

Article I

OVERVIEW

The purpose of the Design Guidelines is to protect, preserve and maintain the aesthetics and the property values of the residences within the Solera Oak Valley Greens Association. The Design Guidelines serve to augment the Association's CC&Rs, namely, Article V, the Design Review Committee, by addressing typical exterior architectural improvements to residences. The Design Guidelines further provide owners with a basic understanding of the function of the Design Review Committee, the design review and approval process, and the enforcement procedures. If the Design Guidelines are in conflict with the CC&Rs and/or By-laws, the CC&Rs and/or By-laws take precedent over the Design Guidelines.

The CC&Rs, Article V, provides the Design Review Procedures of plans and specifications, and mandates that no improvements of any kind (including any changes, alterations or other modifications to the exterior of any existing improvements) shall be started upon the Association Properties or upon any real property located within the subject property, until the plans and specifications have been submitted to and approved, in writing, by the Design Review Committee. The Design Review Committee shall consist of five (5) members that are appointed by the Board of Directors in accordance with Article V, Section 5.03 of the CC&Rs. The CC&Rs require that the Board of Directors adopt Design Guidelines that will be used to assure that improvements being installed are in conformance with the architectural character and aesthetics of the Solera Oak Valley Greens community.

Within ninety (90) days from the close of escrow, the owner(s) must install and/or restore and thereafter maintain the landscape at their residence. This includes regular maintenance and the periodic replacement of trees, plants, grass and other vegetation at the residence when needed or requested by the Design Review Committee. The Board of Directors will enforce the CC&R's and Design Guidelines where disrepair such as overgrowth, weeds insufficient plant material, unattractive paint condition or any other poor maintenance has been determined to exist.

Prior to the construction or installation of any exterior improvement, owners must obtain the written approval of the Design Review Committee. This is accomplished by submitting a Home Improvement Application to the Design Review Committee. Applications are available at the Solera Oak Valley Greens Administrative Office. Please include proposals, plans, specifications and/or drawings for any and all proposed improvements with your application. There are no automatic approvals, everyone must submit a Home Improvement Application and receive approval from the Design Review Committee prior to the commencement of any work at a residence. The owner of the residence is the party responsible for obtaining Design Review Committee approval for an improvement. However, contractors may submit your completed Home Improvement Application on your behalf. Agreements between neighbors will not, under any circumstances, circumvent the Design Guidelines.

The Design Review Committee has a maximum of thirty (30) days in which to act upon a Home Improvement Application submittal. If written suggestions of changes required or recommended for approval are requested, the Design Review Committee shall have an additional thirty (30) days to review any resubmitted plans. However, the Design Review Committee usually acts upon applications within fourteen (14) days.

Prospective owners in Solera Oak Valley Greens intending to make improvements on any portion of the land and/or building(s) to be acquired may submit and obtain advance approval(s) by the Design Review Committee prior to closing title. Advanced approval is subject to the requirement that the application for said improvements must be signed by both the current owner and the prospective owner and that all of the other requirements of the application and processing procedure must also be complied with in full. No construction or installation of any exterior improvement may be made prior to both receiving a Home Improvement Permit from the Design Review Committee and the close of escrow.

Nothing shall preclude the prospective Homeowner from first closing title on the property before submitting an application for the proposed improvements in accordance with all of the requirements as set forth in this document.

Article II

REVIEW CRITERIA

The Design Review Committee's review criteria is broad based and evaluation of each proposed architectural improvement is assessed on its individual merit. This includes, without limitation, the proposed overall design and consideration of the characteristics of the housing type of the applicant's residence and their surrounding neighbors. Consideration of neighboring residences is necessary due to the relative proximity of the homes within the community.

A Home Improvement Application must be completed and submitted to the Design Review Committee in order for proposed improvements to be considered for approval. Home Improvement Applications are available at the Solera Oak Valley Greens Administrative Office. The completed application must be returned to the Administrative Office for review and processing by the Design Review Committee.

The Design Review Committee considers an applicant's submittal on the basis of architectural style and design to ensure consistency with the existing architectural characteristic of the community. The Design Review Committee is not responsible for approving Home Improvement Applications from the standpoint of structural safety or conformance with building or other codes.

Section 2: NEIGHBOR AWARENESS on the Home Improvement Application requires the owner of each residence bordering your property to sign your application prior to you submitting it to the Design Review Committee. This could include owners on all sides as well as across the street and

behind your property. The signatures of your neighbor owners on your application only signify that they are aware that you are proposing to construct and/or install the improvement(s) you have listed on the application. Their signatures are not an approval of any kind. Although neighbor owners sign a Home Improvement Application, one or more may be opposed to the proposal. Neighbor owners who wish to express their opposition may make an objection, in writing, to the Design Review Committee through the Administrative Office. The identity of objecting neighbors will be kept confidential.

The Design Review Committee must also review all requests for variances that are not in compliance with the Design Guidelines. A variance is not approved unless special circumstances can be demonstrated. In the event you are requesting a variance from the adopted Design Guidelines you must:

- (a) Submit it in writing
- (b) Include a detailed dimensional diagram (drawn to scale)
- (c) Identify, in writing, the special circumstances that justify the proposed variance in accordance with Article V, Section 5.11 of the CC&Rs.
- (d) Include neighbor awareness signatures.

Article III

PERMITS & INSPECTIONS

3.01 Application Processing After the Design review Committee has received your complete Home Improvement Application, including all of the required attachments; the Design Review Committee must communicate a decision regarding your application to you within thirty (30) days of the date on which the Design Review Committee received your application. If written suggestions of changes required or recommended for approval are requested, the Design Review Committee shall have an additional thirty (30) days to review any resubmitted plans. However the Design Review Committee usually acts upon applications within fourteen (14) days.

3.02 City/County Approval granted to a Solera Oak Valley Greens property owner by the Design Review Committee for any improvement does not waive the necessity for an owner to obtain all required city and county building permits. Conversely, obtaining city and county building permits for proposed improvements does not waive the requirement for an owner to submit a Home Improvement Application to the Design Review Committee and receive approval, prior to the start of construction or installation. It is the responsibility of the homeowner to assure that all permits have been obtained, even if a contractor is acting on behalf of the homeowner.

3.03 Homeowner Improvement Permit Owners who have been granted approval for an improvement must post a Home Improvement Permit on the garage door of their residence, or a window visible from the street, at all times during the course of construction. A Home Improvement Permit will be issued to applicants upon approval of their proposed improvement. The length of time to complete the improvement (under the approved permit) is one (1) year. This provision shall not affect the Owner's obligation to install and/or restore substantially complete

landscaping within ninety (90) days after closing escrow as outlined in Article V, Section 5.05 and Article VI, Section 6.01 of the CC&Rs. An extended length of time may be obtained on a case-by-case basis from the Design Review Committee subject to the then current Design Guidelines. This permit must then be returned to the Administrative Office when the improvement is completed. Return of the permit serves to notify the Design Review Committee that the improvement is completed, as approved, and ready for inspection.

3.04 Inspections The Design Review Committee or its duly authorized representative may inspect any improvement, change or alteration to a property for which Design Review Committee approval is required. This inspection is generally performed within thirty (30) days after the Association receives notice of completion from the property owner. After an inspection, if it is found that an improvement was completed without submittal of a Home Improvement Application or that an improvement was not constructed in accordance with an approved Home Improvement Application, the owner will be notified, by telephone and in writing, of the violation within thirty (30) days of the inspection date. Should an owner fail to correct a violation for which they are notified, the Board of Directors has the right to follow established enforcement procedures in accordance with the CC&Rs, as outlined in Article VII of these Design Guidelines.

Article IV

CONTRACTORS

4.01 Adherence to Regulations Contractors and/or their employees found not abiding by these regulations may be subject to having their company, as well as their employees face revocation or restriction of access into the Solera Oak Valley Greens community.

4.02 Alcoholic Beverages, Narcotics Contractors and their employees are not permitted to consume or have possession of any alcoholic beverage or narcotic on Solera Oak Valley Greens property. Contractors and/or their employees found under the influence of alcohol or narcotics will be banned from the Solera Oak Valley Greens property.

4.03 Business Solicitation Soliciting business is not permitted on Solera Oak Valley Greens property.

4.04 Disposal of Debris Contractors are responsible for disposing of their own excess materials and waste. Disposal of excess materials and waste must be done daily and there is to be no washing or cleaning of tools on the streets or in the gutters.

4.05 Dumping Dumping on Solera Oak Valley Greens property is strictly prohibited. This includes Solera Oak Valley Greens undeveloped land.

4.06 Access Homeowners are responsible for making arrangements for contractors to enter into the community with the Solera Oak Valley Greens gate attendant. **The homeowner is not to**

allow the contractor to use a Homeowner's transmitter gate remote under any circumstances (See 4.11).

4.07 Gate Usage The automated entry gates are not to be used by contractors unless authorized in writing by the Board of Directors. Contractors identified tampering with or breaking the barrier arms at the automated gates will be charged a minimum of \$100.00 and are subject to other sanctions from the Solera Oak Valley Greens community. Additional charges may be billed, at actual cost, for damage to the automated gate equipment.

4.08 Hours of Work Workdays for contractors will start no earlier than 7:30 a.m. and the workers must be off the premises by 5:30 p.m. This applies to set-up in the morning and cleanup in the evening. Work is permitted Monday through Saturday. No contractor work is permitted on Sundays and Holidays.

4.09 I.D. Requirements Contractors with employees, who require access to the community without a contractor's presence, must provide the employee with identification stating company or contractor name, employee name, and signature of employee. All must be legible.

4.10 Insurance Homeowners should ascertain that contractors have a valid certificate of insurance providing coverage for workers' compensation, personal liability, property damage, and commercial auto/vehicle coverage. Also, a homeowner should ascertain that a contractor should maintain a City of Beaumont Business License and a California State Contractor's License throughout the period of approval and construction.

4.11 Speed Limits The speed limit on Solera Oak Valley Greens streets is 20 MPH unless otherwise posted.

4.12 Use of Restrooms Contractors and their employees are not to use clubhouse restrooms.

4.13 Visitors Contractors and their employees are not permitted to bring children, family members, guests or visitors on the premises at anytime and must maintain noise level to a minimum – no radios and no yelling.

Article V

EXTERIOR ARCHITECTURAL IMPROVEMENTS

The following are guidelines on specific improvements made to residences in the community. The purpose of this section is to provide residents with information, which will help in designing exterior architectural improvements for their home. This information is to be used as a guide to help answer questions you may have while designing the exterior improvements you would like to complete at your home. This section is not intended to imply that you do not have to submit a Home Improvement Application. Rather, it is intended to be for information and policy purposes.

These guidelines are not intended to cover all improvements that may be considered. Direct all questions regarding proposed improvements to the Solera Oak Valley Greens Administrative Office.

5.01 Antenna/Satellite Dish Policy

Outside television antennae, aerial, satellite dish or similar devices for the transmission or reception of television, radio, satellite, or other signals of any kind are prohibited. (see Article VI, Section 6.09 of the CC&Rs)

However, an FCC approved satellite dish may be installed provided a Home Improvement Application is submitted to the Design Review Committee prior for its review. Upon approval of the application, an FCC permitted satellite dish antenna may be installed upon a property within the exclusive use or control of the owner of the unit.

The FCC rule permits the Association to regulate the placement of FCC permitted antennas, and the Association's regulations apply so long as they do not cause an unreasonable delay or cost in the installation of a FCC permitted satellite dish antenna or prevent the reception of an acceptable quality signal. Accordingly, so long as there is no unreasonable cost or delay and an acceptable quality signal can be received, the Association hereby establishes the following guidelines for installation of FCC permitted satellite dish antennas upon property within the exclusive use or control of the owner:

- a) The satellite dish antenna must be installed in an unobtrusive location.
- b) The satellite dish antenna must be of a color to blend in with the home.
- c) Satellite dish antenna wires and cables must be bundled or encased in conduit that is painted to blend with the home.
- d) If the satellite dish antenna is installed so that it hangs over a common area or may topple onto the common area, the Association will require the owner to install supporting wires or take other reasonable safety precautions, including, but not limited to, relocation of the satellite dish antenna or alteration of the method of installation.

No satellite dish antenna with a diameter greater than thirty-six inches (36") may be installed within the Association. Under the FCC rule, the Association cannot prohibit, but can regulate, installation of a satellite dish antenna with a diameter of thirty-six inches (36") or less upon property within the exclusive use or control of the owner.

5.02 Arches An arch is a passageway with a minimum height of 6'- 8" and a maximum height of 8' – 0". If constructed of wood, the minimum frame material required shall be 1" x 3" or 2" x 2". It must be painted white or to match stucco or trim of house.

If an arch is placed upon two columns constructed of masonry material, the columns cannot exceed 5' - 2" in height, total height not to exceed 8' - 0". Each application will be handled on an individual basis and must be approved by the Design Review Committee.

5.03 Attic Ventilation Ventilators and/or other mechanical apparatus requiring roof installation are not permitted.

5.04 Awnings/Shades The use of awnings is not allowed. However, vertical shades are permitted but must be approved, in writing, prior to installation, by the Design Review Committee. Synthetic, simulated bamboo vertical shades are prohibited.

5.05 Barbecues Barbecues shall be located in rear yards only and shall not be constructed on or attached to any property line, common wall or fence. Permanent structures of any kind are not to be constructed on or within an easement area.

In determining the location of a barbecue, consideration of one's neighbor(s) must be weighed with regard to smoke drift and visual impact.

Provide the following with your application:

- (a) Dimensions
- (b) Material
- (c) Color
- (d) Plot plan drawing to scale indicating the location of BBQ in relation to residence and neighboring residences.

5.06 Bird Feeders Bird feeders may not be installed at a location where they could cause a nuisance to the adjoining neighbors. There may be no more than two bird feeders, per residence.

5.07 Clotheslines The installation of outside clotheslines or other outside facilities for drying or airing clothes shall not be erected, placed or maintained on any Lot so as to be visible from neighboring property, including the Association's Common Areas (see Article VIII, Section 8.08 of the CC&Rs).

5.08 Pet Enclosures and Runs Unless approved by the Design Review Committee, no structures for the care, housing or confinement of any pet on any Lot shall be maintained so as to be visible from neighboring property (see Article VIII, Section 8.03 (b) of the CC&Rs). Pet enclosures and dog runs must be maintained in a neat and clean manner at all times. Properties that can be seen from Common Areas must make every effort to minimize the visibility of such structures from the Common Areas.

5.09 Dry Streambeds Dry streambeds should have the appearance of a natural stream and are limited to a minimum sized aggregate (rock) of three (3) inches in diameter. The width of a dry streambed may not exceed four (4) feet. Drainage shall not be directed onto any sidewalk,

walkway or driveway. The color of the proposed rock being used in a dry streambed must be identified on the submitted landscape plan.

No more than one (1) dry streambed may be placed in the front yard. Length will be considered on a case-by-case basis.

5.10 Exterior Lighting No lighting will be permitted which causes unreasonable glare to neighboring Owners, neighborhoods or the Common Area (see Article VIII, Section 8.06 (c) of the CC&Rs). Lights are not to be directed outside a resident's property. Proposed fixtures are to be compatible with a residence in style and scale.

Landscape lighting will be approved on a case-by-case basis. Provide the voltage and bulb wattage, along with all dimensions and a picture or drawing with your application.

Light posts with multiple fixtures are not permitted in the front of any lot. Incandescent light fixtures with multiple lights are limited to 45 watts per fixture and fixtures with a single light are limited to 40 watts. Non-incandescent bulbs are limited to the above equivalent lumens.

String and icicle type lighting (except December Holiday usage) is not permitted in the front or side yard. (See 5.17)

5.11 Exterior Ornaments The display of novelty ornaments, signs, flags (other than the American flag) or decorations on a lot visible from any street or common area is generally not allowed and requires Design Review Committee approval. Novelty ornaments must be approved by the Design Review Committee. The maximum number of novelty ornaments permitted in the front yard area shall be five (5).

Provide the following with your application:

- (a) Plot plan indicating the dimensions of the lot (to scale).
- (b) Quantity of ornaments (including their locations on the plot plan)
- (c) Dimension(s) of the ornament(s)
- (d) Color(s) of the ornament(s)
- (e) Material(s) of the ornament(s)
- (f) Sketch/Picture(s) of the ornament(s)

5.12 Fences/Walls/Gates Materials used for fences, walls and/or gates are subject to approval and will be given consideration depending upon their exposure to the community.

Replacement fences and/or walls separating adjacent lots, both on and off the golf course, must match original dimensions. Fence, wall and/or gate heights shall not exceed 5' – 2" unless the original fence, wall and/or gate is higher.

Variations from the original front yard fence, wall and/or gate maximum height is subject to approval on a case-by-case basis.

Replacement stucco block walls must match the color of the stucco on the residence at which the improvement is proposed. Vinyl fences must be Buffteck, Chesterfield style, or the equivalent. All vinyl fence material must be tan color.

When a fence and/or wall located between two property owners is being replaced or changed, both property owners must acknowledge, in writing, that they are in agreement with the proposed change. The written agreement shall be included with the Home Improvement Application. If there is a disagreement between property owners, the Design Review Committee shall be the governing entity to resolve a dispute involving the proposed change to a wall or fence. The Design Review Committee will not become involved in the financial arrangements between the property owners.

Demolition, alterations, attachments, or anything of this nature to Association fences and/or walls is prohibited. Nothing, including wrought iron, ornaments, lights, etc is to be built, placed, or attached on top of Association walls and/or fences.

5.13 Flags and Flag Poles Approval of the Design Review Committee, prior to installation shall be required if a permanent flagpole is to be erected. The height of a flagpole should be minimized; however, in no event can the height be more than twenty (20') feet when measured from the original grade; even if the flagpole is not attached at the ground level. The size of a flag cannot exceed 4' x 6'. The American flag normally may be displayed only from sunrise to sunset. The flag may be displayed at night upon special occasions when it is desired to produce a patriotic effect and then only if properly illuminated. The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

5.14 Gates (a) Gates shall not exceed the height of the existing fence or wall, nor shall the gate have an arch that exceeds 6" above the fence or wall.

Gates are considered for approval upon submittal of the pattern, color, dimensions and material to be used. The color shall match the color of the trim or stucco on the residence. Black is acceptable for wrought iron only.

5.15 Gutters/Downspouts Gutters and downspouts must be compatible with existing exterior color scheme. Run-off from roofs with or without gutters, downspouts and/or an area drainage system must not affect adjacent properties. Run-off must be directed to the street.

The use of Association property walls or fences for the purpose of securing downspouts is not permitted.

5.16 Holidays/Decorating In accordance with the Rules and Regulations, appropriate decorations may be displayed outside a residence to commemorate recognized holidays. Decorations may be displayed for fourteen (14) days prior and three (3) days after holidays. For the December holidays, decorations may be displayed at a residence beginning the weekend

following Thanksgiving and removed within ten (10) days after the December holidays. (See 5.10 for lighting)

5.17 Landscape (a) Trees and shrubs shall be selected and placed in a manner which does not cause an unreasonable nuisance to adjacent properties.

As a general guideline, one tree may be planted for every three hundred (300) square feet of a residential lot, excluding the dwelling and garage. The Design Review Committee shall have the discretion to adjust the guideline based upon tree species and mature size. For purposes of this rule, the rear yard is everything behind the side fence and gate.

All citrus trees planted on a residential lot must be of a dwarf variety. The mature size of all plant material must be considered when selecting and placing plant material. Trees, shrubs, plants and other vegetation are not to encroach into or onto adjoining lots or common areas. This includes the root ball or root system as well as the crown or foliage of a tree, shrub or other vegetation, at maturity. Planting of trees on a property line is prohibited.

(b) The front yard landscape of each lot shall have a minimum of one 15 gallon, or greater, tree and a maximum of four trees. The 15-gallon tree must be at least 5 feet in height and a main trunk at least 3” in circumference, when planted. Other front yard trees, to a maximum of three (3), may be of a smaller size, when and if planted.

(c) The front yard area is defined as the outside area between the street and/or sidewalk and the front side of the home; the front of the home, generally, has a driveway for garage entry. A corner lot, generally, has two areas that are defined as the front yard area. They are the outside areas, between the home and both streets and/or sidewalks. The front yard is the area that is dominantly visible from the street(s). (For example, when planting the required tree in the front yard, areas such as side yards and/or planters that are secluded and located significantly back away from the street(s), will not be considered as the required front yard tree.)

(d) The front yard landscaping shall not be significantly comprised of desert like materials, such as cactus, rock, wood chips, etc. However, rock may be considered by the Design Review Committee when used for decorative purposes in areas of limited size. Rock, other than rock being used in a stream bed, must be of a minimum size of 3/8” and a maximum size of 1”.

The color of the rock must be approved by the Design Review Committee and is limited to only a few colors and and types of rock. Lava rock is not acceptable.

(e) The visual aspect of the front yard landscaping is considered very important. The Design Review Committee will require that landscaping which can be seen from the street or streets (corner lots) have a balance between the front yard softscape and front yard hardscape. As a guideline, the Design Review Committee would generally look for the front yard area (not including the driveway at its original width) to have a minimum of 50% softscape. The

Design Review Committee may consider front yard areas (not including the driveway at its original width) with less than 50% softscape.

- (f)** Hardscape in the front yard area needs to have a balance with a sufficient amount of softscape in order to preserve an attractive streetscape within the Solera community. Hardscape material such as, concrete, brick, masonry, tile, slate, rock, stone, etc., shall be less than 50% of the front yard area (not including the driveway at its original width. The Design Review Committee may consider hardscape in the front yard area that exceeds 50% when special circumstances warrant the exception. Courtyards are allowed as part of the front yard hardscape and will be considered for approval by the Design Review Committee on a case-by-case basis.

Driveway expansion or replacement at a residence for the purpose of additional parking is not permitted. Proposed driveway coatings or decorative designs are subject to approval by the Design Review Committee.

Front courtyard walls are approved on a case-by-case basis, depending upon the location of the courtyard wall and how well it compliments the overall aesthetics of the property. Pursuant to Article VI, Section 6.05 of the CC&Rs, courtyard walls may not exceed thirty (30) inches in height as measured from the finished floor elevation. The location of a courtyard wall generally will not be considered if it exceeds more than thirty-six (36) inches past the face of the garage door of a residence.

- (g)** Softscape shall be a form of living vegetation such as grass, plants, bushes, or flowers which will substantially cover the softscape area within two growing seasons. When softscape plant material, such as bushes and/or flowers, is being used that will show an open area or bare dirt, the open area or bare dirt is to be minimal and must be free from weeds and be maintained so that no dirt or other material will run-off when being watered. Consideration must be given to the dormant period for certain plants and supplementary ground cover may be necessary to achieve coverage between plants, on a year around basis.

When a large area of the front yard is being planted with only one variety of softscape plant material, the maximum height generally should not be more than 12” at maturity. When the front yard softscape plant material has a variety in height, the maximum height of any species generally should not be more than 36” at maturity and at least 50% softscape plant material must be less than 12” at maturity. All softscape plant material shall be maintained at a height that is considered normal for the variety of the plant material, within the above limits. Generally, all plant material, in areas other than the front yard, should not exceed 6’ (except trees). No front or side yard plant material can be installed or maintained in a manner that would interfere with the visual safety of vehicular traffic.

- (h)** All irrigation lines, with the exception of drip irrigation lines, are to be subterranean. Every effort must be made to minimize the visibility of drip irrigation lines in all areas visible from the street or neighboring properties.

- (I) Appropriate subterranean drainage is to be supplied and directed to the street to prevent run-off onto adjacent lots, common areas. Drainage shall not be directed onto sidewalks, curbs, walkways and/or driveways.

The following information is to be provided:

- (1) Listing of plant and tree types
- (2) Location of plants and trees on overall site plan showing residence outline
- (3) Dimensions, materials, color/finish
- (4) Routing of irrigation lines and drainage

5.18 Lattice All latticework must receive prior approval from the Design Review Committee. Latticework that can be seen from a street and/or common area will only be approved in limited amounts and areas. The following are some guidelines to consider when planning the use of latticework. Latticework composed of crossed diagonal or perpendicular members must be constructed of a good quality wood stock having a minimum cross section of ¼” x 1 ½”. The openings between the wood members should be a minimum of 1” and a maximum of 3”. Simulated wood PVC latticework may be approved by the Design Review Committee.

Latticework shall be supported or framed securely to prevent warping or sagging. Wood latticework should generally be painted white. When latticework is being used to tie a patio roof structure together, the latticework should be painted to match the patio cover, which would generally be the color of the trim, stucco or white.

Latticework may not be used to enclose a patio cover or gazebo. Latticework may not be used on the side of a patio cover that is parallel to the house where the patio cover is attached. On golf course lots, latticework may only be used on the “tee box” side of a patio cover that is perpendicular to the back side of the house. The latticework that is being used on the perpendicular side of the patio cover may not have a total width of more than ten (10) feet; nor may any latticework extend beyond the patio post that is farthest from the house.

Latticework may be used on the roof of a patio cover or gazebo and latticework may be used on a patio cover to architecturally tie two roof structures together. Latticework may not be used for fencing, but may be used to enclose a ground level air conditioning unit or swimming pool and spa equipment.

5.19 Patio Covers/Gazebos (a) Patio covers are to be constructed of good quality wood, metal or vinyl and all patio cover material will be approved by the Committee on a case by case basis. Patio covers may not be enclosed. (See 5.19)

Patio covers shall be painted to match the existing trim or stucco of a residence. A patio cover may also be painted white.

Provide the following with your application:

- (1) Location of patio cover in relation to the applicants residence and property lines, on a plot plan, drawn to scale

- (2) Materials
- (3) Color
- (4) Dimensions
- (5) Elevation drawings to scale

A patio cover shall be of good quality wood, and the horizontal runners (sometimes referred to as lattice) on the top portion of the roof shall be a minimum size of 2" x 3". Metal patio covers are permitted provided they are of a good quality and have a simulated wood appearance. The finish must be non-reflective. Metal roof runners on the top portion (roof) of a patio cover shall be a minimum size of 1 ½" x 1 ½".

A patio cover with a solid covered roof must have a minimum pitch of ¼ inch per foot and a maximum of 1 inch per foot. Any greater pitch will be considered on a case-by-case basis and must be approved in writing by the Design Review Committee. A pitch greater than 1 inch per foot will require a tiled roof to match the residence.

Sun decks over a patio cover are not permitted and patio covers cannot be enclosed.

The Design Review Committee will consider requests for the installation of netting between supportive posts of a patio cover on golf course lots as deemed appropriate by the Design Review Committee.

(b) Gazebos are to be constructed of a good quality wood or metal and shall be painted to match the trim or stucco of the house, or white. Gazebos may not be enclosed.

A gazebo's structural height shall not exceed twelve (12) feet, and it must be at least five (5) feet from a property line. Gazebos shall not be permitted in the front yard.

Provide the following with your application:

- (1) Location in relation to residence and property lines, on a plot plan drawn to scale.
- (2) Materials
- (3) Color
- (4) Dimensions
- (5) Elevation drawings to scale

5.20 Room Additions Room additions, including enclosing the original integral patio of the house, are to be compatible in scale, materials and color with the existing residence. Roof, walls and slab must be connected to the existing structure as required by building code.

Pitched roofs must match the existing structure in slope and material.

New windows and doors must match those in existing openings.

Existing landscape grades must be maintained.

Provisions must be made to prevent storm water run-off to adjacent property.

Materials that are to be used for construction shall be stored in an inconspicuous area. Debris and waste material must be removed from the site daily.

Major features of the residence such as the vertical and horizontal lines, projections and trim details are to be shown in the plans being submitted for the addition.

Enclosing or altering any portion of a garage, that restricts the intended parking, is not permitted.

5.21 Storage Sheds All storage sheds are to be located in rear or side yards behind a solid fence or wall and shall not be visible from any street, common area and/or neighboring properties.

5.22 Swimming Pools/Spas Pools, spas, and related equipment are to be placed at least five (5) feet from property lines and must conform to all other applicable codes.

Plumbing and electrical lines to pool and/or spa must be subterranean or otherwise concealed.

All pool and/or spa equipment is to be enclosed. Adequate ventilation and noise prevention provisions must be made for this type of equipment.

Provide the following with your application:

- (a) Location of pool and/or spa in relation to existing residence and property lines on a plot plan drawn to scale.
- (b) Dimensions of pool and/or spa
- (c) Drainage detail
- (d) Material for decking
- (e) Location of equipment
- (f) Detail on fencing that surrounds the pool and/or spa

5.23 No Guarantee of Continued View Each Owner has acquired his/her Lot subject to the possibility that the view from such Lot may be altered at any time by neighboring properties. (See Article VI, Section 6.04 of the CC&Rs for more detail.)

5.24 Waterfalls, Fountains and Decorative Ponds Proposed waterfalls, fountains and decorative ponds must be submitted with the location, dimensions and a picture or diagram including the intended appearance and color. A piping diagram of the re-circulation system and drainage must be included. Proposed waterfalls, fountains and ponds shall not be constructed on a property line, or attached to any common wall or fence, including the golf course iron fence.

Total area allowed for waterfalls is a length of ten (10) feet and a width of four (4) feet; the height will be reviewed at the time of submittal.

Fountains are limited to a maximum height of five (5) feet from the original lot grade. Diameter or width to be determined on a case-by-case basis.

5.25 Windows/Doors Proposed windows and/or doors must match the material, appearance and finish of the original windows and/or doors. Any proposed variance from the foregoing will be considered on a case by case basis.

Bars and roll down security shutters are not permitted on the exterior of windows and/or doorways.

Window tinting is approved on a case-by-case basis. Applicants must submit all pertinent information with regard to the percentage of tinting, etc. No aluminum foil or other similar material is permitted.

5.26 Air Conditioners Window mounted units are prohibited. Through the wall type air conditioner units may be considered on a case-by-case basis. Such units will generally not be approved unless a pressing need can be established. Requests for approval must include the reason the unit is needed, the unit size, placement in regard to neighbors, and neighbor awareness signatures. The portion extending outside of the house may not be greater than the minimum recommended by the manufacturer and in no case greater than two (2) inches.

5.27 Skylights/Solar Tubes Skylights and Solar Tubes, intended to generate additional interior light, are approved on a case by case basis; depending upon the location, dimensions and the overall finished height above the existing roof.

Article VI

DESIGN GUIDELINES AND STANDARDS COMPLIANCE POLICY

6.01 Board Findings The CC&Rs and the By-laws establishes procedures and criteria that shall be used to develop, retain, control and enforce the architectural character and aesthetics of the Solera Oak Valley Greens community. The Board of Directors has made the following findings:

- A. Property and aesthetic values diminish when resident properties are not in compliance with the CC&Rs, Design Guidelines and Standards, and other governing documents.
- B. The Board Resolutions, augmenting the CC&Rs, including the Design Guidelines and Standards, requires homeowners to maintain their properties in accordance with the CC&Rs and governing documents.
- C. Homeowners expect the Homeowner Association Board of Directors to enforce the compliance requirements of the CC&Rs and governing documents.

- D. The Board has developed and adopted by Resolution, Design Guidelines and Standards, as provided in the CC&Rs, Article VII. The Board has determined that homeowners are responsible for following the CC&Rs, By-laws, Board Resolutions and governing documents.
- E. The Board does hereby establish the following procedures to enforce the Design Guidelines and Standards.

STANDARD ENFORCEMENT PROCEDURES AND SCHEDULE OF MONETARY PENALTIES

I. Enforcement Procedure

When the Association or its agent has determined that a property may be in noncompliance with the Governing Documents of the Association, the following Enforcement Procedures will generally be followed. However, the Association and its Board of Directors reserve the right to initiate any other enforcement actions, which are determined to be reasonable, at any stage of the enforcement process to the extent such enforcement remedies are provided for by the Association's Governing Documents and California law.

1.1 Notification Letter – Sent via First Class Mail to notify a Member that their property may be in noncompliance with the Association's Governing Documents. The Notification Letter will inform the Member that they have fifteen (15) days to comply, or to notify the Association office of their disagreement that their property is in non-compliance. The Notification Letter will state that if no correction or resolution is achieved within the specified period, a Notice of Hearing will be sent and fines may be imposed in accordance with the Association's Schedule of Monetary Penalties. The Notification Letter will also state that the Member may make a written request for a Hearing with the Board of Directors to discuss the reported noncompliance.

1.2 Notice of Hearing - Describes the conditions causing non-compliance with the Association's Governing Documents and gives the date, time and place for a Hearing, which shall be set at least ten (10) days, but no more than thirty (30) days, from the date of the Notice of Hearing. The Notice will identify the potential fine that may be imposed upon the non-compliant property as a result of the continuing violation. The Notice shall be sent via Certified Mail, "Return Receipt Requested."

1.3 Notice of the Board Ruling - The Notice shall be sent via Certified Mail, "Return Receipt Requested", within fifteen (15) business days after the date of the Hearing. The

Notice will state the Board's ruling and describe what the Member must do to correct the non-compliance. If the Board of Directors determines that monetary penalties will be imposed, the amount of the penalty shall be specified. The Notice shall also state that the Member may be subject to other legal remedies and/or sanctions in accordance with the CC&Rs, Article XIII, Section 13.06 and current applicable law. The Minutes of the Executive Session at which the Hearing occurs shall contain a written statement of the Board of Directors describing the action taken or determination resulting from the Hearing and the fine or sanction imposed, if any.

II. Schedule of Monetary Penalties

If the Board of Directors determines to impose a fine at the Hearing (Executive Session), the amount of the fine shall be included in the Notice of Board Ruling.

- 2.1 A fine shall be for each twenty-four (24) hour period, commencing on the date specified by the Board of Directors and noticed to the Member in the Notice of Board Ruling.
- 2.2 The amount of a fine shall be determined by the Board of Directors, but shall not exceed one hundred dollars (\$100.00) per each twenty-four (24) hour period.
- 2.3 Fines will be billed to the Member on the Association's regular monthly assessment billing statement.
- 2.4 Fines are assessed daily and are cumulative. Interest will be added to all unpaid fines at the rate of twelve percent (12%) per annum.
- 2.5 A maximum of one thousand dollars (\$1,000.00) will be assessed to the Member for each violation of the Governing Documents.

III. Additional Remedies

In addition to fines, the Board of Directors may impose other sanctions permitted by the Governing Documents and in accordance with California Law.

The Board of Directors reserves the right to initiate any other enforcement action to correct a violation as the Board of Directors determines, in its discretion, to be reasonable at any stage of the enforcement process to the extent such enforcement remedies are provided for by the Association's Governing Documents and California Law.