failing to respond to CC&R Enforcement Proceedings: If an owner fails to respond to the above CC&R violation proceedings, the Board may serve Alternative Dispute Resolution papers on the owner in violation. Please refer to the Alternative Dispute Resolution guidelines distributed annually with the Budget Packet.

The Board may also, in compliance with the approved Fining Procedures, continue to assess fines to the owners account in a reasonable manner.

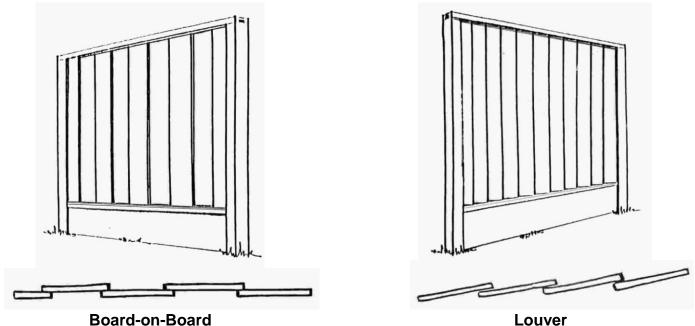
Outstanding violations and/or liens shall also be disclosed to possible purchasers of an owner's home if the owner decides to sell or refinance.

PLEASE ALSO REFER TO THE FINE SCHEDULE RESOLUTION

SECTION 6 - FENCE SPECIFICATIONS for 3' and 6'



FENCE - SAMPLE OF BOARD-ON-BOARD AND LOUVER DESIGN



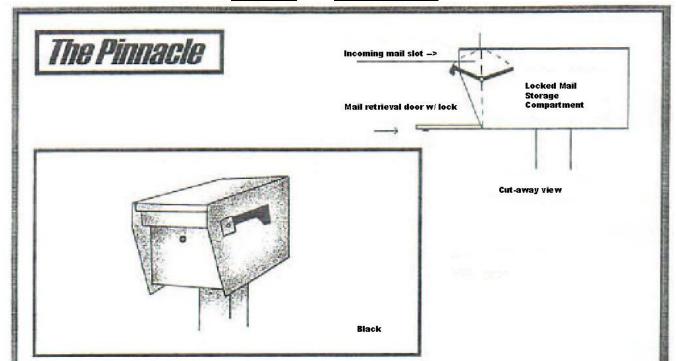
FENCE - CHECK SHEET FOR 3' AND 6' FENCE

If using a fence contractor, complete the check sheet and provide a copy to your contractor. Use to obtain bids and/or as part of the signed contract.

Fence	e d	esign (choose one):			
		Abutted (boards touch but do no overlap)			
		Board-on-board (boards overlap)			
		Louver (boards overlap similar to a louver window shutter)			
[Use surfaced wood on top cap of short fence – optional			
Construct with (choose one):					
		Natural REDWOOD heart-grade-rough			
		Western Red CEDAR			
		White CEDAR			
Fence boards shall be (choose one):					
		1x6 inch wide			
		1x8 inch wide			
Posts shall be (choose one):					
		Same wood as fence			
		Brown tone pressure treated (PT) fir			
		(Will be approved but is NOT recommended by the SPC Association because of possible health risks associated with pressure treated lumber.)			
	\boxtimes	All posts shall be 4x4 inch.			
Posts	m	ay be either (choose one):			
		Set in concrete above the ground			
		Attached to the concrete with bracket and bolt system.			
		(choose one)			
		Bring concrete 1 inch above ground, sloped downward for moisture to drain.			
		Bring concrete <u>2 inches</u> above ground, sloped downward for moisture to drain.			
	\times	Place gravel below the concrete (to extend the life of fence posts)			
	\boxtimes	Post placement shall not exceed 8 feet between posts.			
	\boxtimes	Holes for posts shall be 2 feet deep.			
	\leq	Concrete used shall be Ready Mix 2500 PSI or better.			
Base	boa	ard (kickboard) at bottom of fence shall be (choose one):			
[1x6 inch			
⊠ F	Rail	s at top and bottom shall be 2x4 inch.			
	Гор	caps shall be 2x6 inch.			
Galvanized nails and plated hardware shall be used throughout.					
	Clea	ar sealer may be applied to extend the life of a fence.			

SECTION 7 - APPROVED LOCKING MAILBOXES

Pinnacle and Pinnacle Plus



Locking Mailbox Specifications

Mailbox: (1) Pinnacle (standard) or (2) Pinnacle Plus

Size: Both are approx. 11" H x 101/4" W x 22" D

Slot size: Slot opens to about 2" high; works like a book drop. **Material**: Rolled aluminum thickness = (1) is 3/32" and (2) is 3/16"

Color: Black

Finish: Powder coat

Outgoing: Yes, use clip inside the mail slot/chute.

Features

Large drop chute will accept most medications, catalogs, videos, box of checks and more.

Solid construction for years of use. (See sample of the Pinnacle mailbox at the Association office.)

Only you have keys to your locking mailbox. Mail carrier uses slot/chute.

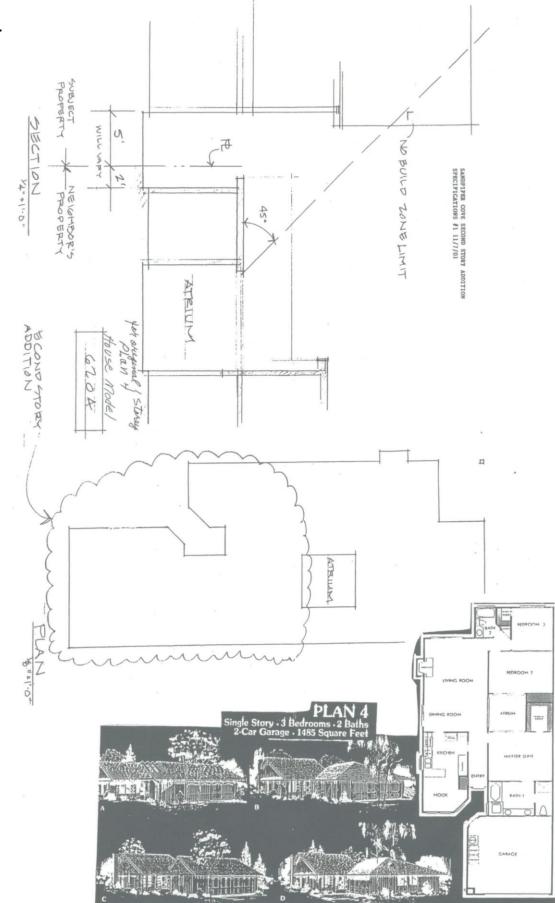
Each box comes with 3 keys. You may make duplicate keys if you need more. If you lose all of your keys, you may purchase another locking mechanism plus 3 keys for approximately \$5.00.

There is a clip inside the slot/drop chute where you may clip your outgoing mail. The <u>outgoing</u> mail will not be visible but it will not be secure since anyone can open this slot. Only the incoming mail is secure. The Security officers and staff recommend that you take outgoing mail to the Post Office.

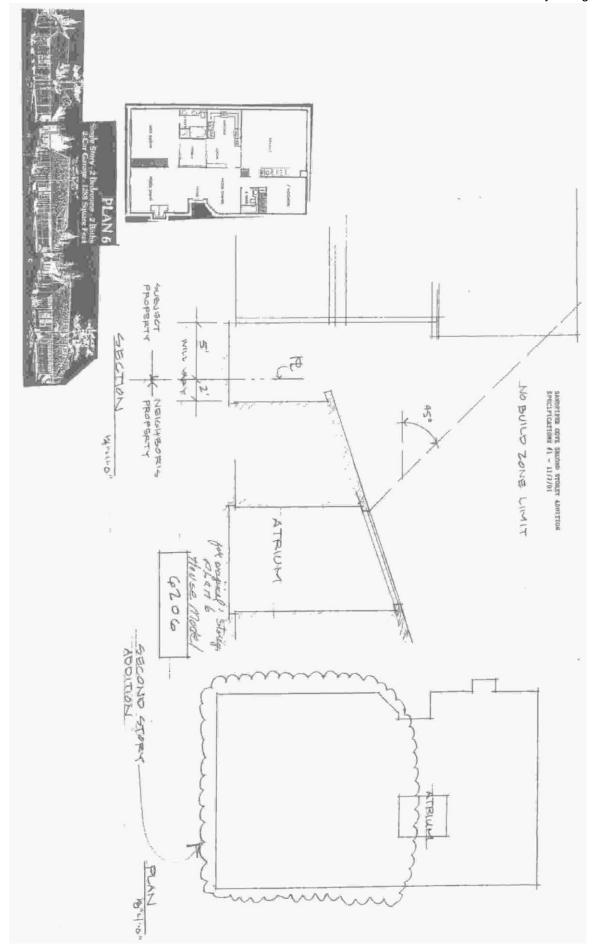
Search for vendor with best price. The manufacturer is: Davis Tools, www.lockingmailbox.com tel 877-968-4827.

SECTION 8 – SECOND STORY DESIGN

PLAN 4



PLAN 6



PLAN 8

