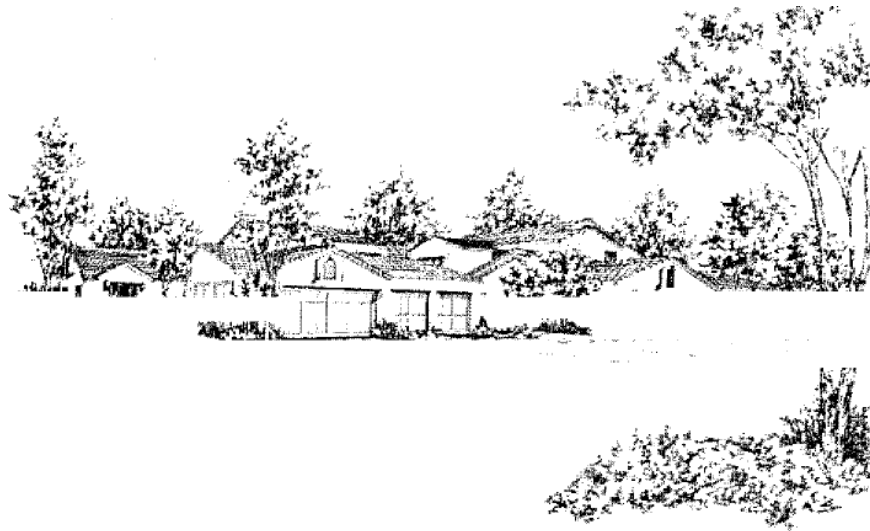


EAST BLUFF Unit No. 4 Community Association



Rules and Regulations Handbook

January 2012

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PREFACE

The East Bluff Unit No. 4 Community Association includes Seahorn Circle, Candela Place and Fallon Circle. These Rules and Regulations (R&R's) are intended to establish the conduct and activities of the Association members, tenants/renters and guests.

Living in a condominium can be a pleasant and rewarding experience, especially in a beautiful location as East Bluff Unit No. 4 in Del Mar Highlands. As we all know, common sense and consideration for our neighbors are also keys to the success of a compatible and peaceful community.

Please read these R&R's carefully, become knowledgeable about them and understand them fully. Your family members and/or tenants need to know them as well. Along with the Bylaws of the Corporation, the Declaration of Covenants, Conditions and Restrictions (CC&R's), they constitute the governing documents of the East Bluff #4 Association. These revised R&R's supplement the CC&R's. Together the CC&R's and the R&R's set forth in complete and detailed form the rights, duties and obligations of each homeowner/tenant. Failure to comply with these R&R's will subject the homeowner to monetary penalties.

All owners must have copies of the Association Bylaws, CC&R's and R&R's. If you were not given copies of these documents by the former owner, or owner, if renting, or by the Escrow Company, please send in your written request to the Property Management Company employed by your Association. Payment for copies will be charged to cover administrative costs for printing and postage. The Management Company's information follows:

Avalon Management
3618 Ocean Ranch Blvd
Oceanside, CA 92056
Phone: 760-481-7444 • Email: EastBluff4@AvalonWeb.com

GENERAL RULES AND REGULATIONS

The Rules and Regulations, as contained herein, are issued by the Board of Directors as authorized by the governing documents of East Bluff Unit No. 4 Community Association.

The Property in the East Bluff Unit No. 4 Community Association falls under the jurisdiction of the City of San Diego and San Diego County, and all ordinances and codes apply.

GENERAL INFORMATION

CALENDAR OF BUSINESS

1. Generally, Board of Directors meetings are held the third Thursday of every month. The meetings begin at 6:00 p.m. and are held at the Hampton Inn, 11920 El Camino Real, San Diego, CA. 92130 (unless otherwise posted).
2. Typically, the Annual meeting of the Association is held in January. Notice is posted to homeowners of record prior to the meeting. In order to establish a quorum of 101 owner units so that business can be conducted, it is imperative that the homeowner either attend in person or submit a proxy ballot with their signature on the return envelope.
3. A financial audit is prepared by an independent auditor each year and mailed to homeowners on record after the end of the fiscal year, January 31st.
4. The Master Insurance policy for East Bluff Unit No. 4 Community Association is reviewed and renewed each year by the Board of Directors.

INSURANCE INFORMATION

Each year the East Bluff #4 Homeowner's Association purchases a Master Policy of Property and Casualty insurance covering the buildings, common area contents and equipment, and common area liability. The deductible is \$10,000 per occurrence.

For purposes of understanding what coverage's are provided by the Master Policy versus what coverage should be provided by the individual unit owner of occupancy, please see the following.

The Master Policy includes protection for the Association's common area structures including completed additions, permanently installed fixtures and heating/cooling and certain maintenance equipment. Please note that it is not the intent of the Master Policy to cover the interior of the individual units. This is because the governing documents (Covenants, Conditions and Restrictions, dated June 3, 1985, Pardee Construction Company) state under Article VI, Responsibilities of Owners, Section Maintenance of Living Unit: "Each Owner of a Condominium shall be responsible for the maintenance and repair of the glass doors and windows enclosing his/her Living Unit, the interior of his/her Living Unit, and all appliances whether "built-in" or free-standing within the Living Unit, the interior surfaces of the Living Unit, and shall also be responsible for the maintenance and repair of the plumbing, electrical and heating systems servicing his/her Living Unit and located within the outside perimeter of the exterior bearing walls, thereof, including television cable equipment and connections, and all appliances and equipment located in said Living Unit."

Therefore, it is very important that each individual unit owner purchase their own personal insurance policy covering the interior of their unit. This individual insurance should cover not only the unit owner's personal contents and personal property, but should also be extended to cover those portions of the interior of the unit that could be defined as "building." Such things as interior walls, built-ins, toilets, sinks, counters, cabinets, floor and window coverings, etc., should be insured by the individual unit owner who is responsible for the maintenance and repair on the interior of the units. It is highly recommended that each owner or occupant review their particular situation with their own insurance agent/broker so that their individual program will fit in with the coverage provided by the Master Policy.

COMMON AREA PROBLEMS

To report an emergency related to the common area, e.g., fire, flood, or vandalism, call the San Diego Police at 911.

1. If there is a problem please call Avalon Management, 760.481.7444
2. If you have a complaint of a non-emergency nature, please call Avalon Management, 760.481.7444
3. To ensure proper routing of your complaint, please include the name of the Association in any correspondence to the management company.

PARKING

In the case of parking violations, please report the infraction to the management company, so that the management company or the Board of Directors may take appropriate action.

NOISE CONTROL

1. Noise should be restricted at all times to a level that does not disturb other residents. Be considerate of others. Please keep noise volume low before 7:00 a.m. and after 10:00 p.m.
2. All persons should be courteous and respect the rights of all residents

ARCHITECTURAL CONTROL

GENERAL

All proposed architectural changes, modifications, or additions to the exterior or interior of the unit must have an Architectural request form submitted to Walters Management, Inc. for consideration by the Architect Committee for final approval by the Board of Directors, as per compliance with the application form.

A.1 The Association shall provide all maintenance to the common area. In addition, the Association shall provide exterior maintenance to each unit, except glass window and patios, balconies and decks. Exclusive Use Common Areas shall be maintained by each owner in a manner in compliance with the R&R's.

A.2 Architectural changes or additions to the exteriors or interior of the units, including but not limited to, planting of trees, building of patio covers, exterior painting or installation of screens and screen doors, sunshades, awnings, walls, fences, etc., may not be made unless approved by the Board of Directors.

A.3 Decks, patios, entry gates, garages, doors and balconies are not to be used for the purpose of drying laundry, miscellaneous storage, etc. These areas are considered as an aesthetic addition to the buildings and need to be used so as to be generally attractive and inoffensive to other residents.

A.4 Window air conditioning units, balcony enclosures and exterior clotheslines are not permitted.

A.5 Curtains/window coverings which can be seen in the common area must be in neutral colors.

A.6 One "FOR SALE" sign, not to exceed 18" x 24", is permitted to be displayed from an inside window. Units with limited exposure may post one sign, not to exceed 18" x 24" on the entry gate of the townhouse courtyard. Such a sign must be attached by plastic fasteners so as not to damage the paint on the gate. In addition, one security sign is permitted to the side of the garage at point of entry to the walkway. No other signs are permitted, except Association identification signage.

A.7 Miscellaneous equipment or materials, such as bicycles, toys, laundry, woodpiles, etc., shall not be visible from the common area.

GUIDELINES FOR SUBMITTAL OF ARCHITECTURAL PLANS

B.1 Architectural approval must be given for any planned interior or exterior change prior to the start of any work. Some examples of interior change which need architectural approval include, but are not limited to the following:

- a. Structural renovation of any walls
- b. Remodeling of kitchens and/or baths including cabinets and fixtures
- c. Replacement of exterior doors/windows

B.2 Architectural approval is necessary for exterior changes which include, but are not limited to the following:

- a. Light fixtures
- b. Screen doors
- c. Overhead trellises
- d. Entry/patio concrete
- e. Tile/pavers

B.3 Please call the management company for the necessary forms.

B.4 To hasten the approval process, please follow these guidelines:

- a. Complete a description of the proposed interior or exterior change, one for each change.
- b. Include plan/architectural rendering, elevation drawings (side view, top view, etc.) including dimensions relative to existing walls, roof lines and patio/walkway showing location of improvement to home.
- c. Exterior enhancements will also require sample material and/or proposed paint color of change or addition, including architectural details, e.g., connection to house or roof.
- d. Submit the application for architectural improvements form with one set of plans for each change and a \$50 or \$100 (if East Bluff #4 plans are reviewed) processing fee due for each application, to Avalon Management.

B.5 Plans will be forwarded to the Architectural Committee for review. Written notification of the Board's decision will be sent to residents. The process may take 30-45 days. Homeowners are encouraged to begin this process well before the work is scheduled.

COMMUNITY RELATIONS

GENERAL

C.1 Each homeowner is responsible for the maintenance and repair of the glass doors and windows enclosing his/her Living Unit, the interior of his/her Living Unit, and all appliances whether built-in or free-standing, the interior surfaces of the Living Unit, and is also responsible for maintenance and repair of the plumbing, electrical, and heating systems servicing his/her Living Unit and located within the outside perimeter of the exterior bearing walls thereof including television cable equipment and connections. Each owner shall also be responsible for maintenance and repair of the patios, decks/balconies, and entries that he/she has the exclusive right to use and shall make repairs in such manner as shall be deemed necessary in the judgment of the Board to preserve the attractive appearance thereof.

C.2 Members are responsible for payment of all costs of repairs for all damage to the Association property caused by themselves, members of their families, guests, tenants or pets.

C.3 Common area equipment, e.g., time clocks and irrigation systems, are to be adjusted or set by authorized personnel only and not by residents

C.4 Destruction of Unit and Common Area Property:

- a. The owner shall correct any unit damage as soon as reasonably practical in accordance with the original plans and specifications, or modifications approved in writing by the Board Directors.
- b. Each owner is liable to the Association for common area damage and shall reimburse Association for any expenditure incurred in repairing damage to or replacement of said items, if it is a result of actions by the owner, any occupant or guest of the owner's unit.

C.5 Garage doors are to be kept closed except when entering and leaving and for short periods of time during the day only. Keeping garage doors closed may also help prevent burglaries or vandalism.

C.6 Garage sales are not permitted with the exception of one (1) community garage sale per year at a time to be announced/ decided by the Board of Directors.

TRASH REGULATIONS

D.1 Trash containers can be placed out after 2:00 p.m. the day before collection only and must be removed by the evening of the day of trash collection. Contact the City of San Diego at 858-6947000 or the management company for trash collection days.

D.2 Members are encouraged to pick up trash in the common areas to assist in keeping community attractive.

COMMON AREA

E.1 General Rules of good conduct should be observed at all times. This includes no running, pushing or boisterous behavior. Please keep voices at a moderate level, especially during late evening and early morning hours.

E.2 Homeowners are fully responsible and liable for their activities in the use of the common area.

E.3 Private Driveways and pathways may be used for recreational purposes including skates, bicycles, skateboards and other sports equipment. However, these items must be put away when not in use.

E.4 All mobile sports equipment must be put away in garages or behind entry gates or patios each evening or when not in use.

E.5 Pedestrians always have the right of way, so play and drive carefully.

POOL REGULATIONS

The pool/spa facilities are private facilities for use by resident members and their guests only. They are open from 8:00 a.m.-10:00 p.m. daily. LIFEGUARDS ARE NOT ON DUTY AT ANY TIME. Pool and spa facilities are used at residents' and guest's own risk. Persons 14 years of age and younger must be under the direct supervision of a responsible adult (18 years or older) at all times. The Jacuzzi is primarily for use by adults.

WARNING:

a. The AMA Pediatrics Board strongly recommends that children under the age of five (5) not be exposed to the high temperature of water in the spa.

b. Time in the spa in excess of fifteen (15) minutes could be hazardous to your health.

F.1 Association members, tenants/renters and guests assume the risk of injury while using the facilities. Any injuries sustained while using the facility are not the responsibility of the East Bluff Unit #4 Association.

F.2 Diving in pool/spa is prohibited.

F.3 For liability reasons, gates must be locked at all times.

F.4 Everyone using the pool/spa is required to shower before entering either the pool or spa. Showers are available within the facilities.

F.5 Usual and customary swimming attire is required.

F.6 If necessary, protective undergarments are to be worn while in the pool or spa.

F.7 Boisterous play is not permitted. Radios, cassettes/CD players should be on low volume or used only with earphones.

F.8 Smoking is not allowed in pool or spa areas. Beverages must be in an unbreakable container (no glass allowed).

F.9 To help keep these facilities clean, trash containers are provided for your convenience. Please place all trash in the trash containers.

F.10 Persons with open cuts or wounds are not permitted in Association pools or spas.

F.11 Large objects, such as oversized floating devices and/or other toys, are not allowed in pool/spa areas, and the throwing of any foreign objects or substances is prohibited.

F.12 Pets are not allowed in the facilities.

F.13 Entry to pool is by code and through the gates only. Climbing over the fence or gate is prohibited.

F.14 Please report any problems of any kind in the pool areas to the management company. The cost of any type of vandalism will be charged to the homeowner responsible.

F.15 Pool: Gate Code - Updated Frequently DO NOT DISTRIBUTE! F.16 The Board of Directors and/or Management reserve the right to deny use of the facility to anyone.

GARAGE USE

G.1 Garages must be able to accommodate at least one (1) vehicle.

G.2 Residents shall not use their garages for storage purposes or work if such use precludes a resident's ability to park one (1) vehicle in the garage

G.3 The erection of walls within the garages to add additional living space, or for any other reason, is not permitted.

VEHICLE, PARKING AND DRIVEWAY REGULATIONS

H.1 All residents must use their garage to park at least one (1) vehicle.

H.2 Residents may park a maximum of one (1) vehicle in their driveway. Any vehicle parked within the driveway must fit within the perimeter of that driveway and not interfere with another occupant's parking. Owner(s) are solely responsible for the repair of any damage caused by any vehicle parking in their unit's driveway.

H.3 Guest parking areas are intended for guests and visitors and not for storage. Occupants are prohibited from parking in the guest parking areas, unless written permission is previously approved in writing by the Board. The Board may provide or revoke permission to park in the guest parking areas in its sole discretion.

H.4 The maximum time permitted for any vehicle to park in the guest parking areas is 72 consecutive hours. Upon written request, the Board of Directors may provide permission, on a case-by-case basis, to park in the guest parking areas for a longer time period.

H.5 Parking on private roadways within the community and maintained by the Association is prohibited. Any vehicle parked in marked Fire Lanes (red curb areas) or on private roadways may be subject to towing without notice.

H.6 Parking campers, trailers, motor homes, boats, commercial vehicles, or any other vehicle deemed a nuisance at the discretion of the Board of Directors within the East Bluff Unit #4 community is prohibited. Such vehicles must be parked or stored outside of the East Bluff Unit #4 community.

H.7 Vehicle repairs are not allowed in the common areas or on the driveways of individual units.

H.8 No vehicles shall be left in the common area in a condition constituting a fire hazard or that causes damage to the common area. Any necessary repairs or cleaning of the parking areas as a result of parking such a vehicle shall be the expense of the unit owner.

TOWING

IN ADDITION TO ANY OTHER ENFORCEMENT PROCEDURES AVAILABLE TO THE ASSOCIATION UNDER ITS GOVERNING DOCUMENTS, VEHICLES PARKED IN VIOLATION OF THESE RULES MAY BE TOWED WITHOUT NOTICE AT THE VEHICLE OWNER'S EXPENSE.

1. All vehicles parked in unauthorized areas or otherwise in violation of any of these Rules may be towed without notice at the vehicle owner's expense. Alternatively, the Association may issue fines where applicable (i.e. violation of speed limit). All costs incurred, including attorneys' fees, will be charged to the owner of the violating vehicle and/or the owner of the applicable residence.
2. Owners/vehicles violating these Rules in which towing is inapplicable, i.e., violation of speed limit, may be fined, may have their voting rights or rights to use common area recreational facilities suspended, or may be subject to an enforcement assessment, as set forth in the Association's governing documents, after notice and an opportunity for a hearing are provided to the offending owner.
3. Vehicle owner(s) will be responsible for all towing and storage costs.

LANDSCAPING

The East Bluff Unit #4 community is fortunate to have approximately 17 acres of land with over 1,000 trees plus numerous bushes. The Board of directors is charged with protecting these assets. Therefore, landscaping in the common area is only allowed by Association hired gardeners and arborists.

- I.1 Front entry plant containers: Two (2) terra cotta plant containers with matching saucers are permitted in the common area if placed on the cement of the walkway immediately outside the entry gate. These containers cannot exceed twenty inches (20") in diameter. No other resident's pots/plants outside the gate in the common area walkways, or soil, are permitted.

I.2 Entryway and stairwell landings of stacked units: Two (2) terra cotta plant containers with matching saucers are permitted on the entryway and/or stairwell landings. These containers shall not exceed twenty inches (20") in diameter. No other type, size, or amount will be permitted.

I.3 Trellis Guidelines: Any climbing plants or vine, e.g., bougainvillea or ivy, must be controlled on a trellis to avoid damage to the stucco. These plants or vines must be kept trimmed so as not to grow into the roof tiles. Any trellis to be installed which exceeds 5' x 5' needs approval by the Architectural committee. Forms can be obtained from the management company.

I.4 Patio Overhangs: Architectural approval is required prior to any installation of wood/ lattice overhangs by residents. Forms can be obtained from the management company.

I.5 Tree Roots: Tree roots can be a problem as they may uproot cement in courtyards, patios and travel to common area walkways or lawns. Ficus trees are not permitted to be planted by residents because of their invasive root systems which can cause damage to plumbing, gas lines, and cement areas.

ANTENNAS AND SATELLITE DISHES

J.1 Satellite dishes are permitted in the association under certain conditions. In order to obtain approval, all satellite dishes must comply with the following reasonable restrictions which are designed to prevent damage to the buildings and any property of East Bluff #4. The rules for installation include the following:

- a. The satellite dish may have only a diameter or diagonal measure of up to 1 meter (39.7 inches) or less in diameter.
- b. The installing contractor must agree in writing to indemnify the Association for any damage to the common area caused by the installation of the satellite dish.
- c. The homeowner installing the satellite dish must agree in writing to indemnify the Association for any damage to the exclusive common area.
- d. The satellite dish must be installed so as not to damage common area walls and/or stucco.

e. The Association requires all satellite dishes installed within the project to be camouflaged to match the surrounding area. This includes painting the satellite dishes to match the color of the surrounding area, or placing landscaping around the satellite dishes so they are effectively screened.

f. The homeowner responsible for installing the satellite dish must remove it upon sale or other transfer of the home and fully restore the exclusive common area to its original condition, unless the subsequent owner agrees in writing to indemnify the Association.

DECORATIONS

K.1 In general, decorations/wall plaques are not permitted to be nailed or attached in an invasive way to stucco walls, nor are decorative objects permitted to be placed on the shelving of the stucco walls. In addition, no potted plants and/or plant containers are permitted on the shelving of the stucco walls as water causes stucco damage and discoloration.

K.2 Outdoor holiday lighting is permitted with use of outdoor extension cords and plastic ties only. They are not permitted to be nailed to stucco or to interfere with roof tiles. All holiday decorations must be installed no more than 30 days before the holiday and removed no later than 20 days after the holiday.

K.3 No homeowner/resident is allowed on the roofs to decorate, or for any other reason.

ANIMALS

L.1 No more than two domestic dogs, cats, or birds (inside bird cages) may be kept as household pets within any unit.

L.2 Under San Diego ordinance, dogs must be on a leash and under personal control at all times when in the common area.

L.3 Any litter of any kind deposited by dogs or cats on lawns, planter areas, sidewalks, paths, parking areas or other Association common areas must be removed immediately by the person in control of the animal involved.

L.4 Residents whose animal(s) damage lawns, plants, or shrubs in the common area will be held responsible for their repair or replacement.

- L.5 Residents shall be responsible and liable for any personal injury caused by their pets.
- L.6 Action may be taken against owners of pets that make excessive noise.
- L.7 The Board of Directors reserves the right to expel any pet that becomes a nuisance.
- L.8 Pet door installation requires architectural approval prior to installation.
- L.9 No structure for the housing or confinement of any animal or bird shall be maintained so as to be visible from neighboring property. Only the installation of clear Plexiglas on the entry gate will be considered upon submission of a request and approval by the Board of Directors.
- L.10 Residents who are disturbed by an animal are urged to first contact the animal owner. If unsuccessful, contact the Animal Control Department at 619-236-2341.

RENTAL/LEASED UNITS

- M.1 City Zoning Department and Association document restrictions prohibit rentals less than 30 days.
- M.2 All owners must provide their tenants with a copy of this booklet and access to Bylaws and CC&R's. All tenants must comply with these R&R's, Bylaws and CC&R's. Homeowners are responsible for any violations of the governing documents by their tenants/guests.

ENFORCEMENT / MONETARY PENALTIES

The Association and/or any owner has the right to enforce the Association's governing documents, including the Rules and Regulations. This right includes requesting the violator to cease the offending action, taking legal action against the violator and making a complaint to the Board of Directors. Once a resident gives the Board of Directors a written complaint that a rule has been violated, the Board will investigate the allegation and may take action against the offending resident, including but not limited to, fining or specially assessing (if appropriate) or instituting legal action. However, nothing in this section obligates or requires the Board of Directors or authorized committee to take any action against an individual resident. The Board of Directors, in making this decision, will determine the costs and benefits of taking such action.

A. DUE PROCESS:

Prior to the imposition of any fine, individual reimbursement assessment or suspension of rights, the homeowner shall be given notice and an opportunity to appear in person or in writing before the Board of Directors or appropriate committee.

B. ENFORCEMENT GUIDELINES:

GENERALLY, though not necessary, the Association will adhere to the following schedule:

1. First Offense: Warning Letter and Request to Correct Violation (if applicable). Possible fine not to exceed \$100.00, special assessment to reimburse the Association for costs incurred in compelling compliance, suspension of privileges.
2. Second Offense: Possible imposition of fine not to exceed \$250.00, individual assessment to reimburse the Association for costs to compel compliance, suspension of privileges. Institute Alternative Dispute Resolution and/or Internal Dispute Resolution. Filing of lawsuit.
3. Third Offense: Possible imposition of fine not to exceed \$500.00, special assessment to reimburse the Association for costs to compel compliance, suspension of privileges. Institution of Alternative Dispute Resolution and/or Internal Dispute Resolution. Filing of lawsuit.

Depending on the severity and frequency of the violation and violator, the choice of the enforcement procedure(s) and/or the enforcement remedy utilized may vary. Fines will usually vary from \$100.00 to \$500.00. In extreme cases, the fines may be substantially higher.

EMERGENCY NUMBERS

POLICE/FIRE/PARAMEDICS.....EMERGENCY ONLY 911
POLICE DEPARTMENT (non-emergency).....858-484-3154
FIRE DEPARTMENT (non-emergency).....858-974-9891
COMMUNITY ALERT (Crime Stoppers).....858-580-8477
POISON CONTROL CENTER.....858-411-8080
ANIMAL CONTROL/POUND.....858-236-4250
CITY COUNCIL OFFICE, Council District 1.....858-484-3808
Avalon Management..... 760.481.7444