

***GUIDELINES FOR COMMUNITY LIVING
RULES AND REGULATIONS***

Revised June 10, 1997
(Retain for Permanent Records)

**CARMEL MOUNTAIN RANCH
RESIDENTIAL COMMUNITY ASSOCIATION**

**San Diego, California
92128**

These Rules and Regulations are intended to supplement the *Declaration of Restrictions* outlined in the Covenants, Conditions and Restrictions. This manual is being supplied to help residents maintain and enhance home values and to provide simple guidelines for enjoying Carmel Mountain Ranch, without infringing on the rights of neighbors.

These Rules and Regulations are applied to all members, lessees, renters and residents of the Carmel Mountain Ranch Residential Community Association and their guests. Some individual sub-associations have additional rules that apply specifically to their communities. When Sub-Association guidelines are less restrictive than the Master Association, the Master Community guidelines will prevail.

Homeowners are reminded that Master Architectural Committee approval is required on all exterior structures, alterations, and landscape plans including fences and walls.

Approval by the Master Architectural Committee for any improvement does not waive the necessity of obtaining required city and/or county permits. Obtaining city and county permits does not waive the need for Master Architectural Committee approval. Master Architectural Committee approval must be obtained prior to construction.

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**CARMEL MOUNTAIN RANCH
RESIDENTIAL COMMUNITY ASSOCIATION
RULES AND REGULATIONS**

DEFINITIONS

Project, Lot, Unit and Board shall carry the same definition as set forth in the Declaration.

Declaration refers to the **Declaration of Covenants, Conditions and Restrictions (CC&R's)** for Carmel Mountain Ranch Residential Community Association.

Residence refers to any lot or unit.

Resident refers to any owner, tenant, etc., who lives within any residence.

Common Area refers to any property designated for the primary common use and benefit of all lot owners and homeowners.

MISCELLANEOUS RULES

Willful damage to common areas within the project is prohibited. Residents must be sensitive to neighbors and not disturb others with unreasonably loud noises.

Bicycles, tricycles, skateboards and other wheeled vehicles and toys are prohibited from being stored on lawns, landscaping and recreational areas. Pedestrians always have the right of way on walkways. Walkways shall not be used for storage of items.

Owners must supply tenants with a copy of the ***Rules & Regulations***.

Posted speed limits are to be observed. Please remember there are often children at play.

LANDSCAPING

New landscaping must be approved by the Master Architectural Committee (MAC). A home and landscape improvement application and landscape plans must be submitted and approved by the MAC within one hundred and twenty, (120) days of the close of escrow. A home and landscape improvement application can be obtained from the property management firm. Modifications to existing landscape also require submitting a home and landscape improvement application and landscape plans and MAC approval.

No other vegetation or other improvement shall be planted, constructed or maintained upon any lot or condominium in such location or of such height so as to unreasonably obstruct the view from any other lot or condominium in the vicinity. Each owner shall be responsible for periodic trimming and pruning of all hedges, shrubs and trees located on his lot or on the portion of his condominium subject to his control.

The drainage pattern that exists at completion of grading shall in no way be interfered with unless alternative provisions are made for proper drainage and approval is granted in writing from the MAC.

Questions regarding landscaping are to be addressed in writing to the Master Architectural Committee.

HAZARDOUS ACTIVITIES

No firearms shall be discharged within the project.

No open fires shall be lit or permitted within the project, except in a contained barbecue unit while attended and in use for cooking purposes or an outdoor fire pit approved by the Master Architectural Committee. It is the Homeowner's responsibility to comply with all applicable City and local fire codes.

Activities or conditions that could endanger the health or safety of others are prohibited.

PET RULES

Residence shall not keep more than two (2) dogs, two (2) cats, or one of each within any single residence. A reasonable number of caged birds or fish in a household aquarium may be kept and maintained within a residence, provided the same shall not, in the opinion of the Board of Directors, create an unreasonable annoyance or nuisance to others.

No animals of any kind shall be kept, bred or maintained for commercial purposes.

Pet owners are responsible for damage caused by their pets to the common area and to other lots.

Pet owners must immediately clean up litter left by their pets in the common areas or on other lots and dispose of it in a sanitary manner.

Dogs must be on a leash and under immediate supervision when they are not within their owner's lot or unit.

Pets must be controlled so as not to offend other residents by noise or encroachment.

Each owner is responsible to each and every owner, their families, guests, tenants and invitees for the actions of any animal brought or kept within their lot or unit.

VEHICLE RULES

Vehicle repairs of any kind are prohibited outside of any garage, except minor repairs such as changing a tire, etc. Changing vehicle oil or any other automotive fluid is prohibited on any street within the project.

Only camper trucks, vans, sport utility vehicles and similar vehicles up to a maximum of 3/4-ton used for daily transportation and standard automobiles may be parked within the project, except that trailers, campers, motorhomes, boats and other watercraft and similar recreational vehicles may be parked within enclosed garages or approved structures that adequately screen them from view. Parking on grass areas is prohibited.

No large commercial vehicle of more than 3/4 ton, bus, trailer, trailercoach, camp trailer, boat, other watercraft, aircraft, motorhome, similar recreational vehicles or inoperable or unregistered vehicle may be parked, stored or kept on any street within the project for over 24 hours. This restriction excludes camper trucks, vans, sport utility vehicles and similar vehicles up to a maximum of 3/4-ton used for daily transportation.

Vehicles parked within driveways may not block any portion of the sidewalk or extend into the street.

No non-street-legal motor vehicle shall be operated within the project.

Leaks from vehicles in the street and on driveways must be cleaned up within a reasonable time. Owners are responsible for their guests' and tenants' vehicles.

UNSIGHTLY ARTICLES

No unsightly article shall be permitted to remain on any lot or condominium or structure under the jurisdiction of the Carmel Mountain Ranch Residential Community Association so as to be visible from any other portion of the subject's property.

Hanging, drying or airing of clothes, towels, rugs, etc., in windows or outside are prohibited. No clotheslines are permitted within the project.

No lumber, grass, shrub or tree clippings or plant waste, metals, bulk materials, scrap, refuse or trash or unsightly articles shall be kept, stored or allowed to accumulate on any lot except within an enclosed structure or otherwise appropriately screened from view.

Garbage and trash shall be kept in closed, sanitary containers at all times. Garbage containers shall not be put out prior to 6:00 p.m., on the night prior to scheduled pickup and shall be removed within 12 hours after collection.

SIGNS

No signs are allowed which can be seen outside any unit or home with the exception of a security sign or a single "FOR SALE" or "FOR RENT" sign, of customary and reasonable dimensions, not to exceed 18"x 24" and of professional quality on weather resistant material. "SOLD" signs may not be displayed for more than 30 days after the sale of a lot or unit.

ANTENNA/SATELLITE DISH

The provisions of Article X, Section 10.01 of the Association's CC&R's prohibit antennas of any type. Section 10.01 has to some degree been superseded by State and Federal law. Guidelines and procedures have been adopted by the Board of Directors to comply with those State and Federal laws allowing antennas in certain defined situations. Other than antennas allowed by the guidelines, the prohibition on antennas of Article X, Section 10.01 remains in effect. Prior to installation of an antenna or satellite dish, the Owner must provide written notification to the Master Architectural Committee on the standard application form of his or her intent to install the antenna.

1. Definitions.

a. "Antenna" means an antenna, satellite dish or other structure used to receive video programming services. Examples of video programming services include direct broadcast satellite service, multipoint distribution service and television broadcast signals. The mast supporting the Antenna, cabling, supports, guy wires or other accessories for the Antenna are considered part of the Antenna.

b. "Transmission Antenna" means any antenna, satellite dish or structure used to transmit radio, television, cellular or other signals. Transmission Antennas are prohibited unless approved by the Board of Directors.

2. Approval.

a. Prior to installation of an Antenna, the Owner must provide written notification to the Master Architectural Committee on the standard application form of his or her intent to install the Antenna. The notice must include (1) a description of the type of Antenna to be installed and its size; (2) whether a mast will be used, and if so, its size; (3) the name of the installer; (4) the proposed date of installation; and (5) a description of the proposed location of the Antenna including a diagram or drawing depicting the exact location. The Master Architectural Committee shall ensure that all installation information has been submitted and that the proposed installation meets the minimum requirements stated herein. Once the Master Architectural Committee review is complete, the application shall be forwarded to the Board of Directors for review. Installation shall not commence until the Owner has received the written approval of the Board of Directors.

b. Notification must be accompanied by appropriate documentation verifying that the proposed location is consistent with these guidelines, and is the least visible location at which an acceptable quality signal can be received. To the extent alternate locations exist which are consistent with these guidelines, and permit reception of an acceptable quality signal, they should be identified in the documentation submitted.

c. Written notification shall be made on the form provided by the Association.

d. Tenants must obtain the written permission of the Owner before they may install an Antenna on the Owner's lot or unit or on any other portion of the Project within the Owner's exclusive use or control.

e. These regulations do not relieve Owners from obtaining the required approval for exterior modifications, alterations and additions including painting, landscaping, and other architectural changes, and for obtaining any approvals or permits required by governmental agencies.

3. Size.

a. Antennas shall be no larger than necessary for reception of an acceptable quality signal; provided that under no circumstances shall Antennas for direct broadcast satellite services, multipoint, multichannel distribution services, or instructional television fixed services be larger than one meter in diameter.

b. Due to safety concerns relating to wind loads and the risk of falling objects, masts, supports and Other structures more than twelve (12) feet above the roof line or the line of a balcony, patio, or similar area, must receive the prior written approval of the Board. The Owner must submit an application including detailed drawings of the structure and methods of anchorage.

4. Location and Visibility

a. No Owner shall install an Antenna on any portion of the Project unless the Owner has exclusive use or control of the area, and has a direct or indirect ownership interest in the area. Antennas installed pursuant to

these guidelines may only be installed on individual lots or units, and exclusive use common areas subject to the conditions noted in these guidelines.

b. An Antenna which encroaches on the air space of another Owner's separate interest or onto the common area does not comply with this rule.

c. Antennas must be placed in areas that are shielded from view from outside the Project, from other lots or units, and from the common area provided that, nothing in this rule shall require an Antenna to be placed where it precludes reception of an acceptable quality signal.

d. If there are multiple locations on a lot, unit, or exclusive use common area where substantially the same acceptable quality signal can be received, the Antenna must be placed in the location that is least visible to persons not on the Owners property. Preferred locations, on lots include rear yards, rear decks, side yard locations adjacent to gas meters, heating or air conditioning equipment, or screened among shrubbery. Preferred roof locations are adjacent to a chimney or on the rear roof. The preferred location on condominium units, and exclusive use common area are on a balcony or patio within the interior space of the balcony or patio below the height level of the balcony railing or fence.

e. If the only location where an acceptable quality signal can be received is a highly visible location on a lot, unit, or exclusive use common area, then the Antenna must be appropriately screened, provided signal quality is not diminished, by means which do not unreasonably delay or increase the cost of the installation.

f. When screening is required, the screening should match the house or adjacent structure as to materials, finish, color, and design. When landscaping is used for screening, it should match existing landscaping materials to the extent possible. The purpose of screening is to minimize visibility of the Antenna.

5 . Installation and Safety.

a. Antennas shall not be installed in areas where they block fire exits, walkways, ingress or egress from an area, fire lanes, fire hoses, fire extinguishers, safety equipment, electrical panels or other areas necessary for the safe operation of the Project. The purpose of this rule is to permit evacuation of the lots, and units, and Project, and to provide clear access for emergency personnel.

b. Antennas shall not be placed within two (2) feet of electric power lines, and in no event shall they be placed within an area where it can be reached by the play in the electric power lines. The purpose of this rule is to prevent injury or damage resulting from contact with the power lines.

c. Any Owner installing, maintaining or using an Antenna shall do so in such a way that it does not materially damage the common areas or the separate interests, void any warranties of the Association or other owners, or impair the water tight integrity of the buildings.

d. Due to safety concerns, all Antennas shall be securely attached to the building or ground, and have guy wires securing the device to the building or ground.

e. All penetrations into any building surface shall be properly waterproofed or sealed in accordance with acceptable industry standards, and applicable codes.

f. Wiring or cabling shall be installed so as to be minimally visible, and blend into the material to which it is attached. If the Antenna is installed on the side of a building, the penetration of the wire or cable from the exterior to the interior of the dwelling shall be made as close as possible to the location the Antenna is attached to the siding, and through existing penetrations for wire and cable, if available.

g. Installation shall be by a qualified person knowledgeable about the proper installation of Antennas, and shall be in accordance with the manufacturer's installation specifications, applicable building codes, and standard industry practices.

6. Maintenance

a. The Owner who owns or uses an Antenna is responsible for all costs associated with the Antenna including, but not limited to, costs to: (1) repair, maintain, remove and replace the Antenna; (2) repair damages to the common elements, lots or other lots, unit or other units and other property caused by the installation, existence or use of the Antenna; (3) pay for medical expense incurred by persons injured by the installation, existence or use of the Antenna; and (4) reimburse residents or the Association for damages caused by the installation, existence or use of the Antenna.

b. Residents shall not permit their Antennas to fall into disrepair or to become a safety hazard.

c. In cases where the removal of an Antenna is required to allow the Association to conduct maintenance or repair activity to the adjacent structure or surface, the Owner shall be responsible for the removal of the Antenna within seven (7) days notice of such maintenance or repair. If the Owner fails to remove the Antenna prior to the commencement of maintenance or repairs then the Association shall remove the Antenna and assess the cost of such removal to the Owner. The Association shall not be liable for damage to the Antenna during removal.

7. Violations

a. Any installation without proper notification, or not in compliance with these regulations, may result in a fine against the Owner following notice and opportunity for hearing and such further action, legal or otherwise, as permitted by Declaration or statute, including a petition to the Federal Communications Commission.

b. The Board of Directors may impose a fine of \$100.00 for any violation, and additional fines of \$10.00 a day for each day the violation remains uncorrected. The Board may also take appropriate action for the removal of the Antenna, or elimination of the violation, and assess the cost to the Owner.

PROPERTY RULES

No temporary structures other than those permitted by the Master Architectural Committee in connection with construction shall be allowed within the project.

Holiday decorations are to be removed within 30 days of the holiday.

No lots shall be used for any business, commercial, manufacturing, mercantile, storing or vending purposes or for other non-residential purposes unless they meet the following requirements. Businesses that are operated solely out of the home, that neither send, receive nor store inventory, have clients, customers or sales personnel visit their premises for business purposes, may be permitted at the sole discretion of the Board. The dwelling on every lot must be used as a residence. No activities will be permitted that disturbs or annoys or interferes with the peaceful enjoyment of other residents lots.

Patios, patio covers and decks require Master Architectural Committee approval. Balconies on upper stories may not extend beyond an eight (8) foot projection from the primary structure of the dwelling.

No landscaping or improvement shall be allowed to fall into disrepair so as to adversely affect the project or any other lot or unit.

There shall be no interference with the established drainage pattern over any part of the project.

BASKETBALL HOOP AND BACKBOARD SPECIFICATIONS

Backboards must be 39" at highest point, 54" at widest point; hoop must be standard size with net.

Backboards must be mounted flush to the house and centered above the garage. Backboard and edges may be of the following two types:

1. Clear Lucite or comparable material.
2. Painted white or match the house color. Backboard is to be repainted as often as necessary to maintain color.

The net must be kept in repair at all times.

No free-standing basketball hoops are permitted on any front yard, lot or street without special approval from the Board of Directors and signatures from surrounding neighbors.

WINDOWS

No windows shall be covered inside or out with aluminum foil, paper, or sheets or woven blinds on the outside of the window.

Window coverings must be white or off-white in color within view from the street or such color as may be approved by the Master Architectural Committee.

Wrought iron bars are prohibited on the exterior of the windows or sliding glass doors.

EXTERIOR MAINTENANCE AND REPAIR

No improvement anywhere within the subject's property shall be permitted to fall into disrepair.

Each owner shall keep all improvements, (i.e., outside painting) located on his lot in good condition. It is suggested that outside painting must be done at least every eight (8) years, or sooner if needed, and must conform to the approved color palette.

Each sub-Association shall maintain in good repair all improvement and property owned and/or maintained by that sub-Association.

SWIMMING POOLS AND SPAS

Permanent above ground pools are prohibited. Portable or above ground spas may be permitted with Master Architectural Committee approval.

Spa and pool equipment shall be enclosed to shield noise from neighbors

VIOLATION FINE SCHEDULE

The CC&R's establish a procedure whereby residents who violate rules are fined an assessment. Before the assessment is levied, homeowners are given twenty days to correct the violation. Failure to do so results in a hearing before the Board of Directors and the levying of an assessment (at the discretion of the Board). Fines for first time violations of Rules & Regulations shall be levied in accordance with the following schedule:

Miscellaneous Rules	\$ 25.00
Hazardous Activities	\$100.00
Property Rules	\$ 25.00
Vehicle Rules	\$ 25.00
Any violation of the Bylaws or CC&R's not specifically mentioned herein:	\$ 25.00
Unauthorized improvements to property per discretion of Board	Minimum - \$100.00

Fines shall be in addition to an assessment equal to any applicable cost of repair.

Four or more violations assessed to a single lot or unit in any six-month period will result in an additional fine of up to \$300.00 (at the discretion of the Board).

MASTER ARCHITECTURAL COMMITTEE SAMPLE FORM

Any improvements or changes to the exterior of your property must have prior approval from the Master Architectural Committee. This form can be obtained from the management company by calling 296-6225.

FREQUENTLY CALLED NUMBERS

Abandoned Vehicles	531-2000
Cable Television Service (Southwestern)	695-3220
Dead Animal Removal	492-5060
Emergency: Sheriff & Fire/Medical Emergency	911
Fire: Poway/Rancho Bernardo	489-0170
Graffiti Control Hotline	525-8522
Hospitals: Palomar Medical Center	739-3000
Pomerado Hospital	485-6511
Household Hazardous Materials Hotline	235-2111
Humane Society	746-7307
Poison Control	543-6000
Police: Northeastern Substation (Services Carmel Mountain Ranch)	538-8000
Refuse Disposal (Miramar Landfill)	573-1418
Retired Senior Volunteer Patrol	538-8090
San Diego Gas & Electric	800 411-7343
Street Light & Traffic Signal Maintenance	525-8650
Street Repairs, Street Sweeping & Storm Drain	527-7500
Telephone Service: (Pacific Bell)	811-9000
Used Oil Program Hotline	235-2105
The Walters Management Company	296-6225
Water Utility Department	489-0140

CARMEL MOUNTAIN RANCH
RESIDENTIAL COMMUNITY ASSOCIATION
BARKING DOG POLICY

May 1997

The following policy has been adopted by the Carmel Mountain Ranch Residential Community Association Board of Directors.

When a homeowner calls the management company to complain about a barking dog we ask that they speak to the owner of the dog and make them aware of the problem. If they don't feel comfortable speaking directly to the owner of the dog we ask that they leave an anonymous note.

If the barking continues, a written complaint must be submitted to the management company. The management company will send a letter to the owner of the dog regarding the need to control the dog so as not to offend other homeowners by noise or encroachment.

If the barking continues, we will refer the person who is making the complaint to the City Zoning and Ordinance Department. The City Zoning and Ordinance Department requires that a complaint be filed by the two immediate neighbors or three surrounding neighbors. A written record of the date and time that the dog barks must be kept. The City may require the person filing the complaint and the owner of the dog to attend mediation to try to resolve the problem.

CARMEL MOUNTAIN RANCH
RESIDENTIAL COMMUNITY ASSOCIATION
HOUSE COLOR POLICY

March 1997

It is the intent of the of the Carmel Mountain Ranch Residential Community Association Board of Directors to maintain an attractive community that is consistent with the color scheme as set forth by the original builders of the Association.

Therefore, the Board of Directors hereby adopts a policy that will require every homeowner that wishes to re-paint or re-stucco their home to submit a Home and Landscape Improvement Application and receive approval. This requirement will apply in all cases including that of re-coloring the home to the original palette. A Home and Landscape Improvement Application must be submitted before the color is applied to the home. The application must include the color code and/or number, the name of the manufacturer and, if the request is for a color change, must include a 6" by 6" sample of the actual paint or stucco.

For those homeowners that did not receive MAC approval and changed the color of their home from the original palette, the home must be re-colored back to the original color. The Association will take all necessary action to have the home returned to the original color.

The Association will make every effort to make the original color palette for each area, district or sub-association available. This palette will be supplied upon request to any homeowner submitting a Home and Landscape Improvement Application to re-paint or re-stucco their home. This requirement will apply from this date forward.

CARMEL MOUNTAIN RANCH
RESIDENTIAL COMMUNITY ASSOCIATION
TREES AND VIEW POLICY

March 1997

The following policy has been adopted by the Carmel Mountain Ranch Residential Community Association Board of Directors.

It is not the policy of the Board of Directors that landscaping be removed for view considerations, or that trees be topped or pollarded. When common area is accepted for maintenance by the Master Association, certain landscaping in the area will mature and possibly encroach on owners' views. All trees and shrubs will be pruned and thinned to meet proper horticultural standards. This will help to promote natural growth patterns. All requests from view blockage will be reviewed by the Board and any action to be taken will follow the guidelines and policies as stated above.

The purpose of this policy is to ensure a balance between community aesthetics and homeowner concerns.

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