

### **CLIPPER COVE**

### **ARCHITECTURAL GUIDELINES**

## AND

### **RULES AND STANDARDS**

## ADOPTED: NOVEMBER 1997 REVISED: AUGUST 2022 ADDITIONS through November 2023

#### **CLIPPER COVE OWNERS' ASSOCIATION ARCHITECTURAL AND LANDSCAPE GUIDELINES ADOPTED NOVEMBER 1997 REVISED AUGUST 2022**

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# CLASS A RATED FACTORY PRESSURE TREATED CEDAR SHAKE/SHINGLE ROOFING SYSTEM

## **CLASS A RATED CEMENTIOUS FIBERGLASS** HardiShake Fiber Cement Roofing in the following colors

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#### CLIPPER COVE OWNERS' ASSOCIATION ARCHITECTURAL AND LANDSCAPE GUIDELINES

These revised Guidelines were first adopted by the Clipper Cove Owners' Association Board of Directors on November 16, 1987 (Resolution #87-04), and amended November 1997. These Guidelines were developed to maintain Clipper Cove's harmonious design and to preserve the original concepts of the development.

#### **SECTION 1- AUTHORITY GIVEN BY THE CC&RS**

When you purchased your home, you took title to your Lot subject to all of the provisions set forth in the CC&Rs recorded on your property as set forth by the Community of Harbor Bay Isle Owners' Association (Community) and the Clipper Cove Owners' Association (Association.)

The Community and Association CC&Rs require that <u>no</u> additions to homes or property are allowed, nor may any alterations or improvements of any kind be made until approved in writing by the Architectural Committee and/or Board of Directors. Architectural applications and plans must be submitted and approved by the Architectural Committee <u>prior</u> to commencing property improvement work. Architectural applications are available through the Community's offices at 3195 Mecartney Road, Alameda. The Architectural Administrator is available at (510) 865-3363 to help you complete the application and plans review process as easily and quickly as possible.

<u>What is Included</u>: Property improvements include <u>all</u> improvements to the exterior surfaces of the house, including repainting, <u>any</u> building modifications, and <u>all</u> improvements to the land, including landscape, or <u>any</u> structural additions to the land.

<u>General Concept</u>: Proposed improvements must be appropriate to their immediate surroundings, and must be compatible with the architectural and landscape characteristics of the applicant's house, adjoining houses, and the Clipper Cove Association as a whole.

#### **SECTION 2- RULES AND STANDARDS**

Owners should review the Community's Architectural Rules and Standards and Landscape Guidelines for the specific requirements that apply to proposed property improvements. The Association has created these more specific Guidelines for use by Clipper Cove homeowners. The term "Guidelines" shall have the same force and effect as the term "Rules and Regulations." This document covers those subjects not included in the Community's document, or requirements the Clipper Cove Association wishes to be more restrictive than the Community's rules and standards.

**<u>Final Inspections Required</u>**: Applications approved by the Architectural Committee have a one-year life. Owners must complete the work and call or write the Architectural Administrator to request a final inspection of their installations before the application approval expires.

#### **CLIPPER COVE ASSOCIATION'S SPECIFIC GUIDELINES:**

## In addition to the provisions of the Community's documents, the following rules and standards apply:

<u>Air Conditioners</u> are permitted only in rear, non-window locations and must be concealed from neighboring property. The sound level shall not unreasonably intrude into neighboring property.

<u>Awnings</u> or sun-control devices shall be compatible with the architectural character of the house, and shall not adversely affect views, light, winter sun or natural ventilation of adjacent properties. Only solid color awnings are permitted. Plastic, fiberglass or metal awnings are prohibited.

**Balconies** will be considered on a case-by-case basis. The proposed balcony must comply with City of Alameda ordinances, and be compatible in scale, material and color with the owner's house and adjacent properties. The addition shall not impair the views or sunlight or natural ventilation of adjacent properties. Pitched roofs must match the slope of the existing roof.

**Barbecues or Firepits** for permanent installation must be placed in the rear yard of the property and shall not be located within five feet of the side and rear yard property lines.

**Basketball Standards** - Permanent basketball standards are not permitted on private lots. Temporary portable basketball standards are permitted on private property when they comply with all of the following conditions.

#### Temporary portable basketball standards shall be:

- 1. Free-standing from any residential building, fence or other permanent structure;
- 2. Temporary in their location;
- 3. Stored out of view from public ways or neighboring properties;
- 4. Used only during daylight hours;
- 5. Used only in driveways, auto courts, or on the auto side of the house; except standards no higher than five feet may be used in backyards;
- 6. Used without any additional artificial lights;
- 7. Used so as not to create a nuisance for any neighbor or other resident.

<u>Chimneys, Stove Pipes And Metal Flues, Vents And Exhaust</u> must be compatible in material and color with the existing structure. If interior stoves are installed, the stove pipe protruding above the roof must be enclosed and painted in a manner conforming to the original design and construction within the Clipper Cove Association (Resolution #90-04.)

**Decks:** In addition to the requirements of the Community's document and City of Alameda ordinances, ground level decks generally shall not exceed the height of the door threshold.

**Dog Houses:** In addition to the Community's document regarding "Animal Shelters", doghouses shall be compatible with the applicant's house in color and material, and shall be located where they will be visually unobtrusive.

**Drainage** must be appropriately maintained as originally installed by the developer to avoid impacting on neighboring property and common areas.

**Driveway Extensions** into landscape areas for additional parking are prohibited. Colored coatings or painting of driveways is prohibited except for clear sealers. Excessive oil or rust stains must be promptly removed.

**Entry Doors** - Owners are encouraged to maintain the original design. Replacement hardware shall be similar or compatible in design to the original door. Alternate designs will be considered on a case-by-case basis. Front entrance screen or storm doors are permitted provided they are of solid wood construction. The screen material shall match the existing window screening. The door color shall match the color of the installed front entry door and the door design and hardware must be compatible with the front door and the overall appearance of the house.

<u>Fast Track</u> - Should the need arise, the Architectural Administrator shall have the Board's approval to fast track (3 day turnaround) the following architectural items:

- House repainting to match the existing approved colors
- Urgent tree removal
- Urgent garage door replacement
- Utility wires or lines following the CAC and Project guidelines for installation
- Satellite TV Dishes
- Urgent Fence Replacement, following CAC and Project guidelines for installation
- Windows like for like
- Roof Replacement with approved materials

**Fences** shall not be painted. Fences may be treated with a clear wood preservative/clear sealer.

**Firewood Storage** is permitted in rear and side yards only and shall be stacked in an orderly manner. Firewood shall not come in contact with fences or houses and shall be kept out of neighboring views as much as possible.

<u>Flagpoles and Flags</u> are permitted if mounted in wall brackets in the rear or front yard. On appropriate national or state-designated occasions, temporary flagpole installations are permitted.

**Garage** attic storage areas may be constructed without prior approval, except for any necessary City of Alameda permits, if structural members are not altered. Installations of windows or vents in garages require application and plan submission and approval by the Community and Clipper Cove Architectural Committees. Garages shall not be remolded or used for purposes that will interfere with the accommodation of the family vehicles. Residents shall keep their garage doors closed except during entering and leaving the garage and while washing vehicles or performing landscape maintenance, to maintain the attractive appearance of the neighborhood and to reduce the possibility of unlawful entry and theft.

<u>Garage Doors</u> - In addition to the Community's document, garage doors, including roll-up doors, shall match or be compatible with the developer-installed doors in all design and finish details. Metal doors will be considered provided the metal has a wood-grained surface. Garage doors shall be painted the color designated in the Clipper Cove paint palette. Owners are encouraged to paint garage doors with one color. However, two color garage doors will be considered on a case-by-case basis depending on the setback from the sidewalk, the door's decorative design, the color scheme chosen by the homeowner, and the appropriateness for the immediate neighborhood.

<u>Garbage And Recycling Containers</u> may be left at the street curb for pickup on the day scheduled in the area by the City. At all other times, containers must be stored inside the garage or side yard. Garbage containers must be covered at all times to avoid odor and loose trash. Residents are responsible for removing litter from their property.

<u>Gates</u> shall be constructed of fence material matching the existing developer-installed fence in design, material and finish. Hinges must not be visible from the outside.

**Gutters and Downspouts:** The new gutters and downspouts shall match the original developer installation in design and size. Galvanized or aluminum may be used. Plastic, vinyl, or fiberglass gutters/downspouts are not permitted. Drainage from the replacement gutters/downspouts shall not adversely impact neighboring property owners.

<u>Mailboxes</u> shall be black standard rural post office-certified style to match the original developer-installed mailboxes. (Also approved is the Postmaster General Approved-locking mailbox.) Readable house street numbers shall be maintained on each mailbox. (\*\*Adopted July 8 2003, the Solar Group Curbside Mailsafe Lockable Mailbox.)

The repair, replacement and maintenance of the mailbox are each owner's responsibility. Maintenance and replacement of the mailbox post is a shared responsibility of the owners whose boxes are mounted on the post.

<u>Painting</u>: The Community of Clipper Cove values the richness and diversity of its visual architecture, as expressed through landscaping and home painting. Homeowners are strongly encouraged to select a paint scheme from the Paint Palette. However, homeowners may submit alternative paint schemes in their architectural applications, which will be subject to approval of the Project Architecture Committee, comprised of neighbors in the community.

You are also encouraged to consider the visual texture of your entire neighborhood when making a paint selection and attempt to maintain both continuity and diversity on your street as a whole. By maintaining high community standards for the appearance of our homes, every property owner's investment is protected and enhanced.

Prior to commencing work, you must submit an Architectural Application to the Community and specify the color scheme number, the paint color name and number for each color to be used.

You may use any brand of paint provided the other paint brand colors match the Kelly-Moore (Siding, Trim and Accent) and Sherwin William (stains for wood shingle siding only) Paint Palette colors. All full-service paint brand stores can custom mix colors to match the Paint Palette's colors. If another brand of paint is to be used, you must provide two paint chips for each color proposed, designating which is for siding, trim, and accent, and stating the paint brand name. Please state on your Architectural Application that color scheme you propose to use on your home. The Clipper Cove Architectural Committee (PAC) and the Community of Harbor Bay Isle Architectural Committee (CAC) must approve your Architectural Application before painting your home.

The Clipper Cove Board of Directors approved the most-recent Exterior House Paint Palette in July 2022. Each of the 20 color schemes for non wood shingle houses has two choices of colors for trim and three choices for accents. You may choose one accent color from among the three accent colors in each color scheme. For natural wood shingle houses, there are five colors for the main area and three trim options; any of the trim options can be used for front doors that are not visible or minimally visible from the street. There should be significant contrast between the siding and trim colors.

You must use at least 2 but not more than 3 colors on your home. All 3 colors must be selected from a single paint palette color scheme. You also may apply to repaint the same color scheme as originally applied to the dwelling by the developer or otherwise. If the original or current color scheme is not in our color palette, you must supply paint chips, the paint brand, color name/number with the architectural application, and the application will be processed as an exception, according to the procedures specified below. When submitting your architectural application, you may submit a proposal for Board and architectural committee consideration of a desired change from Clipper Cove's approved Paint Palette.

#### The following categories of colors are defined for the various elements of your home:

Siding Colors:	The siding or largest surface area of your home; including downspouts.
Trim Colors:	The trim such as eaves, gutters, shutters, mock-louvers, and trim around doors and windows, chimneys. Front doors may be painted with the trim or the accent color.
Accent Colors:	The optional colors intended for the front doors, shutters, and plantons (1 inch wide strip on the fascia along the roof cave.)

#### Areas of color use:

- 1. You may paint your home using two or three colors from a scheme.
- 2. Except for entry doors, flat, low sheen or satin finish paint shall be used.
- 3. Front entry doors may be painted or stained. If painted, front doors shall be painted with eggshell or semi-gloss enamel using one color. You must use the Siding, Trim, or the Accent color.
- 4. Homeowners are encouraged to paint garage doors with only one color.
- 5. All vents, diverters, meter boxes, utility doors, trellises, or additions to exteriors (if painted) shall be painted to match the adjacent surface. The gutters and downspouts on houses with wood shingle siding may be painted the trim color. Pipes and sheet metal vents that protrude through the roof and other miscellaneous metal elements on the roof shall be painted to match the weathered roofing material color as required by the Community Architectural Committee for all homes in Harbor Bay Isle.
- 6. For houses having wood shingle siding, please refer to the Paint Palette section covering compatible trim and accent colors for use on these homes.
- 7. Wrought iron gates and other exterior miscellaneous metals, such as wrought iron fences, shall be painted black, or another color approved by the architectural committee.
- 8. Pipes, sheet metal vents, and other miscellaneous metal elements on the roof should be painted with a rust-retardant undercoat with a final paint coat in a color to match the roof color. Owners are urged to paint the raw metal of security alarm boxes (leaving only the decal area unpainted) to match the surface to which it is attached.

#### **Procedure for Exceptions to Paint Palette**

In order for the CCV Board to consider an exception (paint not consistent with approved Palette) the applicant must complete the following, and notify the Association Manager, at least 10 days prior to the date when the exception is to be discussed:

-Applicant must provide at least two "hard copy" original (i.e., from paint vendor) paint chips showing each of the colors proposed (siding, trim and accent). Photocopies or electronic versions are not acceptable because these often do not accurately reflect the actual colors.

-In addition, Applicant must have samples of the proposed exception colors applied either on the Applicant's house or on separate boards which are displayed at the house to illustrate how the paint will actually look. Sample areas must be at least 2 x 2 feet if painted on siding or at least 2 feet long if painted on trim. (Painting proposed accent colors on front door is not required but should be painted on separate board.) Samples if painted on house shall be on street face or otherwise located to represent typical sun/shade conditions on street frontage. Prior to painting any sample areas, Applicant may consult association manager or any board member as to appropriate location(s). If sample painted areas are not accessible from street applicant must provide reasonable daytime access so sample areas can be viewed by board members. Applicants may seek advice from the CCV board as to appropriateness of color(s) prior to actually painting sample color areas.

(NOTE: Current CCV Board strongly discourages any painting of brick areas, and no sample colors shall be applied to any exterior brick areas.)

Applicants are strongly encouraged to contact adjacent neighbors regarding proposed paint exceptions and to provide Board with neighbors' opinions on proposed paint colors. -In considering applications for paint exceptions, Board members shall be guided by the following:

-General consistency with the overall appearance of the Clipper Cove community, especially houses in the immediate vicinity of the Applicant's property.

-Paint schemes should be reasonably distinct from homes immediately adjacent on the street, although exceptions may be considered when an Applicant is proposing to repaint house in existing colors).

-Trim colors that are distinct/in contrast with main siding colors are strongly preferred.

**<u>Patios</u>:** In addition to the Community's document, patio material may be natural gray or light earth-tone tinted concrete or other appropriate paving materials: e.g. brick, tiles, flagstone, etc. After-installation surface applied pigmented stains or paint is not permitted.

<u>Planter and Window Boxes</u> shall be compatible with the house and overall neighborhood design. They shall be constructed of redwood, cedar or terra cotta. The redwood/cedar shall be finished with a clear sealer, be unfinished, or painted to match the house siding, trim, or accent color.

**Roofs:** In addition to the Community's document, the Clipper Cove Board's Resolution #92-04 requires that the new roof material shall look similar to the weathered wood shingles or shakes on the existing roof, or with a roofing material approved by the Community and Clipper Cove Architectural Committees.

**Storage Sheds:** Sheds of composite material (Rubbermaid-type) may be installed provided the shed's height shall not exceed that of the adjacent fence's height, excluding lattice, and the shed/roof color shall be compatible with the house color and the neighborhood.

#### Class A Rated Factory Pressure Treated Cedar Shake/Shingle Roofing System:

#### <u>Two Products: Cedar Plus Or Meeker Cedar FTX Products - Chemco Treated Cedar</u> <u>Shake Roofing System</u>: Cedar shakes (owner to choose one of three thickness) installed over 72

pound mineral coated felt cap sheet ~l/4-inch Georgia Pacific's "Dens-Deck" and 15/32-inch plywood sheathing or nominally spaced (strip) sheathing, to achieve a Class A rated roofing system approved by the City of Alameda. Those houses originally roofed by the developer with shingles instead of shakes may install either shakes or shingles.

#### **Class A Rated Cementious Fiberglass:**

HardiShake Fiber Cement Roofing in the following colors: #110 Pewter Gray; #120 New Cedar; #130 Dark Gray; #140 Deep Brown; #150 Earth Brown; #160 Dark Cedar. Additional roofing material options will be announced when approved.

#### **Class A Rated Asphalt Fiberglass:**

**<u>GAF Grand Sequoia Asphalt Fiberglass Roofing Material</u>: colors approved are: Mesa Brown Blend, Cedar Blend, Charcoal Blend, Slate Blend, and Weathered Wood Blend.** 

Celotex Presidential and Ambassador in all colors except Augusta Green.

The homeowner is responsible for all architectural and/or engineering necessary for assurance that the dwelling's structural and functional integrity will support the new roofs dry and <u>wet</u> weight. Replacement roofs are to be installed and maintained in good condition in accordance with all applicable City of Alameda Codes and requirements.

<u>Siding</u> replacement materials must be compatible with the existing and/or developer installation. The Clipper Cove Board's Resolution #90-04 requires siding materials must be of natural products and that those manufactured from vinyl or aluminum are prohibited.

<u>Street Address Numbers</u>: The City of Alameda ordinance requires that street address numbers be clearly visible from the street during both day and night for assistance to emergency vehicles (police, fire, ambulance, and Harbor Bay Security, when responding to an owner's call.) Replacement street numbers require approval by the Architectural Committee if they are significantly different from those originally installed by the developer. If the house is on a corner lot, a street number must be installed on the house (preferably next to the garage door) facing the street of the house's address street name. Curb street painting is prohibited in the Clipper Cove Association.

Swimming Pools: In addition to the Community's documents, in-the-ground rear yard swimming pools will be considered on a case-by-case basis. Pools and related pool equipment, if approved, must be completely surrounded by a four-feet high fence compatible with the house design.

An application for a swimming pool must include the approval signatures of all property owners in the area affected by the proposed pool installation. In addition to detailed drawings, the proposal must provide details of all ancillary and landscape installations, including water supply system, drainage and water disposal systems.

<u>Vehicle Storage</u> of motorized boats, trailers, campers, mobile homes, recreational vehicles, and large trucks in open view on residential property is not permitted.

<u>View Protection Guidelines</u>: The Clipper Cove Board of Directors recognizes the need for the preservation of views of common area amenities from residential lots and from public ways. However, this need to preserve such views must be balanced with other needs of property owners. Any obstruction to the view of a common area amenity created by a property owner must be justifiable by a clearly demonstrated need for privacy, adequate use of property or other substantial need of the party creating the obstruction. All such matters shall be judge on a case-by-case basis without creating or being affected by precedent.

**Windows:** New or replacement windows and screens, including dormers, must match or be compatible with the dwelling's existing architectural details, exterior colors, and the overall appearance of the neighborhood. Neighbor privacy will be considered in any application or a new window.

On a case-by-case basis, the Clipper Cove Architectural Committee will consider the use of a good quality vinyl-clad frame windows as a replacement for the developer-installed bronze anodized aluminum window frames. The color of the vinyl (white, light tan, dark brown) may be approved as appropriate to the dwelling's architectural details and exterior colors. As a condition of approval, the owner may be required to replace all of the dwelling's windows, or all windows on a dwelling's side elevation to create consistency with the new window's design and materials.

Reflective-type window film is not permitted. Window tinting of non-reflective, dark charcoal color materials will be considered on a case-by-case basis.

#### **SECTION 3- LANDSCAPE GUIDELINES**

**Prior Approval Required:** No landscaping may be installed nor any existing landscaping modified without the prior approval of the Architectural Committee. An architectural application and plans must be submitted for approval <u>prior</u> to commencing landscape installations. Owners should review the Community's Landscape Guidelines for the specific requirements that apply to proposed property improvements. The Association created these more specific Guidelines for use by Clipper Cove homeowners.

**Landscape Completion Deadlines:** After the Architectural Committee has approved a homeowner's application and plans for front yard re-landscaping; the owner must complete the re-landscaping installation within thirty (30) days of the removal of turf or plant materials.

**Front Yard Landscape Maintenance** is the responsibility of the Clipper Cove Association. A landscape contractor hired by the Board of Directors performs the work. Owners may submit applications and plans to the Community Architectural Committee for proposed changes, at their own expense, to their front yard landscape, but the approval of the Clipper Cove Board of Directors and Architectural Committee is required to determine whether any increased maintenance costs to the Association will be created.

The duties and responsibilities of the Clipper Cove Owners' Association regarding front yard landscape maintenance and plant replacement are contained in Resolution #86-01, as follows:

- 1. Each homeowner owns and is responsible for replacing plants and trees in his/her front yard.
- 2. The Clipper Cove Owners' Association is responsible for maintaining the landscaping of the front yard for each Lot.
- 3. The Association has the right and responsibility to require the homeowner to meet general standards of appearance as specified in the original landscape plans, and to require the homeowner to replace plants or trees that die or are removed by the homeowner.

#### Front Yard Tree Maintenance

The duties and responsibilities of the Clipper Cove Owners' Association regarding the maintenance of the front yard trees listed on the September 13, 2001 Skyline Tree Surgeon report and tagged accordingly are contained in Resolution #02-2002, as follows:

- 1. The Clipper Cove Owners' Association is responsible for maintaining the front yard trees with regards to pruning, trimming, clearing from the structure, spraying and/or fertilizing above ground and any and all regular above ground maintenance needed.
- 2. The homeowner(s) remain responsible for all below ground maintenance such as damage resulting from roots, root disease, root removal and the removal and replacement of diseased trees to include the stump grinding and any and all problems occurring below the surface.
- 3. Should a tree require removal, the owner will file the appropriate architectural application to remove and replace. The replacement will be of the Community Architectural Committee's approved species and, following approval and installations, the new tree then falls under the above-mentioned maintenance. The new tree should be tagged with a new tag, to be obtained and recorded.



Clipper Cove Owners' Association 3195 Mecartney Road Alameda, California 94502 (510) 865-3363

May 3, 2021

Re: Board of Directors Front Yard Landscape Maintenance Resolution and a summary of the Clipper Cove Owners Association, Inc./Members Front Yard Obligations

Dear Members:

Attached is a Clipper Cove Owners Association, Inc. ("CCOA") board resolution proposing a clarification to the Landscape Guidelines. If an application for a front yard landscape modification requires irrigation in addition to the scheduled front yard watering from CCOA metered waterlines, it will be approved on condition the source of the additional water will come from the applicant's metered household water and the responsibility for the additional watering is assumed by the applicant.

When the Clipper Cove complex was created in the late 1970s, the developer established a system where CCOA was responsible for the front yard maintenance of our homes. The purpose was to make sure all front yards were properly maintained. CCOA hires the landscape contractors ("Gardeners") to maintain our front yard landscape. The Gardeners are paid from our assessment payments. Each member contributes an equal amount of their assessment to pay the Gardeners.

The Gardeners are responsible for maintaining our front yards in conformance with CCOAs Landscape Guidelines. This responsibility includes maintaining your "Tagged" front yard tree(s) including pruning/trimming, clearing branches away from your home and fences and if necessary, spraying and fertilizing. Trees are evaluated on an annual basis by a certified arborist.

Front yards are irrigated with water metered to and paid for by CCOA. The owners and not CCOA owns front yard plants and trees. Owners pay for the replacement of their plants and trees that are diseased, dying or dead. This responsibility includes the removal of tree roots and if necessary, stump grinding. Owners also pay for any damage caused by their plants and tree(s) like root clogged or broken pipes and root damaged walkways.

Owners have the right to install additional landscaping or modify their existing landscaping. This right is exercised by obtaining the written approval of the Architectural Committee BEFORE any changes are made. The proposed changes will be approved if they meet the Landscape Guideline Standards; if the front yard irrigation schedule remains unchanged and, if the changes do not increase the cost of maintaining their front yard (remember we all pay the SAME amount for maintaining our front yards and it would be unfair to the other owners if the gardeners increased the total landscape maintenance contract amount because of the extra work required to maintain highly modified front yards).

Finally, CCOA is under a legal obligation to make sure all front yards are properly maintained and meet the Landscape Guideline standards. If for any reason a front yard does not meet the standards, including failure to replace diseased, dying, dead plants or an owners unapproved removal of plants or trees, CCOA has the responsibility of requiring owners to comply with the Landscape Guidelines.

#### **CLIPPER COVE OWNERS ASSOCIATION**

#### BOARD OF DIRECTOR'S RESOLUTION PROPOSING A CLARIFICATION TO THE LANDSCAPE GUIDELINES REGARDING AN OWNER'S RESPONSIBILITY, AFTER A FRONT YARD MODFICATION HAS BEEN APPROVED, TO PHSICALLY WATER, IF NECESSARY, THE MODIFIED LANDSCAPING FROM THE WATER SUPPLY SYSTEM METERED TO THE OWNER'S HOME

Whereas the Clipper Cove Architectural Guidelines and Rules and Standards, adopted November 1997, Revised August 2003 and as amended through November 2017, provides at pages 9 and 10, Landscape Guidelines (front yard) with respect to the respective duties and obligations of Clipper Cove and its owner/members.

Whereas the Landscape Guidelines places the responsibility for replacing plants and trees in the owner/member's front yard on the owner/members.

Whereas the Landscape Guidelines places the responsibility for maintaining the owner/member's front yard landscaping on Clipper Cove.

Whereas the Landscape Guidelines further provide upon approval of Clipper Cove the front yard landscaping may be modified by the owner/member.

Whereas as part of the approval process for proposed modifications to their front yard, Clipper Cove is obligated to determine if the modifications result in any increased costs to Clipper Cove.

Whereas Clipper Cove irrigates (waters) the front yards on a regular schedule and the system is not capable of accommodating additional individual watering requirements for modified front yard plantings.

Whereas the front yard irrigation is supplied by a common area water line that is not connected to the owner/member's household water meter.

Whereas even if Clipper Cove was able to provide additional irrigation for specific front yards, the system is not capable of determining the volume and cost of the additional watering.

Resolved, the board of directors shall and does hereby propose to the owner/members a modification to the Landscape Guidelines clarifying if a member's approved front yard plantings require additional irrigation, the member shall be responsible for physically watering the plantings from the water supply line that is metered to the owner/member's home.

Resolved further, upon receipt of this resolution, the owner/members shall have a 28-day period to comment on this clarification after which it shall become an operational modification to the Landscape Guidelines to the Clipper Cove Architectural Guidelines and Rules and Standards.

Dated: April 14, 2021

Secretary, Clipper Cove Owners Association