

Corniche Sur Mer Homeowners Association

Rules and Regulations

Revised June 18, 2020

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1. PURPOSE OF COMMUNITY RULES AND REGULATIONS

The Board of Directors has adopted Community Rules and Regulations to define, clarify and provide for the orderly and reasonable application and enforcement of the Association's governing documents. The Rules and Regulations provide for the use of common areas and streets, the use and operation of vehicles, the conduct of owners, tenants, residents, and guests within the community.

Members, tenants, residents and guests shall be subject to and obligated to comply with these Rules and Regulations. The Board of Directors reserves the right to adopt, implement and enforce additional rules and regulations as may be required from time to time to facilitate the management of the community, the use and operation of vehicles and the enjoyment of the property within the community.

2. TRAFFIC REGULATIONS

All vehicles operating within the community shall be duly licensed and operated by a legally licensed driver. No vehicle shall be operated within the community in a manner which is unsafe or presents a danger to the safety of persons or property.

The speed within the community shall be no more than is safe under any circumstance and in no event more than the posted speed limit. All stop signs and other traffic regulating devices shall be observed and followed by all operators of vehicles at all times. No vehicles shall be operated on walkways or areas other than streets and parking facilities.

3. PARKING AND VEHICLE RULES

The Parking and Vehicle Rules have been established to provide residents with permitted on-street parking and to provide for orderly and safe use of vehicles within the community. The Board of Directors, Progressive Community Management and the Association's patrol company, have worked diligently to make the program as simple and effective as possible. The Association's patrol company monitors community parking and can be reached by contacting:

Patrol One
Attn: Fallon Paquette, Permit Administrator
630 S. Grand Ave, Suite 101
Santa Ana, CA 92705
Phone: 714-541-0999, Ext. 5008
Fax: 714-541-0990
Email: fallonpaquette@patrol-one.com

A. Authorized Vehicles

Any of the following vehicles which are used as a primary source of day-to-day transportation for a resident and are parked overnight in Corniche Sur Mer are considered Authorized Vehicles, including: (a) standard passenger vehicles, including automobiles, passenger vans designed to accommodate ten (10) or fewer people, (b) motorcycles, and (c) pick-up trucks having a manufacturer's rating or payload capacity of one (1) ton or less. If a vehicle qualifies as both an Authorized Vehicle and a Prohibited Vehicle, as defined in Section 7.14 of the CC&Rs, then the vehicle is presumed to be a Prohibited Vehicle, unless the vehicle is expressly classified as an Authorized Vehicle, in writing, by the Board.

B. Allowed Parking

Passenger vehicles, where these vehicles are used primarily in the day-to-day transportation of persons, must be parked in the garage to the extent of the maximum designed capacity of the garage. Garage or other parking areas shall be used only for the parking of Authorized Vehicles, and shall not be used for storage or other purposes which displace vehicles that otherwise could be parked inside the garage. Vehicles shall not be parked on the street or common areas unless the garage is fully utilized for parking and the driveway is also fully utilized.

Authorized Vehicles which are parked within the community and are visible from the common area, streets or residential lots shall have no unsightly external rigging or appurtenances and shall not carry a commercial message other than a business logo affixed to a portion of the vehicle, which is part of the vehicle manufacturer's original equipment. The Board is authorized to use discretion in applying this rule as it relates to external rigging appurtenances, commercial messages or logos. The Board's goal is to ensure compliance with the spirit and intent of these rules while taking into consideration the broad range of vehicle transport and tastefully acceptable commercial identification in common use on vehicles used in day-to-day private transport of persons.

Storing of Vehicles: No vehicle(s) shall be parked in the same location for a period in excess of seventy two (72) consecutive hours or for any two (2) periods in excess of forty eight (48) consecutive hours, each in a five (5) day period, except where such vehicles are located in a closed residential garage.

C. Daytime On-Street Parking of Resident and Guest Vehicles

All residents and their guests may park their vehicles within permissible areas of the street between the hours of 6:00 A.M and midnight.

D. Overnight On-Street Parking With Safe List Authorization

All resident and guest vehicles parked on the street between the hours of midnight and 6:00 A.M. must display a valid Safe List Authorization or a valid, current year On-Street Parking Permit ("Parking Permit").

To obtain a Safe List Authorization, the resident must contact the Association's patrol company. The resident must provide the patrol company with the following information related to the overnight vehicle: license plate number; type of vehicle; color of vehicle, and number of Safe List Authorization nights requested. If the vehicle is eligible for a Safe List Authorization, the resident will be given a confirmation number. That confirmation number is required to be placed on the dashboard of the vehicle so as to be visible to the patrol officer. The vehicle is not guaranteed to be on the Safe List unless an authorized confirmation number is displayed on the dashboard and is visible to the patrol officer.

Each residence is allowed to Safe List for a TOTAL OF TEN (10) DAYS IN A SIXTY (60) DAY ROLLING PERIOD.

E. Long-Term Overnight On-Street Parking With Safe List Authorization

Under special circumstances such as residential construction or extended guest visitation, a resident may request a variance for a long-term vehicle Safe List Authorization. A variance is necessary for periods extending beyond ten (10) days within a sixty (60) day rolling period. To request a variance, homeowners or residents may contact Progressive Community Management at (949) 582-7770. The Association will consider requests for long-term Safe Listing of vehicles on a case-by-case basis, subject to the provisions of these rules. All requests must be submitted to Management and may be approved, at the discretion of the Board of Directors.

Vehicles parked in violation of the Association's Safe List Rules will be subject to the Association's Towing and Enforcement Rules. Members will be responsible for their own or guest vehicles and subject to the Association's Enforcement and Fine Policy.

F. Overnight On-Street Parking Permit Program

The Overnight, On-Street Parking Permit program has been established to provide residents who fully utilize their garage and/or driveway with additional overnight parking capability. Any resident desiring to park their overflow vehicles on the street must obtain and display a valid, current year Parking Permit. In order to obtain a Parking Permit, residents must submit, to the patrol company, an application, all required documentation, have a garage inspection and receive approval from the Association. Parking Permits will be issued to eligible applicant's vehicles.

New Parking Permit: Residents who would like to apply for a new Parking Permit must complete the application in full, provide all required documentation and have a garage inspection conducted by the patrol company. There is no charge for the Parking Permit; however, a fee of \$25.00 for the garage inspection (cash or check payable to the patrol company) will be due at inspection time.

Renewal Parking Permit: Residents who have a current year Parking Permit and are applying for an annual renewal Parking Permit will need to submit all of the required documentation to the patrol company. A garage inspection will be necessary, regardless of whether or not there are changes to the household's vehicles. The garage inspection for the renewal Parking Permit will be conducted either by a designated member of the Association, at no charge to the applicant, or the patrol company. There is no fee for the Parking Permit; however, at the discretion of the Association, the patrol company may be utilized for the garage inspection for a fee of \$25.00, due at the time of inspection.

All applications for a Parking Permit must be completed in full, signed and sent to the patrol company with a copy of the current vehicle registration for each vehicle at the residence, not just vehicles in need of a Parking Permit. All parking spaces shall be utilized within the garage, for example, two (2) vehicles in a two (2) car garage or three (3) vehicles in a three (3) car garage. Garages shall be utilized for parking Authorized Vehicles only and shall not be used for storage, living, recreational, business or other purposes (CC&R, Section 7.14). Driveways must be utilized for additional vehicles before a Parking Permit will be issued. An application for up to two (2) Parking Permits per residence may be submitted for approval. Parking Permits for additional vehicles in excess of two (2) per residence will be considered on an individual basis by the Board.

In order to obtain a Parking Permit, the following items must be submitted to the patrol company for review:

1. Application: Must be completed in full, reflecting a different resident driver for each vehicle.

2. Vehicle Registration: Copy of current vehicle registration for each vehicle parked overnight at the residence reflecting the address on the application. If the address on the vehicle registration is different from the resident's address, it will be necessary to provide proof that a DMV change of address form has been submitted for the vehicle in question. If the vehicle is a company vehicle or is registered to someone other than the person that has custody of the vehicle, the resident must provide a letter from the company or registered owner to show proof that the vehicle in question is under the residents care, custody and control.
3. Driver's License: Copy of current driver license for each resident at the address on the application.
4. Tenant(s): Copy of lease agreement reflecting community address. It is the owner's responsibility to provide tenants with two (2) garage spaces for parking.

Parking Permits will only be issued to the following Authorized Vehicles:

1. Standard passenger vehicles;
2. Vans designed to accommodate ten (10) or fewer passengers;
3. Motorcycles;
4. Pickup trucks with rating or capacity of one (1) ton or less; and,
5. Other vehicles which must be authorized by the Board

Parking Permits will be issued only for vehicles that are the primary source of transportation for the residents and parked overnight at the residence. In order to obtain a Parking Permit, inoperable vehicles will not be allowed to be parked in the garage so as to displace any other vehicle.

Parking Permits must be located either in the rear window, lower driver's corner or due to a tint or being a convertible; the Parking Permit may be located in the front window, lower driver's corner. Each Parking Permit is issued to a specific vehicle and is not interchangeable to any other vehicle. A Parking Permit is issued for a period of one (1) year with a designated color for that specific year. Each year, upon renewal, the Parking Permit color will be changed to reflect the new Parking Permit year.

G. Garage Inspections

Garage inspections are required with all Parking Permit applications, including renewal applications. The fee for a patrol company garage inspection is \$25.00, payable, to the patrol company, by the resident (cash or check). The garage inspection for the renewal Parking Permit will be conducted either by a designated

Association representative at no charge to the applicant or, at the discretion of the Association, the patrol company may be utilized for the garage inspection for a fee of \$25.00 due at the time of inspection.

1. All vehicles must be present and in their respective places before a garage inspection will be conducted, i.e. residents must park all garage vehicles in the garage and/or park in the driveway before a Parking Permit will be considered.
2. All vehicles registered to a Corniche Sur Mer address must be present at the garage inspection.

Any resident stating that their vehicle is oversized must have a garage inspection performed. The inspector will determine if said vehicle is oversized and cannot be parked safely inside the garage based on the original maximum designed capacity of the garage.

H. Limited Parking of Recreational Vehicles

Recreational vehicles, including motor homes, are allowed to be temporarily parked within the community provided that, (a) such parking is for the purpose of loading and unloading of passengers and/or equipment only, or for temporary parking awaiting eminent use within twenty four (24) hours, (b) there is no electrical or other utility hook-up between the vehicle and any property, (c) there is no overnight sleeping or residing of persons in the vehicle, (d) the total time of such parking does not exceed twenty four (24) hours in any seven (7) day period, and (e) such parking is otherwise in compliance with these Rules.

I. Prohibited Parking

Parking in any manner, as it may be related to the following, is strictly prohibited:

1. In identified fire lanes or other identified "no parking" zones, or within fifteen (15) feet of a fire hydrant;
2. In any manner that would obstruct a roadway, ingress or egress to a driveway or garage, sidewalk or path, or would create a traffic or safety hazard, obstruction or nuisance;
3. Across or encroaching upon any sidewalk is;
4. Within the roadway where there are adjacent curbs, each vehicle shall be stopped or parked with the right-hand wheels of such vehicle parallel with and within eighteen (18) inches of the right-hand curb, except that motorcycles shall be parked with at least one (1) wheel or fender touching the right-hand curb. Where no curbs or barriers bound any roadway, right-hand parallel parking is required, unless otherwise indicated;

5. In any common area in a manner which leaves oil or debris;
6. Storing of vehicles in driveways or on streets, where they will be visible from the common areas or other residential lots;
7. On any surface street that would otherwise be an infraction of the California Vehicle Code for dedicated surface streets;
8. During hours of darkness, no person shall park or leave standing any vehicle, except a private passenger automobile, of a width in excess of eighty (80) inches other than to make deliveries or repairs of an emergency nature on either the vehicle itself or to the adjacent properties, on any of the following described street locations:
 - a. On any street or cul-de-sac thereof, which has a curb width of forty (40) feet or less;
 - b. On any street, on which a traffic lane line has been painted where the distance between the painted lane line and nearest part of the vehicle or trailer is eleven (11) feet or less;
9. Parking of inoperable vehicles, except wholly within an enclosed garage. Inoperable vehicles will not be allowed to be parked in the garage when a Parking Permit is being requested; and
10. Parking of vehicles owned, operated by, or within the control of an owner, guest of an owner or tenant shall not be parked in the driveway of a residential lot within the community if the garage is not being utilized exclusively for parking to the extent of the maximum designed capacity of the garage.

J. Prohibited Vehicles

None of the following prohibited vehicles shall be parked, stored or kept on any street or on any residential lot within the community:

1. Commercial vehicles (including but not limited to dump trucks, cement mixer trucks, oil or gas trucks, or delivery trucks);
2. Any non-street legal recreational vehicle;
3. Except as set forth in Section H, any camper unit, motor home, bus, trailer, coach, boat, jet-ski;
4. Any aircraft;
5. Any vehicle which is inoperable or incapable of immediate operation;

6. Any vehicle or vehicular equipment, whether mobile or stationary, which constitutes a nuisance.

Except as set forth herein, Prohibited Vehicles shall not be allowed in any driveway or other exposed parking area or upon any street except for the purpose of loading, unloading, making deliveries or emergency repairs, as set forth in Section K, (collectively referred to as "Transitory Uses"), provided that no transitory use shall extend for more than twenty four (24) hours during any seven (7) consecutive day period and except when the Board of Directors determines that such parked vehicles do not violate the spirit and intent of these Rules.

K. Repair of Vehicles, Emergency Repairs

No vehicle shall be constructed, repaired, serviced or stored on the common area or in visible area of residential lots, except, (1) those repairs of an emergency nature only to a vehicle rendered inoperative as the result of unforeseen circumstances or, (2) maintenance or repair of a customarily minor nature (such as tire rotation, polishing, etc.) upon private property shall be permitted. Emergency repairs are those which are minor and are minimally required to make a vehicle operative and such repairs must be complete within twenty-four (24) hours after a vehicle has become inoperative.

L. Advertising Parked Vehicles for Sale, Rent or Lease

No person shall maintain any sign or advertisement upon or in a vehicle, including but not limited to a car, truck, trailer, boat, motorcycle, camper or motor home, advertising such vehicle for sale, rent or lease, while such vehicle is parked upon any common area streets or parking areas within the community, unless (1) such vehicle is parked on or immediately in front of the property to which it is registered, and (2) that no more than two (2) signs, each not exceeding two hundred (200) square inches in area, are displayed at the same time, and (3) provided such parking is otherwise in compliance with these Rules.

M. Vehicles Double Parked

No vehicle shall be parked, stopped or left standing, whether attended or unattended, except in an emergency, on the roadway side of any vehicle stopped, parked or standing at the curb or edge of a street or other common area (i.e. no double parking).

N. Construction Vehicles

Construction vehicles, which are used exclusively for short-term Association approved construction upon residential lots, and which are present in the community only during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday and 8:00 AM to 5:00 PM on Saturdays. No operations shall be undertaken on Sundays or legal holidays.

4. ENFORCEMENT OF TRAFFIC, SAFETY, PARKING AND VEHICULAR RESTRICTIONS

A. Violations

Violation of the Association's Traffic and Safety Rules and Parking and Vehicle Rules may subject the Owner to the Association's Enforcement and Fine Policy and will subject the vehicle to the Association's Towing and Enforcement Procedures for Parking.

On-Street Parking - Failure to properly display, in plain sight, either a valid Safelist Authorization, a Gate Entry Pass for guests during the initial twenty-four (24) hours or a valid, current year Parking Permit from midnight until 6:00 A.M., may result in towing of the vehicle from the community at the vehicle owner's expense, subject to the Association's Towing and Enforcement Rules. Owners are responsible for the conduct of all residents within their property, guests, tenant's and tenant's guests and may be subject to the Association's Enforcement and Fine Policy and Schedule of Fine Assessments.

B. Towing and Enforcement Procedures for Parking

The following violations may result in towing:

1. Any vehicle that is not Safe Listed with a visible confirmation number displayed on the vehicle's dashboard (for guests, the Gate Entry Pass may be utilized as a Safe List Authorization for the initial twenty-four (24) hour period) and/or any vehicle that is parked on the street without a visible Parking Permit, between the hours of midnight and 6:00 A.M. daily, is subject to towing. If a Notice of violation is issued two (2) times, the vehicle shall be subject to tow upon the third (3rd) violation, within any one hundred-eighty (180) day rolling period, at the vehicle owner's sole expense, without further notice.
2. Any vehicle parked in prohibited parking areas, including identified fire lanes, identified "no parking" zones or within fifteen (15) feet of a fire hydrant, are subject to immediate tow, without notice or warning, twenty-four (24) hours per day.
3. With respect to all other vehicle parking violations, if a notice is issued two (2) times, the vehicle shall be subject to tow, upon a third (3rd) violation of the same rule within any one-hundred eighty (180) day rolling period, at the vehicle owner's expense, without further notice or warning. If a vehicle is towed, the vehicle owner will need to contact the Orange County Sheriff's Department at 949-770-6011. The Sheriff's Department will need to know

the license plate or VIN number of the vehicle that was towed, and that you have you have this information ready before you place the call.

C. Abandoned Vehicles

When it is believed that a vehicle has been abandoned, the Orange County Sheriff's Department may be contacted to facilitate the matter before towing procedures are initiated.

D. Revocation of Safe List Authorization and Parking Permit

Any Safe List Authorization or Parking Permit being used inappropriately will be subject to revocation of the Safe List or Parking Permit following a Notice and an opportunity for a hearing.

5. PETS

The following rules shall apply to all pets kept within the community: Keeping, raising, breeding in certain numbers and types of animals are specifically prohibited within the community.

No animals shall be maintained in any residential lot which constitutes a nuisance or safety hazard to others within the community. The Board shall have the right to reasonably restrict the number of animals where additional animals pose a nuisance or hazard to others within the community.

All dogs shall be restrained by a fence, wall, substantial chain or leash not exceeding six (6) feet in length.

All dogs shall be licensed and vaccinated in accordance with the local pet control ordinance.

No person(s) shall allow any animal under their control, care or custody to trespass upon any private property of another without the consent of such person.

All dogs and cats maintained within the community shall be tagged with a legible tag or other device identifying the name, address, phone number and/or contact information for its owner.

Animal waste is to be removed from private property and the Association's common areas immediately and disposed of accordingly. As a convenience to residents and guests, the Association may provide doggie bag dispensers and trash receptacles.

6. TRASH CONTAINERS AND RUBBISH

Trash and rubbish must be placed in appropriate containers adequate to protect the contents from animals and the elements. All trash containers shall be stored in such a manner that they are not visible from the street or common area, except when placed out for collection.

Trash containers shall not be placed out earlier than 4:00 P.M., the evening before scheduled collection and cannot be left out longer than 9:00 A.M., on the morning following the day of scheduled pickup.

Littering of trash, grass, clippings or other debris on or around the common areas, any resident's property and/or other community facilities is prohibited.

7. CONSTRUCTION MATERIAL AND DEBRIS REMOVAL

All construction material must be stored inside the residential dwelling, garage or in the side or rear yard. No construction material may be stored in the front yard, on the driveway or street, or be visible from the street.

8. VARIOUS TYPES OF CONTAINERS

Various types and sizes of containers, including but not limited to dumpsters, pods, crates and storage containers, may be placed on driveways or immediately adjacent to the curb in front of the resident's property provided that:

No container shall be allowed to remain so placed for a period exceeding forty-eight (48) hours without approval of the Association.

Containers utilized for the purpose of construction debris removal may be placed on the driveway for a period of forty-eight (48) hours without approval of the Association. If the driveway is insufficient to hold a container for construction debris removal, Association approval must be obtained, in writing, for the container to be placed elsewhere within the community in an Association approved location for a period not to exceed twenty-four (24) hours.

The container cannot be placed within a designated "No Parking, Fire Lane" area.

The container cannot be placed in any manner which blocks driveways, impedes the safe operation of vehicles, restricts the visual safety zone at street intersections or unreasonably restricts vehicular or pedestrian flow.

The containers are to be maintained in a neat, orderly and sanitary manner and cannot present any nuisance, health or safety hazard.

Any damage caused by the container shall be the responsibility of the property owner who shall be liable for any repair expenses. Damaged items may include but

is not limited to, street, irrigation, plant material, signage, street lighting or sidewalk damage.

9. PROPERTY FOR SALE OR FOR LEASE SIGNS

Owners may display "For Sale" or "For Lease" signs, which are reasonably located in plain view of the public, within their own residential lots, which are of reasonable dimensions and design, and do not adversely affect public safety, including traffic safety, as determined by the city or county. Such signs shall be in compliance with the municipality sign control ordinance(s).

Property "For Sale" or "For Lease" signs shall not be larger than 18 inches by 30 inches in size. The signs must be attached to the ground by means of a conventional, single, vertical stake which shall not exceed two (2) inches by three (3) inches in diameter. The property sign shall not exceed three (3) feet in height above the ground level.

10. RESIDENTIAL LOT MAINTENANCE

All residential lots shall be kept free of weeds, debris, visible storage and clutter. All residential lots shall be maintained in an aesthetically attractive condition at all times. Aluminum foil, cardboard or other similar material is prohibited from being affixed to any window or pane of glass within the residential lot.

11. ARCHITECTURAL CONTROL

All exterior modifications shall be in compliance with the Corniche Sur Mer Architectural Approval Procedures and Design Guidelines and the Plantings and Landscape Rules and Regulations.

No exterior modification shall be commenced, erected, altered or maintained upon the residential lot, change or alteration to any original exterior color and/or structure be made until the plans and specifications showing the nature, kind, shape, height, materials and locations of the same shall have been submitted to and approved, in writing, as to harmony of external design and location, in relation to the existing design of the Project by the Association's Architectural Review Committee ("ARC"). Any action taken without prior written approval of the Association constitutes a violation of the CC&Rs. owner(s) may be subject to the Corniche Sur Mer Homeowners Association Enforcement and Fine Policy and may also be required to modify or remove any unapproved work, modifications or improvements at their own expense. In addition to any architectural requirements of the Association, owner(s) may also be required by the City, County or any other governmental agency to obtain the proper license(s), permit(s) and/or engineering for the proposed project.

The Association assumes no responsibility or liability for an owner's failure to comply, and the Association's approval of your application is conditioned upon the

understanding that owners are aware of their obligations and will obtain or have already obtained any and all necessary or required license(s), permit(s), engineering and/or other items from applicable municipalities and will comply with all municipal regulations, codes and/or laws.

12. GARAGE DOORS

Garage doors shall be kept closed at all times except as necessary for ingress to, and egress from, the interior of the garage.

13. REMOTE CONTROL VEHICLES AND AIRCRAFT

All unmanned aircraft, helicopters, drones, vehicles or other similar type of mechanical apparatus that can be operated in the air or on the ground under the control of a remote pilot or by a geographic positions system (GPS) guided autopilot mechanism are prohibited from use within the common areas, streets and shared driveways including the air space above such areas. Such devices are not permitted to be operated on the ground or in the air space of residential lots of another owner/resident without permission of that owner/resident.

14. LEASE/RENTAL

The Declaration of Covenants, Conditions and Restrictions (the "CC&Rs") provide:

- All Lots shall be used solely for single-family use;
- No Lot shall be used, directly or indirectly, for any business except as allowed by Section 7.11 of the CC&Rs;
- No lease shall be for a term of less than thirty (30) days (in other words daily, weekend, or weekly rentals, or any other period that is for less than thirty (30) days is prohibited);
- A lease or rental must be in writing; and
- A lease must include the entire Lot (in other words, leasing or rentals of individual rooms is prohibited).

Accordingly, the Board has adopted the following Rule:

All homeowners are to provide a copy of the lease or rental agreement to the Association's managing agent within forty-eight (48) hours before a tenant moves in. This is required for new leases, extensions, modifications, or renewal of an existing lease. We appreciate your cooperation.

A COMPLETE LEASE FORM MUST BE SUBMITTED ALONG WITH THE AGREEMENT.

Enforcement: Violations of this Rule may result in monetary fines and other disciplinary action, as provided for within the Association's Enforcement and Fine Policy and Schedule of Fine Assessments. The homeowner(s) will be responsible for any violations that occur during their tenants stay.