

RIVERLAKE COMMUNITY & LAKE ASSOCIATIONS

Handbook of

RULES, POLICIES AND PROCEDURES FOR ARCHITECTURAL CONTROL GUIDELINES

“In accordance with the Riverlake Community Association Architectural Controls”

The Riverlake Community Board has appointed an Architectural Control Committee (ACC), which consists of a three-person committee whose responsibility is to review and approve any and all improvements, alterations and/or additions to your lot or exterior of your home.

The purpose of architectural review is to keep the community attractive for the enjoyment of residents and for the protection of property values. Please keep in mind that all alterations, additions, and/or improvements require prior approval by the ACC and that this document is in no way a complete listing of all requirements.

It is to this end that these architectural control guidelines have been established. This document is intended to highlight and clarify the most used and referenced areas and should be used in conjunction with your complete CC&R's. The ACC is also responsible to periodically determine any necessary changes as they deem appropriate and to make recommendations to the Board for updating, expanding, and clarifying these guidelines.

These Architectural Control Policies and Procedures also include excerpts from the Riverlake CC&R's pertaining to improvements made to you home and/or lot. For additional Architectural improvement related information, or if you have questions about specific requirements for the type of improvement you would like to make, please contact the association staff at (916) 395-7462.

ARCHITECTURAL CONTROL COMMITTEE
POLICIES AND PROCEDURES
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RIVERLAKE COMMUNITY ASSOCIATION

ARCHITECTURAL CONTROL COMMITTEE

INDEX TO CC&R's

CONSTRUCTION GUIDELINES

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NOTE: This index is for the convenience in locating answers to common questions regarding construction. It is not all-inclusive and should not be used in lieu of a thorough reading of the CC&R's.

I. ARCHITECTURAL CONTROL APPLICATION PROCESS

Below is a detailed list of procedures for submitting an Architectural application and a brief summary of the guidelines for improvements.

IMPROVEMENTS - The term "Improvements" shall refer to any alterations, additions and/or improvements made to your home or lot, included but not limited to buildings, structures or improvements of any type or kind constructed by or for an Owner.

IN HARMONY - All improvements shall be done showing completed plans and specifications showing the nature, kind, shape, height and materials, including color and shall be in harmony of external design and location to surrounding structures and topography.

1. An Architectural Application must be submitted to the Architectural Control Committee (ACC), through the association management for review and approval in conjunction with these Architectural Control Guidelines.
2. Plans and Specifications should be as complete and specific as possible when submitting your application. This will ensure that the ACC will be able to review and approve your request in a timely fashion.
3. Management will preview the application to determine if the plans are complete. If additional information is needed, management will contact the homeowner requesting the additional information prior to submitting the application to the ACC.
4. Upon receipt of the completed application, management will forward the application to the ACC for review and approval.
5. Within 30-Days after proper application for approval is submitted, the ACC shall consider and act upon such request. If the ACC fails to approve or disapproves any such plans within the 30-Days, the Owner requesting the improvement may submit a written notice to the ACC advising the same of its failure to act.
6. The Architectural plans shall be approved for one year after the date of approval.
7. The Board, Management and the ACC reserve the right to enter into any Residential Lot (but not the residence), to inspect the construction or improvement as needed. If the construction or improvement is not being completed in accordance with the approved plans and specifications, the owner will be notified of noncompliance. A 48-hour written notice for inspection of non-compliance is required, unless the owner permits an earlier date and time.
8. Upon completion of the project, a **"Notice of Completion"** must be submitted by the homeowner to the ACC, through management, and an inspection of the improvement will be made within 30-days of receipt of notice. If the inspection finds non-compliance of the improvement, a written notice of non-compliance will be made to the Owner, who shall have 30-Days to remedy the infraction. If non-compliance exists past the 30-Days, a hearing will be held in accordance with the association's CC&R compliance policy until compliance is met.
9. Any homeowner has the right to appeal the decision of the ACC to the Board of Directors by submitting the request, with a cover letter explaining the reasons for the appeal, to the Association staff.
10. **WAIVER:** The approval by the Board of any plans, drawings or specifications for any work done or proposed, or for any other matter requiring the approval of the Board, shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing, specification or matter subsequently submitted for approval. Approval of plans by the ACC for any improvements to a residential lot does not exempt the resident from securing any and all required permits from the City of Sacramento.
11. These guidelines are in accordance with, but not limited to, the CC&R's as outlined below

RIVERLAKE COMMUNITY ASSOCIATIONS

(CC&R's - ARTICLE 9 - ARCHITECTURAL CONTROLS)

II. ARCHITECTURAL CONTROLS

9.01 Purposes. It is intended that the Property be initially developed by Declarant and its successor developers with various improvements that are architecturally compatible and aesthetically pleasing, and that those initial improvements be maintained in essentially the same condition and appearance as originally developed for the duration of the term of this Declaration. The architectural and use controls set forth herein, and in any supplemental declarations of covenants, conditions and restrictions contemplated herein are to facilitate those intentions and purposes and are to be construed consistent herewith.

9.02 Architectural Control Committees. The initial design of improvements within the Property and any subsequent alterations thereof shall be subject to prior review and approval by an Architectural Control Committee.

9.02 A. Jurisdiction of Other Committees. Since Parcels may be developed as elderly care, elderly housing, apartments, private clubs, a specialty commercial development, as well as Residential Subdivisions, and since Residential Subdivisions may consist of planned developments, condominium projects, duplexes or triplexes in addition to various standard single—family subdivisions, it is appropriate that different design standards and requirements be specified for each Parcel or Residential Subdivision. Accordingly, the Declarant may cause to be prepared and recorded separate, supplemental declarations of covenants, conditions, restrictions and architectural controls each applicable to the certain Parcel or Residential Subdivision described therein. Any such supplemental declaration may set forth use restrictions and the design and building standards which shall apply to the Parcel or Residential Subdivision in question or may give blanket approval for development of that Parcel or Residential Subdivision in accordance with specific architectural plans and drawings which are signed, dated and incorporated by reference in the supplemental declaration. Such supplemental declaration may also establish a separate architectural control committee to perform the review and approval functions set forth therein, or may indicate that those functions are to be performed by the Architectural Control Committee referred to in this Section 9.02. If a particular Lot or Parcel is affected by any supplemental Declaration of Covenants, Conditions and Restrictions which establish an Architectural Control Committee, then that Committee shall have jurisdiction over the initial design and construction on such Lot or Parcel.

9.02 B. Jurisdiction of Architectural Control Committee. The Architectural Control Committee established pursuant to this subsection 9.023 (“the Committee”) shall have jurisdiction over all alterations to existing improvements and over all initial design and construction of improvements (over each Lot and Parcel with respect to which no separate Committee) as referred to in subsection 9.02A has

jurisdiction. The Committee shall have three (3) members. The initial members of the Committee shall be William R. Parker, James E. Parker and Roger Hanchen, or any other person appointed by the Declarant to replace one or more of them, who shall serve until the third anniversary of the original issuance of the final public report pertaining to the first phase of the Property.

(1) Following that third anniversary, Declarant shall have the power to appoint two (2) of the three (3) members of the Committee until the earlier of: (a) the eighth anniversary of the issuance of the first public report pertaining to a portion of the Property; or (b) the date when ninety percent (90%) by acreage of the Overall Property has been conveyed by Declarant.

(2) So long as Declarant has the power to appoint two (2) members of the Committee, the Board of Directors of the Association shall appoint the third member; thereafter the Board of Directors shall have the power to appoint all three (3) members of the Committee.

(3) Members of the Board of Directors may serve as members of the Committee. Only those members of the Committee who are appointed by the Board of Directors need be members of the Association.

(4) At all times at least two (2) members of the Committee shall have a professional degree or other background in design, land planning, engineering, architecture, law or some other field which is related to the functions to be performed by the Committee. If the preceding sentence is not complied with for any reason, then the Committee shall establish a client relationship with a California licensed architect for the purpose of rendering advice with respect to plan submittals and other review matters before the Committee.

9.03 Approval Required. No landscaping work visible from any street, no building or structure of any type shall be commenced, erected or maintained upon any portion of the Property, nor shall any exterior addition to or change or alteration of the improvements be made until professionally prepared plans and specifications showing the nature, kind, shape, color, height, materials and location of the same shall have been submitted to and approved in writing by the Architectural Control Committee having jurisdiction over the work to be done. For this purpose, “professionally” is not to imply that such plans must be prepared by a licensed architect, but rather that the plans reflect expertise commensurate with that of a professional in the field of design, drafting and architecture. The submittal and approval requirement shall also apply to any exterior painting with any color other than the existing color; to the construction, destruction or alteration of any awning, fence or wall; and to location and screening of utility meters.

9.03 A. Application. No application for approval required under this Article to be submitted to the Architectural Control Committee shall be deemed appropriately submitted unless the addition or alteration is fully described and shown by two (2) copies of appropriate drawings, plans, specifications and samples of colors and materials, and unless it is accompanied by the deposit required by subsection 9.03D.

9.03 B. Drawings—Model. The drawings shall show four (4) elevations. The Architectural Control Committee may require that a model of the proposed construction be submitted as a condition of its final review, if the Committee deems a model to be necessary.

9.03 C. Fee for Review. The Architectural Control Committee shall be entitled to charge a reasonable fee not to exceed TWO HUNDRED FIFTY DOLLARS (\$250) in order to defray the time, costs and expense involved in reviewing the materials submitted to it. Should the Architectural Control Committee determine that all or a portion of the materials submitted require re-submittal, or that it needs to spend an excessive amount of time with respect to a plan submitted because the applicant failed to submit plans reflecting professional expertise, it may charge an additional fee to defray the time, costs and expense involved in re-reviewing such materials, provided that the applicant is notified of the estimated fee to be charged along with notification that such matters must be resubmitted.

9.03 D. Deposit. As a part of its submittal, each Owner of a Lot or Parcel shall deposit with the Riverlake Community Association (or separate association created pursuant to a supplemental declaration) the sum of EIGHT HUNDRED FIFTY DOLLARS (\$850), or such larger sum as the Association shall establish from time to time. This sum shall be used: first, to pay the review fees, if any, of the Architectural Control Committee; second, to pay for any clean-up on Lots, Parcels or streets and repairs of any sidewalks within the Property made necessary by the Owner construction taking place. Because such cleanup and repair will need to be done right away, no notice shall be required. These funds shall be available so that the provisions of Section 9.03 may be strictly enforced. The Association shall place unused deposit funds in an interest—bearing account. Once construction, front yard landscaping, and all clean up are complete, the Architectural Control Committee will make an inspection to determine if construction was performed in accordance with the approved plans. Thereafter, the unused portion of the deposit, plus interest earned thereon, will be refunded to the Owner. The Association shall have no responsibility or liability to the Owner for its selection of a particular type of interest—bearing account.

9.03 E. Submission Date. The request for approval and relevant materials shall be deemed submitted as of the date when the last item required is personally delivered or, if mailed, two (2) days from the date of mailing with postage fully prepaid. Mailing shall be by certified mail return receipt requested. The mailing address of the initial Community Committee referred to in Section 9.02 above is: Riverlake Architectural Control Committee, do L & P Land and Development, Inc., 6355 Riverside Boulevard, Sacramento, California 95831.

9.03 F. Time For Action. The Architectural Control Committee shall have one (1) calendar month from the date of delivery in which to notify the applicant in writing of its approval, disapproval, comments or requests for additional materials. In the event that the Architectural Control Committee fails to respond to the application for approval within the one (1)-month period, it shall be deemed to have approved the proposal as submitted. Any action or decision of two members shall constitute committee action or decision.

9.03 G. Standards for Approval. The Committee may disapprove plans and specifications which are in substantial compliance with this Article if, in the good faith exercise of the discretion of the Committee, the Committee determines that the planned structure or structures, or some aspect or portion thereof, is unsatisfactory as to harmony of design with structures in Riverlake as to the quality of workmanship and materials, or as to location with respect to topography and finish grade elevation. The Committee may approve plans and specifications which fail in some material way or ways to comply with the requirements of this Article if, in the good faith exercise of the discretion of the Committee, the Committee determines that some particular features of the Lot or of the planned structure or structures allows the objectives of the violated requirement(s) to be substantially achieved despite noncompliance. Also, the Committee may approve plans and specifications, which fail in a way or ways, which the Committee, in the good faith exercise of its discretion, determines to be not material. Without limiting the generality of the preceding sentence, a failure to comply may be not material if the failure does not substantially prevent achievement of the objectives of the requirement(s) involved.

9.04 Landscaping Requirement. Subject to weather, every Owner of a Lot or Parcel within the Property shall be responsible for installing landscaping within thirty (30) days of occupancy or ninety (90) days after completion, whichever is earlier. Every Owner of a Lot or Parcel shall be responsible for maintaining in good and attractive condition landscaping on those portions of the Lot or Parcel, which are visible from any street within or adjacent to the Overall Property. Landscaping is to include lawns, shrubs, trees and flowers. The use of artificial materials such as plastic plants or flowers, Astor turf, or gravel gardens will be disapproved by the Committee. The above does not mean to prohibit the use of large decorative rocks as a landscape element or the use of limited gravel and/or bark in flowerbeds between or under substantial vegetation. If the particular Lot or Parcel is a part of a separate common interest subdivision having its own owners association applicable only to that subdivision, the landscaping obligation may be assigned to such owners association by a supplemental Declaration of Covenants, Conditions, Restrictions and Controls applicable to that particular Residential Subdivision. In the event that the Owner or the Owners Association responsible for landscape maintenance fails to do so properly, the Association or the Committee may cause the appropriate work to be done and shall be entitled to reimbursement for the costs thereof. At least fifteen (15) days prior to the date any work is to be done, written notice must be hand—delivered or mailed by first—class mail to the member at his last address as shown by the Association’s records. The notice shall recite the nature of any work to be performed, the reasons therefore, and the date, time and place at which the member may be heard by the Board, either orally or in writing, regarding the propriety of the work. The hearing may be held at any regular or special meeting of the Board, but shall not be held less than five (5) days prior to the date the work is to be done.

9.05 Enforcement by Architectural Control Committee. In addition to other enforcement provisions set forth in this Declaration, the Committee shall have enforcement rights with respect to any matters required to be submitted to and approved by it, and may enforce such architectural control by any

proceeding at law or in equity. In addition, the Committee shall have the authority to order an abatement of any construction, alteration or other matter for which approval is required, to the extent that it has not been approved by the Committee or if it does not conform to the plans and specifications submitted to the Committee. No work for which approval is required shall be deemed to be approved simply because it has been completed without a complaint, notice of violation, or commencement of a suit to enjoin such work. If any legal proceeding is initiated to enforce any of the provisions hereof, the prevailing party shall be entitled to recover reasonable attorneys' fees in addition to the costs of such proceeding.

9.06 Non-liability of Declarant and Committee. Neither Declarant, its successors or assigns, nor the members of the Architectural Control Committee shall be liable in damages to anyone submitting plans to them for approval or to any Owner or occupant of land affected by this Declaration, by reason of mistakes in judgment, negligence or nonfeasance arising out of or in connection with the appointment or removal of any Architectural Control Committee member, or the approval or disapproval or failure to approve any such plans. Every person who submits plans to the Architectural Control Committee for approval agrees, by submissions of such plans, and every Owner of a Lot within the Property agrees by acquiring title thereto, that he will not bring any action or suit against Declarant or any Architectural Control Committee member to recover any such damages.

III. BASKETBALL STANDARD POLICY AND GUIDELINES

On December 12, 1991, a majority of the Association's members voted by written ballot to amend the Master Declaration of Covenants, Conditions and Restrictions for Riverlake (Declaration) as set forth below. The fourth unnumbered paragraph of section 8.03.G of said Declaration has been amended in its entirety to read as follows:

"No basketball standards or other fixed sports apparatus shall be installed or attached to any dwelling or garage or be erected on any Lot. However, subject to the prior written approval of the Architectural Control Committee (in accordance with Section 9.03), such items may be installed in rear yard areas so long as the installation is not visible from the street, Common Area or the Lake. For this purpose (and this purpose only), the Common Area between the Sacramento River and the Lots immediately north of the Sacramento River shall not be considered Common Area."

Pursuant to said Declaration, the Riverlake Board of Directors adopted the following guidelines for basketball standard submittals and installation on January 16, 1992.

1. The basketball standard is required to be located at least 10' from all property lines. The backboard should be directed away from the adjacent property as much as possible. The Architectural Control Committee requires a plot plan delineating house location, basketball standard location and direction of shooting, if freestanding.
2. The basketball standard height shall not exceed 2.5 feet above the rim/hoop and the width of the backboard shall not exceed basketball regulations.

3. The basketball standard and backboard will be quality products typical of those purchased in stores or, if not store bought, applicant shall submit appropriate details including materials, finishes, design and dimensions.
4. Once installed, the basketball standard and backboard must be properly maintained.
5. The Committee recommends that the submittal reflect an attempt to minimize any negative impact to the neighbors.

For corner lots, each property line adjacent to a street shall be deemed to be a front property line.

On April 21, 1994, the Board of Directors resolved to adopt the following Portable Basketball Standard Policy:

Portable basketball standards, sports apparatus or other play equipment, visible from the street or other common areas, must be stored out of view from the street or other common areas after use, daily.

IV. CC&R COMPLIANCE PROCEDURE

RULES ENFORCEMENT PROCEDURES AND SCHEDULE OF MONETARY PENALTIES

The Board of Directors (the "Board") of the Riverlake Community and/or Lake Association(s) (the "Association") is primarily responsible for enforcing all of the rules and regulations that apply to the Riverlake planned development as found in the Master Declaration of Covenants, Conditions and Restrictions for Riverlake (the "Declaration") and the rules adopted by the Board (collectively, the "Rules"). (See also Riverlake Lake Resolution 02-001). In order to fulfill this responsibility in a fair, efficient manner, the Board has adopted the following Rules Enforcement Procedures and Schedule of Monetary Penalties for addressing violations of the Rules. These procedures are designed to provide notice of a violation followed by an opportunity for voluntary correction. In the rare event that voluntary correction is not obtained, the following procedures ensure that notice and opportunity for a hearing are provided to the owners alleged to be in violation of the Rules as required by the Declaration, the Association's Bylaws and California law. The ultimate goal is to ensure that all owners comply with the Rules in order to protect and enhance the value and appearance of the property, and the quality of life, within Riverlake.

1. Reports of Violations. Violations may be brought to the Association's attention in a variety of ways, including by the observation of Association staff or members of the Board. The Association may also be made aware of violations through reports from owners. All such owner reports must be received in writing before they will be acted upon. Any owner reporting a violation of the Rules consents to the open use of his or her report and agrees to cooperate in the Association's investigations and enforcement actions, including any related hearings. No requests for confidentiality in this regard will be granted. Basic fairness to the owner accused of violating the Rules, and the Association's need to ensure that adequate evidence of a violation exists, require nothing less.

2. Initial Determination of Credibility. When the Association becomes aware of a possible violation of the Rules, the Association's general manager will make an initial determination of whether there is credible evidence that a violation of the Rules has in fact occurred.

3. Provision of a Courtesy Notice. If the general manager concludes that there is credible evidence that a violation has occurred, a letter describing the nature of the violation, including a reference to the specific Rule in question, will be sent by first-class mail or personally delivered to the owner. The letter will also grant the owner at least ten days to bring the owner's lot into compliance with the Rules where the violation involves architectural issues, property use restrictions or other similar matters where affirmative corrective action by the owner is required to come into compliance with the Rules. In the case of violations that are not ongoing, the letter will indicate that future violations of the same Rule will result in formal Association disciplinary action. The Association may, but shall not be obligated to, provide a copy of the letter to the resident of the lot if the owner is not in residence. The form of the letter will be in the discretion of the general manager, subject to oversight by the Board, and may be altered from time to time. If compliance is obtained within the time frame indicated, no further action will be taken. The purpose of this letter is to gain the owner's voluntary compliance in a friendly, non-punitive and non-confrontational manner.

4. Scheduling and Notice of a Disciplinary Hearing. If the violation is not corrected within the time frame specified in Paragraph 3 above, or if the violation reoccurs, the Association shall schedule a disciplinary hearing. The owner shall be provided with a written notification of the hearing (the "Hearing Notice"). The Hearing Notice shall be personally delivered to the owner or mailed by first class mail to the owner's address as shown on the Association's records at least ten days prior to the date of the hearing. The Hearing Notice shall contain at least the following information: (i) the date, time and place of the hearing, (ii) the nature of the alleged violation for which the owner may be disciplined, (iii) the nature of the discipline which may be imposed, (iv) a statement that the owner has a right to attend and may address the Board at the hearing, and (v) a statement that the owner may submit a written statement to the Board regarding the violation.

5. Conduct of the Disciplinary Hearing. The disciplinary hearing shall be held in executive session. Only the following parties may be present at the hearing: (i) the owner, (ii) legal counsel for the owner, (iii) the Board, (iv) members of the Association's staff, (v) the Association's legal counsel, (vi) members of the other board of directors of the Association not conducting the hearing, (vii) witnesses who will provide testimony, and (viii) such other persons as the Board deems helpful to the conduct of the hearing and the determination of the facts, subject to the Board's right, but not obligation, to exclude witnesses during the times they are not providing testimony. The owner may present witnesses, photographs or other evidence at the hearing. The owner may also choose to appear at the hearing solely in writing. **A hearing will be held whether or not the owner chooses to appear or submit evidence.** The hearing shall be conducted under the direction of the Board, which shall determine the procedure to be followed, including without limitation the sequence in which evidence and witnesses shall be presented.

6. Decision of the Board of Directors. After reviewing the evidence presented at the hearing, the Board shall deliberate and reach a decision regarding whether or not a violation of the Rules has occurred and, if the Board determines that a violation has occurred, the nature of the discipline to be imposed. However, in its sole discretion, the Board may also take the matter under submission and set a continued hearing at which its final determination will be made. The Board may also request that additional evidence be provided for its consideration at the continued hearing. The Board shall provide the owner with notice of such continued hearing in conformance with Paragraph 4 and shall conduct the hearing in accordance with Paragraph 5, except that the Board may limit the presentation of evidence and testimony at the continued hearing to evidence and testimony not previously presented. The decision of the Board shall be final and conclusive.

7. Forms of Discipline. If the Board determines that a violation has occurred, it may impose a fine not to exceed \$25.00, suspend rights and take any other action it deems appropriate including, without limitation, the commencement of legal proceedings to gain compliance. A fine may be imposed for a continuing violation on a periodic basis, not to exceed a \$25.00 per day, until compliance is obtained. In its discretion, the Board may condition or suspend its imposition of discipline based on the owner fulfilling specific requirements designed to result in compliance with the Rules. The disciplinary action imposed by the Board shall not take effect any earlier than the later of (i) five days following the date of the hearing at which the discipline is imposed, (ii) three days following the date the written notice required by Paragraph 8 is sent if given by first-class mail, or (iii) one day following the date the written notice required by Paragraph 8 is delivered if given by personal service.

8. Written Notice of Disciplinary Action. If the Board imposes discipline on the owner, the Board shall provide written notification of the disciplinary action to the owner, either by personal delivery or first-class mail, within 15 days following the hearing at which the discipline is imposed.

9. Immediate Corrective Action / Injunctive Relief. The procedures set forth above shall not limit or prevent the Association from (i) taking immediate corrective action in the event of an emergency or a threat to the safety and well being of the residents of Riverlake or the Association's staff, or (ii) from obtaining injunctive relief to preserve the status quo, preserve the Association's rights or otherwise prevent damage or injury to the Association or any owner, or the property of either. If action is taken by the Association pursuant to this paragraph, the Board may act on its own initiative to schedule a disciplinary hearing. If the Board has not scheduled a disciplinary hearing and the owner involved desires a hearing, the owner must make a written request for a hearing, which must be received by the Association not later than ten days following the date when the owner is informed of the Association's action. The Board of the Member's request for a hearing shall hold the hearing within thirty days following the receipt.

10. Collection of Amounts Due the Association. Except to the extent that discipline is imposed based upon an owner's nonpayment of such amounts, the collection of assessments and other amounts due to the Association shall not be subject to the above procedures, but shall be governed by a separate collection policy adopted by the Board.

V. CONSTRUCTION CLEAN UP

The occasional problem of builders not cleaning up the worksite as the end of each day has brought to the Board's attention at the January 5, 1988 meeting.

In most cases, a verbal reminder is sufficient for compliance. In exceptional cases, a builder refuses and so the Association must be responsible for clean up.

IT IS RESOLVED THAT, a sliding scale (depending on extent of job) a fee will be charged, ranging from a minimum of \$100 to a maximum of \$250 for repeat offenders. It was further RESOLVED THAT,

should the cost to the Association for clean-up exceed \$250, the circumstances of the case would be reviewed by the board before such fee could be charged.

VI. CONSTRUCTION DEPOSITS

Construction Deposit Increase

August 17, 2006

The Board determined that the current deposit may not be adequate to cover the costs related to the construction of a new home should the Association become involved in any maintenance or corrective actions.

IT IS RESOLVED: The Construction Deposit shall be \$5,000.00. The Association will retain a review fee of \$250.00. Any unused portion of the remaining \$4,750.00 deposit will be refunded, with interest, upon completion of the entire project.

REMODEL/ADDITION CONSTRUCTION DEPOSIT

The purpose of the deposit is to provide assurances that the planned project will be completed in conformance with approved plans and that construction materials and debris will be kept neat and orderly during construction and removed upon completion.

IT IS RESOLVED: The Remodel/Addition construction deposit shall be a minimum of \$500.00 up to a maximum of \$1500.00 as determined by the ACC after review of the submitted plan. In exceptional cases the ACC may determine that the scope of the planned project is “minor” and may waive the deposit. A project may be deemed “minor” if its estimated value/cost is less than \$500.00. Any unused portion of the deposit will be refunded, with interest, upon completion of the entire project.

POOL AND SOLAR INSTALLATION DEPOSITS

The purpose of the deposit is to provide assurances that the planned project will be completed in conformance with approved plans and that construction materials and debris will be kept neat and orderly during construction and removed upon completion.

IT IS RESOLVED: The deposit for new pool plans that include solar heating shall be \$1000.00. The deposit for pool plans without solar heating shall be \$750.00. The deposit for solar heating plans alone shall be \$750.00. Any unused portion of the deposit will be refunded, with interest, upon completion of the entire project.

VII. DOCK STANDARDS

DOCK GUIDELINES

Pursuant thereto the Board of Directors of the Riverlake Community Association and the Riverlake Lake Association adopted the following standards on April 16, 1992:

- 1) **Design** to allow for 1'-0" rise of lake or a 2'-6" fall [Note: Normally the lake is at elevation 0.50', which is 1'-6" below the top of the bulkhead (Elevation 2.00)].
- 2) **Platform:** Maximum length of 16'-0" in any direction and a maximum of 130 Sq. ft. total area and located no further than 18'-0" from the bulkhead into the lake. Install fascia all around to basically conceal all structural elements other than the floatation device. Platform is to be balanced so as to float level on the water with ramp in place with a tolerance no greater than 1/10th inch per one lineal foot or 2": 10'-0".
- 3) **Ramp to Platform:** To be no greater than 24 sq. ft. in area unless platform area is reduced by an equivalent amount of ramp increase. For anchorage to shore see attached detail as an acceptable example.
- 4) **Guide Piles:** To be made of galvanized iron and no less than 3" and no more than 6" in diameter. Piles should be set no higher than 1'0" above top of bulkhead. Piles, also, are to be driven vertically plumb to within a tolerance of ¼" per lineal foot above water (e.g. – 1" tolerance for pile 4'-0" above water). Collar guide or ring to be 1-1/2" to 2" over pile diameter and made of galvanized iron if exposed to view. Piles are to be driven a minimum of 8' into lake bottom.
- 5) **Vinyl Bumper:** White polyvinyl chloride bumper or similar will extend around the perimeter of the platform decking (ALL sides).
- 6) **Railings:** Iron must be galvanized and wood must be either redwood or treated against rotting by an approved method. Also, design ends of rails such that they are close; especially those freestanding rails for ramps.

8.02 D. Docks. No dock or float or pier shall be installed or maintained on or in the Lake until the design has been approved in writing by the Lake Association, and by the Architectural Control Committee if any, for the Residential subdivision or other property in which the Lot or Parcel constructing such dock or float is located.

- 1) It is the intention of the Declarant to encourage professionally manufactured docks. No dock shall be wider than eight feet, longer than sixteen feet, or project more than eighteen feet, from the bulkhead into the Lake.
- 2) No pier shall be wider than five feet or project more than twelve feet from the bulkhead into the Lake.
- 3) Docks shall be maintained in a neat and orderly fashion, and shall be painted or stained yearly, colors of paint or stain to remain as originally approved by the Architectural Control Committee.

VIII. FENCE GUIDELINES

The Riverlake Community Association CC & R's requires in section **8.03.J Visible Fences** that all fencing and screening must be approved by the appropriate Architectural Control Committee. **Section 8.03.P Fences Near Streets** - No fence or wall exceeding three feet in height shall be erected or permitted to remain nearer any street than set back lines.

All fencing and/or screening must:

Conform to the design of the proposed or existing residence.

1. Architecturally designed and constructed of wood, rock, masonry, wrought iron or a combination of the above. Screening must be of a quality design, construction and materials to complement the existing adjacent structures.
2. Maintained in a good sound structural manner.
3. Painted periodically so it does not appear shabby or unkempt.
4. Designed to face its most attractive side or equally attractive side toward the street or Common Area.
5. Constructed with a cap board and baseboard.

Additional Considerations:

1. Fencing or screening facing neighboring lots may be of typical “good neighbor” construction.
2. Double-sided construction with cap board and baseboard is desired.
3. Any front-facing wing fence and any side-yard fence, which is on a corner lot and visible from any street must have the same material and color as the exterior wall surface of the residence unit to which it relates.
4. Where buildings on adjoining lots are set back different distances from the street, the visible perimeter fence on their common property line must have the same material and color as the wing fence of the building which is closest to the street.
5. If any different material or color is desired, or if more than one material or color is use on the exterior wall surfaces, the proposal for the style, material and color of such fences will be subject to prior review and approval by the Architectural Control Committee.

a. Lake Fence Setback

Fence Guidelines for Lake Lots

The Riverlake Community Association CC & R’s Section 8.02.G Structures, Fences and Plantings requires that no structure other than those fences, docks, bulkheads and landscaping (including swimming pools) approved by the appropriate committee under Section 9.02, may be constructed or maintained within the Bank Areas.

Prior approval from the Architectural Committee is required for fences constructed on lake lots.

Side yard fences subject to the provisions below for lots with lake frontage shall be no higher than six feet in height measured from the grade of the lot as sold by Declarant and can be made of masonry, stone, wrought iron or wood.

Side or rear yard fences for lots with lake frontage shall not exceed four feet in height from the rear lot line to whichever of the following points is closest to the rear lot line:

- 1) Twenty feet from the rear lot line;
- 2) A point on the side lot line at a right angle from the corner of the house; or
- 3) A point on the side lot line at a right angle from the corner of the house on the adjacent lot.

Side yard fences within an area where they are required to be no higher than four feet in height can be made of masonry, stone or wrought iron or a combination of those materials.

Wood fences will normally be disapproved unless designed in such a manner that the Committee is convinced that the initial appearance as well as the future appearance will be guaranteed. Any wood fences approved by the appropriate Committee are required to be painted with a heavy body stain or paint, to have caps top and bottom, and to have the “good” side facing the lake and/or the adjoining neighbors.

Rear wing fences are required for lots with lake frontage. Rear yard wing fences are required to be:

- 1) Painted and constructed with material consistent with the materials of the home.
- 2) Located at a point at which the side yard fence changes elevation.
- 3) Constructed to an elevation consistent with the side yard fence but sufficient in height to screen the side yard.

IX. LANDSCAPE SUBMITTAL GUIDELINES

a. General

These guidelines have been prepared to help answer some of the questions you may have regarding submitting a landscape plan to the Architectural Control Committee. Several sections of Riverlake's CC&R's pertain to landscape plans and landscape maintenance. Before beginning your plan (or working with a professional) you should familiarize yourself with these sections:

For All Lots: Sections 8.03.C, 8.03.E, 8.03.O, 8.03.W, 8.03.Y, 8.03.BB, 9.03, 9.03.A, and 9.04 apply;

For Lake Lots: Sections 8.02.G, 8.03.C, and 8.05.B apply; and

For Duplex/Halfplex Lots: Sections 8.04.C and 8.04.I, apply.

The following addresses some frequently posed questions regarding submitting a landscape plan.

Am I required to submit a plan?

Yes!! Section 9.03 of the CC&R's requires that all plans must be submitted to the ACC, and approved, prior to the onset of work. Landscaping installation is to be completed 30 days after occupancy or 90 days after completion of the home, whichever is sooner (Section 9.04).

How Do I submit a Plan?

You can mail or bring the plan to the Riverlake Community Association office, 799 Lake Front Drive, Sacramento, CA 95831. The plan must be submitted in duplicate. Please call the Association at 395-7462 to check for meeting dates and times.

What Are The Requirements Of A Plan?

The plan should specify (and illustrate) the type, location and size of every element in the plan. All trees, shrubs, etc. should be (1) located with respect to the house, driveway, sidewalks, etc.; (2) should be identified (by common and botanical/Latin name); and (3) clearly marked according to size (usually indicated by gallon size). Dimensions of the yard should be indicated and in relative scale. All ground cover for lawn areas as well as in flower or shrub beds should be specified. A general rule of thumb is to "leave nothing to the imagination". If the committee cannot interpret a plan, it will be returned for revision/resubmittal. If there are proposed changes to any of the concrete work in the front yard or driveways/walkways it is a good idea to include that information in the landscape plan for review and approval.

Are There Limits To What I Can Plant?

Section 9.04 of the CC&R's states that landscaping is to include lawns, shrubs, trees and flowers. Artificial materials (plastic plants, flowers or astro turf) and gravel gardens will be disapproved. The CC&R's are sufficiently broad to allow for a good deal of latitude in individual preference and style. However, it is important to recognize that the committee has developed policies to help structure and maintain quality standard within Riverlake.

One of the committee's goals is to urge the creation of a "riverscape" throughout the development. Long, Green, gently rolling expanses of ground cover, burgeoning shade trees, and appropriately placed plantings will help achieve this effect. In addition to the specific requirements of the CC&R's, committee policy requires that at least one of the three required 15-gallon trees for the front yard be a fast-growing shade tree; that rocks and gravel are not allowed in the front 10' (ten feet) of the lot; that shredded fir, redwood or cedar (no chips are permitted) placed toward the front of the lots be covered by a ground cover to prevent washing or floating away; and, that mounds are to have no more than a 5:1 slope. Other than the five 15-gallon tree requirement (of which at least three go in the front yard), size of plants is discretionary. Use of shrubs for screening purposes however, should be 5-gallon sizes or more. A list of fast growing shade trees approved by the committee is attached for your reference.

Do I Need To Submit A Plan For My Pool Or Rear Yard?

Yes! Plans for rear yard landscaping visible to the public or common area, and pools, pool equipment and other similar installations must have prior written approval before the onset of work (Section 9.03).

What If I Want To Change My Existing Landscaping?

Depending on the nature and extent of the change, almost all changes will require prior written approval from the Architectural Control Committee. It is advisable to call the Association office before making the change, to check.

b. Planting Guidelines for Lake Lots

The Riverlake Community Association CC & R's **Section 8.02.G Structures, Fences and Plantings** requires that no structure other than those fences, docks, bulkheads and landscaping (including swimming pools) approved by the appropriate committee and Section 9.02, may be constructed or maintained within the Bank Areas.

Prior approval plantings along the lake and bank areas are required from the Architectural committee.

The committee shall normally encourage landscaping that includes the placement of trees, shrubs and groundcovers close to the lake's edge with the expectation that over time the lake and bank area will develop in such a manner consistent with natural bodies of water in the Sacramento Valley.

The intent is to:

- 1) Promote a natural look along the edge of the lake.
- 2) Encourage different but compatible landscape designs.
- 3) Use landscaping to create increased privacy in rear yards.

Care must be taken to select:

- 1) Shrubs that will grow no higher than four feet.

- 2) Species of trees that will have the main foliage at least six feet above ground level.
- 3) Groundcovers that will grow full enough to cover the wood bulkhead but not grow into the lake.

The Committee will normally disapprove large trees and shrubs at the edge of a lot that will inhibit the view of the lake by other lots. The Committee does encourage trees which at maturity can hang over the lake and not obstruct the view and will take into account the length of time a particular tree or shrub will inhibit such views prior to the time it reaches maturity.

c. Approved Shade and Palm Trees

Approved by ACC on April 27, 2004

The Committee wishes to encourage the development of a shaded, river-like environment throughout the Riverlake Community. To achieve this effect, the Committee, in accordance with CC&R's, requires that homeowner's (initially) plant a minimum of five (5) trees on their lot, three (3) 15-gallon trees are required in their front yard, one of which shall be a large shade tree, and two in their back yard. Trees can be selected from the Approved Shade Trees list, all of which grow well in the Sacramento area. Please select from this list.

The Committee has also approved several palm trees that may be used for the remaining required number of trees. You may select one or more palms from the Approved Palm Trees list or submit an alternative. Please keep in mind that the palm must be at least ten feet in height at time of installation.

The following list is categorized as Fast, Medium and Slow Growth Rate. The growth of any species of tree will be enhanced when proper planting; staking, irrigation and fertilization methods are implemented. Mature height and width should be major criteria in tree selection. Tree planting and care instructions are available on the Riverlake Community Association website or from the Association office.

APPROVED SHADE TREES FOR RIVERLAKE			
Botanical Name	Common Name	Mature height/width	Remarks
Fast Growth Rate			
<i>Acer rubrum</i>	Red Maple: 'Red Sunset' or 'October Glory' varieties	40-60'/40-60'	fall color
<i>Betula platyphylla japonica</i>	Japanese White Birch	40-50'/25'	resistant to bronze birch borer insects, white bark
<i>Betula nigra</i>	River Birch	50-90'/30'	resistant to bronze birch borer insects
<i>Celtis australis</i>	European Hackberry	50-70'/40-50'	
<i>Celtis sinensis</i>	Chinese Hackberry	40-60'/40-60'	
<i>Pyrus callenyanana</i>	Ornamental Pear 'Chanticleer'	20-40'/15-25'	fall color orange to reddish purple

<i>Pyrus callenyanana</i>	Ornamental Pear 'New Bradford'	50'/30'	'New Bradford' variety preferred to 'Bradford'
<i>Pyrus callenyanana</i>	Ornamental Pear 'Redspire'	30-35'/20'	fall color yellow-red
<i>Quercus rubra</i>	Red Oak	60-80'/30-50'	fall color, good in turf, fast growing
<i>Quercus coccinea</i>	Scarlet Oak	60-80'/35-40'	fall color, good in turf, fast growing
Medium Growth Rate			
<i>Acer buergeranum</i>	Trident Maple	20-35'/20-35'	fall color
<i>Celtis occidentalis</i>	Common Hackberry	40-50'/40-50'	
<i>Nyssa sylvatica</i>	Tupelo	30-40'/15-30'	tolerates poor drainage, fall color
<i>Quercus ilex</i>	Holly Oak	40-50'/40-50'	evergreen
<i>Quercus lobata</i>	Valley Oak	50-70'/50-70'	do not plant in lawn area
<i>Tilia americana</i>	American Linden	40-60'/30-50'	good in turf
<i>Zelkova serrata</i>	Sawleaf Zelkova	50-60'/50-70'	Fall color
Slow Growth Rate			
<i>Ginkgo biloba</i>	Maidenhair	70-80'/430-50'	insect/disease resistant fall color
<i>Pistacia chinensis</i>	Chinese Pistache	30-40'/30-40'	fall color
<i>Quercus douglasii</i>	California Blue Oak	40-60'/25-50'	do not plant in lawn area
<i>Tilia cordata</i>	Little Leaf Linden	30-50'/20-30'	good in turf

APPROVED PALM TREES FOR RIVERLAKE		
Botanical Name	Common Name	Mature height/width
<i>Chamaerops humilis</i>	Mediterranean Fan Palm	20'/20'
<i>Syagrus romanzoffiana</i>	Queen Palm	50'/20-25/

<i>(Arecastrum romanzoffianaum)</i>		
<i>Trachycarpus fortunei</i>	Windmill Palm	30'/10'
PALM TREE <u>NOT APPROVED</u> FOR RIVERLAKE		
<i>Washingtonia robusta</i>	Mexican Fan Palm	

SMALL TREES

This list of small trees is provided as a reference. These small trees are not intended as substitutes for a required shade tree.

Many of the trees listed are available in multiple varieties that can vary greatly in size and growth habits. It is recommended to always verify plant species and variety prior to planting. Additional information on the trees is available in the *Sunset Western Garden Book*.

Small trees			
Up to 25-30 feet in height			
Botanical Name	Common Name	Mature height/width	Remarks
<i>Acer palmatum</i>	Japanese Maple	5-25' / 15-30'	Size and growth rate vary significantly with variety. Verify selected variety tolerates sun exposure at planting location.
<i>Malus</i>	Crabapple	6-25' / 8-25'	Size and pest resistance varies greatly by variety.
<i>Cercis canadensis</i>	Eastern Redbud	20-30' / 25-30'	Moderate growth rate. Provide good drainage.
<i>Cercis occidentalis</i>	Western Redbud	10-20' / 10-20'	Slow-moderate growth rate.
<i>Crataegus phaenopyrum</i>	Washington Hawthorn	20-30' / 20-25'	Moderate growth rate.
<i>Lagerstroemia indica</i>	Crape Myrtle	5-25' / 10-25'	Moderate growth rate. Size varies by variety.
<i>Magnolia</i> deciduous varieties	Flowering Magnolia	6-30' / 6-25'	Slow to moderate growth rate. Size varies by variety.

d. Tree Planting Technique

1. Plant 15-gallon tree in hole 3' diameter to a depth 6" below the bottom of the root ball.

2. The tree will settle. The biggest mistake is not planting the tree high enough to allow for the tree root ball to settle about 1 ½" - 2". To prevent excessive settling, leave soil intact directly below the root ball. If the tree sinks several inches below grade, it will not grow robustly and may have to be replaced.
3. Place 4 tree food tablets such as Agraform (for a 15 gallon tree) at the bottom of the hole.
4. Optimally, use about 2.5 sections of 3" perforated plastic pipe (available at Home Depot for \$10. Be sure to buy 2 caps as well. Place the pipes at the outer perimeter of the 3' - 4' diameter hole (about 12" away from the root ball) and angle them somewhat toward the center of the hole. Leave them sticking about 3-4" above the ground. Place the fertilizer tabs or stakes near the bottom of the pipe at the level of the root ball then backfill the pipe with gravel (any small or med size gravel will work). Place caps on the pipes when not in use.
5. Stake the tree with 2 stakes and strong flexible ties. Ensure that the stakes are in line with the prevailing wind. Remove the stakes once the tree is about twice the diameter of the stakes. Attach the flexible ties from the stakes to about the midpoint of the tree trunk. This will allow some swaying of the tree in the wind with little danger of it to being blown over. This modified swaying action will strengthen and enlarge the girth of the tree trunk.
6. Deep root water the tree for at least 30 minutes 3-4 times during the hot months. In the second hot season (after the initial fertilizer tabs have been spent), you may add granular fertilizer (such as Miracle Grow) to the top of the feeding pipes. Add the amount according to instructions. Do this until the upper part of the tree expands to about 6'-8' in diameter and the tree looks strong and healthy. Then cut off the pipes below the ground level, and cover them. By this time, the roots should be trained well enough to grow more downward than outward.
7. Maintain a dirt basin around the base of the tree. It should be at least 4-5' in diameter. It is best to keep it covered with shredded bark (bark chips tend to float away). The bark will provide some weed control and help prevent the soil from drying out. Do not let turf grow around the base of the tree. Turf and trees have different and incompatible watering needs.

X. LATTICE SCREENS ATTACHED TO FENCE

Due to the number of homes that have installed lattice screens to their fences, the Board adopted the following policy:

IT IS RESOLVED THAT, no latticework should be allowed on perimeter fences.

XI. PAINTING – REAR YARD PERIMETER FENCING, DECKS, RAILING AND PICKET FENCES ON LAKES

The Board discussed policy issues relating to lake lot deck railings and rear yard perimeter fences. The Board discussed some of the variables related to whether or not to require that railings, entire decks, and rear yard fences need be painted. These include the magnitude of the problem (unsightliness), the location (visibility to greatest number), or probability that strategically planted shrubs and plantings would sufficiently obscure and cover lattices, railings or perimeter fences.

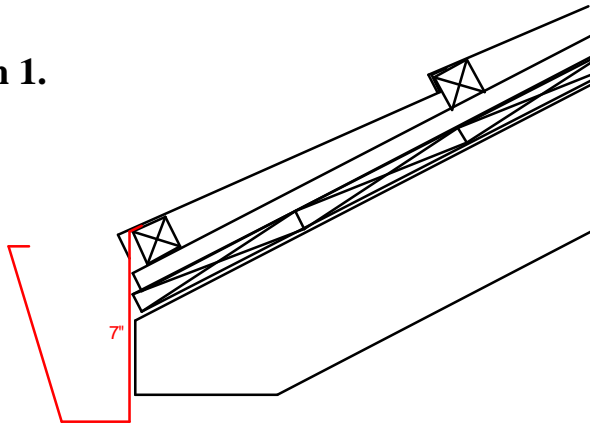
IT IS RESOLVED THAT, (1) lake lot perimeter fences should either be painted or plants planted that will grow to obscure the fence in a reasonable amount of time; (2) the portion of decks from the base to the ground, and any lattice or ornamental work, should either be painted or plants should be planted to obscure it from sight from the lake, within a reasonable amount of time.

XII. RAIN GUTTER INSTALLATION AND GUIDELINES

Riverlake Community Association Rain Gutter Installation Application

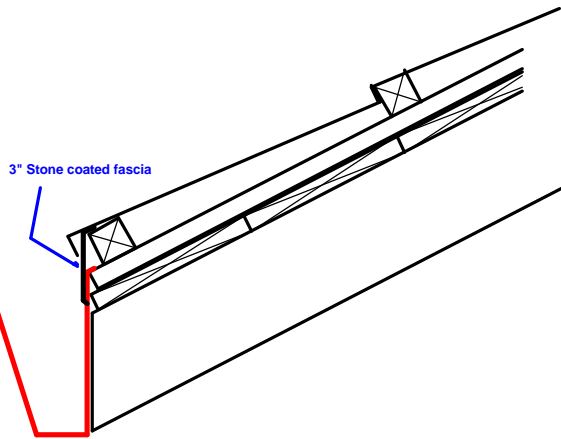
Stone-coated steel roofing gutter application choices

Option 1.



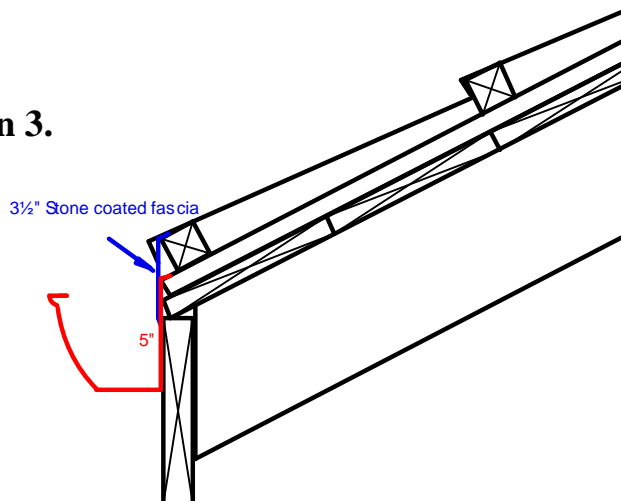
- Old roof and gutters removed
- Install 7" fascia style gutter - match existing gutter style.
- Gutters are raised 2 1/4" and rafter tails are trimmed if needed
- Rafter tails are primed and painted to match existing

Option 2.



- Old roof and gutters removed
- Install 7" fascia style gutter - match existing gutter style.
- Gutters are raised 3/4" and 3 1/2" Stone coated fascia(Texas Flashing) used
- Rafter tails are primed and painted to match existing

Option 3.



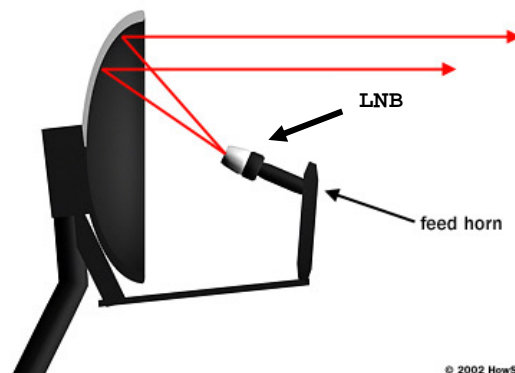
- Old roof and gutters removed
- Install 5" O.G. style gutter - match existing
- Gutters are raised 3/4" and 3 1/2" Stone coat fascia(Texas Flashing) used
- Homeowner painting fascia, downspouts and gutters to match home if needed

XIII. SATELLITE DISH POLICY

Satellite Dish and Antenna Installation Guidelines

Satellite dishes, antenna and/or other transmitting-receiving devices (antenna) should be installed at a location where they are not visible from the adjacent street(s) or common area, when practicable.

1. Otherwise, install at the least visible location as practicable.
2. Install as low down and as far back from the street as practicable.
3. Install with a visual backdrop of a wall or fence.
4. Unless otherwise avoidable, do not extend above the roof or chimney.
5. If visible from the street, common area, or adjacent lot, the dish or antenna must be painted a solid color to match the adjacent wall, including the mounting hardware, arm and coaxial cable (not the LNB or feed horn). The network logo must be covered with a solid color.
6. Coaxial cable should be hidden from view. If there is no reasonable way to fully conceal the coaxial cable from the street or common area, it shall be installed in conduit. All attempts should be made to minimize the presence of conduit running down or across a wall. For instance, in some circumstances, it can be placed adjacent to a downspout which minimizes its view. In any location, cable or conduit should be painted to match the adjacent wall surface.
7. Association personnel are available to consult with you regarding the best location for your dish or antenna. There is no charge for this service. Please contact the Association office for a site review before ordering service.



Amended and Approved April 22, 2009

XIV. SOLAR INSTALLATION

Pursuant to Article 9.03 of the Riverlake Covenants, Conditions and Restrictions, installation of solar energy equipment requires prior (written) approval by the Architectural Control Committee. Approval will be based to a great extent on the homeowner's ability to design an installation, which minimizes visibility to streets, common area, and adjacent homes.

Solar energy equipment includes all panels, collectors, piping, attachments, bracing, flashing, mechanical hardware supporting structure, and all related elements.

It is the intention of the Architectural Control Committee to encourage trellis type installations. In general, this type of installation utilizes a patio trellis or other similar trellis. Mounted on such trellis is either PVC type piping, running parallel across the main cross beams (replacing the shading members that typically would be mounted on such a trellis) or solar panels of various types, typically mounted at a slight pitch to accommodate drainage.

GUIDELINES – TRELLIS INSTALLATIONS

The supporting trellis should be of a high quality construction and erected so as to maintain as low a profile as practical. Design and location of feeder and return piping should reflect attempts to minimize visibility from adjacent property. If panels (rather than piping) are utilized, the slope of the panels should be as slight as possible, again to minimize visibility from adjacent properties. Attachments, bracing, and other hardware should be designed and located to mitigate (to the extent possible) the undesirable appearance of such elements. Location of trees in common areas and other adjacent property should be considered prior to design and location of the structure.

ROOF MOUNTED SYSTEMS

Solar collectors are to be mounted in the same plane as the roof slope. Feeder and return piping should, to the extent possible, penetrate the roof and be contained within the structure or be concealed by eaves or other structures, rather than being mounted on the exterior surface of the roof or dwelling. Installation should be accomplished with as low a profile as functionally practical; a minimum projection of 7 inches above the roofing materials should be maintained.

All equipment should be dark in color. Aluminum trim should be anodized bronze or a similar color or a color otherwise approved by the Architectural Control Committee. Feeder and return piping located on any wall surface should be concealed to the extent possible and otherwise painted to blend as closely as possible to the color of the adjacent wall surface. Unless the committee is presented convincing evidence that the system and method of installation will present a rigid appearance during the useful life of the system, solar panels/piping should be constructed of rigid material to avoid the undesirable appearance presented by components of flexible construction. Roof vents must be moved if reasonably possible to avoid unnecessary spacing of panels. Panel installation which leaves gaps between panels must be accompanied by trim strips between the panels to make them look continuous.

OTHER SYSTEMS

Other systems which provide a low profile (such as below the fence height) are also encouraged by the Association and will be evaluated on a case-by-case basis in accordance with guidelines similar (where relevant) to those above.

SUBMITTAL GUIDELINES

As provided in Article 9.03 of the Riverlake CC&R's, that the applicant must submit professionally drawn construction details that apply to the specific installation. They must be drawn to scale and must clearly show all relevant elevations of the installation, assembly, the attachment to the roof, trellis or other structure, and the proposed location on the lot or building. Roof vents which cannot be moved and which break up the installation should be indicated on the schematic submitted and an explanation provided of why they cannot be moved. If an installation is to be located on the roof of a home, which is already built, photographs of the house, the roof upon which the system is to be located, and of the two adjacent elevations must be submitted. A manufacturer's brochure (or other material) showing the appearance of a typical installation should be submitted with the type of panel (the manufacturer) indicated. The location of the feeder and return lines should be depicted on an elevation of the relevant wall surface; with an indication of the color such piping is to be painted.

If your construction deposit has been refunded, you will be required to submit a deposit in accordance with Section 9.03.D of the Riverlake CC&R's. The amount of deposit varies. \$750.00 for the solar system plan only and \$1000.00 for a solar system and a pool plan. The deposit is collected to ensure that construction is performed in accordance with the approved plan and that any damages occurring as a result of the installations can be paid for from the deposit. The deposit may be refunded in whole or in part, with interest, upon a final inspection performed by the Association.

XV. STORAGE SHEDS

Storage sheds should be designed and constructed to be consistent with the materials, architecture, and colors of the main home. The Committee will not approve any pre-fabricated metal sheds, unless the committee is convinced that the appearance is as attractive as a custom made shed.

The shed should not be closer than 3' to the adjacent property lines, so as to leave a little distance between the property line and the shed.

Preferably, the unit should be situated to place the softer roofline toward the neighbor most affected (i.e. roof sloping away from the fence rather than the gable end facing it). Also, the plate line (i.e. the point at which the wall transitions to the roof) should not exceed 7 feet above natural grade.

XVI. SUBMITTAL GUIDELINES FOR NEW HOME CONSTRUCTION

RIVERLAKE COMMUNITY ASSOCIATION

799 Lake Front Drive

Sacramento, CA 95831

SUBMITTAL GUIDELINES FOR NEW HOME CONSTRUCTION

To facilitate review of building plans for the Architectural Control Committee of the Riverlake Community Association, the following must be submitted. The package must be complete prior to review by the Committee, and submitted to the Association Office building at 799 Lake Front Drive, Sacramento, CA 95831.

The Committee generally meets on Tuesday afternoons. Please call the Association office at (916) 395-7462 to confirm the meeting day and time. In any event, the plans to be reviewed **must be in the office by 4:00 p.m. the day before the scheduled meeting**. It is very important that you use this guideline as a checklist to submit a complete set of plans and details so that the process can be a smooth one for you and the Committee.

1. TWO COMPLETE SETS OF FULLY DIMENSIONED PLANS AS FOLLOWS:

- A. All Elevations
- B. Site Plan - Locate wing fences on site plan
 - a. Floor Plan
 - b. Foundation and Girder Plan
 - c. Roof Framing Plan (including roof pitch)
 - d. Dimensioned Eave detail (including overhang)
 - e. Patios and/or decking (complete construction details)
 - f. Railing locations and details, including dimensions and color

Note: The lot owner and builder should inspect the lot and sidewalk, curb and gutters prior to plan submittal and inform the Association of any deficiencies noted, particularly any cracks in the sidewalk, curb or gutter fronting the lot or the vacant lots on each side. The lot owner will be responsible for any damage that occurs to sidewalks, curbs and gutters after commencing construction.

2. WING FENCES: Include a schematic drawing of the wing fence construction, specifying the materials used dimensions of materials used and the color to be painted.

Note: Generally, wing fences are to conform to siding material and color; brick houses may have wood fences coordinated with trim color; houses with substantial stucco may have wing fences coordinated with the siding or stucco. Plain plywood fences will not be approved. Light gaps between wing fence boards are to be eliminated through design, i.e. battens. An alternative would be to apply siding over exterior plywood backing and paint fence on both sides when specified.

Attention is called to Section 8.03.J of the CC&R's, relating to the requirements for wing fence installation, material and color, and the completion of the perimeter fences between two wing fences in cases where the wing fences do not meet. In general, the visible portion of the perimeter fence (between two wing fences)

must be constructed and painted consistently with the wing fence closest to the street, i.e., if your wing fence is further forward, please insure that the visible portion of the perimeter fence is constructed and painted consistent with your wing fence or if your wing fence is located in back of the wing fence of the completed home next door, you must also finish the visible portion of the perimeter fence between the wing fences consistent with their wing fence or your wing fence.

3. COLORS: Each set of plans should have attached to the front page a sample paint/stucco chip, with notations written adjacent showing what colors will be used on:

A. Stucco and/or Siding

B. Trims - Notations should explain every area that trim color will be applied, i.e. windows, gutters, fascia, barge boards, etc.

C. Front Door & Garage Doors (lake lots include rear door/entry detail)

D. Wing Fences

E. Concrete finish and color, if any, and the type of color application

Note: If stains are used, they must be full-bodied stains; transparent and semi-transparent stains will not be approved, except on covered front doors. (Section 8.03.AA) All paint changes must be submitted to the Committee for approval.

4. MASONRY/BRICK: Submit for approval all detail (different from typical coursing) at head and sill condition of all masonry openings and call out in words on submitted detail, the type of course (8" soldier, 4" rowlock, etc.). Submit a sample of the brick or masonry.

Note: No processed used brick will be approved. Additionally, used brick with substantial paint on them (other than white and black), such as green and blue painted bricks, are disallowed. The green/blue, etc. side must be turned inward and not be visible.

5. ROOF TILE: A sample of the roof tile/material to be used must be provided.

6. STUCCO: State, in writing, the type of stucco texture to be applied and provide a sample.

7. SIDING: Submit a sample of siding material.

8. DEPOSIT: A Construction Deposit is required by Section 9.03.D of the Riverlake CC&R's, and must accompany the plans at submittal, made payable to Riverlake Community Association. See Sections 9.03.C and 9.03.D for further discussion. A policy was adopted by the Board of Directors to increase the Construction Deposit to **\$5,000.00**. The Riverlake Community Association's ACC application (Release of Claims form, IRS form W-9, and Appointment of Agent form) must be completed and signed by owner.

A \$250.00 review fee is retained from the deposit by the Association on all homes constructed in the Riverlake subdivisions. As stated in CC&R's Section 9.03.C, "...Should the ACC determine that all or a portion of the materials submitted require resubmittal, or that it needs to spend an excessive amount of time with respect to a plan submitted because the applicant failed to submit plans reflecting professional

expertise, it may charge an additional fee to defray the time, costs and expense involved in re-reviewing such materials, provided the applicant is notified of the estimated fee to be charged along with notification that such matters must be resubmitted.

* * * * *

In addition to the above specific requirements for plan submittal, applicants should be aware of the following guidelines regarding architecture, landscaping, and other related matters.

DEPOSIT REFUND: As stated in the CC&R’s, Section 9.03.D, “...Once construction, front yard landscaping, front and rear landscape for lake lots, and all clean up is complete, the ACC will make an inspection to determine if construction was performed in accordance with the approved plans and the project is completely free of construction materials. Thereafter, the unused portion of the deposit, plus interest earned thereon, will be refunded to the Owner.” Please notify the Association office upon completion of the home. Note that the wing fences must be installed and painted, as well as perimeter fences, where applicable. Gas meters must be painted to match the body of the house.

ROOF PITCHES: With respect to any one house, the ACC requires consistent roof pitches throughout, with the exception of specialty roofs, such as decorative gables on front elevations, which frequently are of steeper pitch than the major roof forms.

OVERHANG: Each residence constructed shall have a minimum roof overhang (including gutters) consistent with the following policy, unless deviation is approved by the ACC because the lack of such overhang is either an integral part of the specific design, or mitigated by other desirable attributes. Overhang all around (including gutter) is to be the minimum of inches, per table below. Gable ends not requiring gutter can be the calculated depth excluding the gutter depth.

<u>Pitch</u>	<u>Minimum Overhang Including Gutter</u>
5:12	30”
6:12	30”
7:12	24”
8:12	24”
9:12 or greater	No minimum

Please note that for a 30” overhang, the house will need to be at least 5 ½ feet from the side property line as required by the City.

Subject to exceptions for particular architectural styles, the Committee prefers (in general) that where eaves overhang the window openings and garage door, the eave is to come down to the approximate height of the top of the window openings, and the vertical wall surface showing above the garage door shall be minimized.

MASONRY: The Committee also advises that (aesthetically) the proper installation of brick and other masonry calls for appropriate detailing around the various masonry openings, including the top of the

openings. Please instruct your architect or draftsman to utilize such detailing in designing your home, unless it is inconsistent with a particular architectural style.

SOLAR AND/OR POOL/SPA: If you intend to install solar heating panels, and/or pool/spa on your home or lot, please refer to Section 8.03.G of the Riverlake CC&R's and the Solar Submittal Guidelines, available at the Association office. This information should be carefully read and, ideally, considered at the time construction plans and landscape plans are prepared and submitted so that such installation can be architecturally integrated into the design of your home. Any such installations must be **APPROVED IN WRITING BY THE COMMITTEE, PRIOR TO CONSTRUCTION**. Guidelines for pool and landscape installation are available at the Association office.

Note: If the construction deposit has already been refunded, you will be required to submit a deposit ranging from \$750.00 to \$1000.00 to satisfy the deposit requirements of Section 9.03.D of the Riverlake CC&R's.

LAKE FRONT LOTS: Lake front lots have Architectural Control provisions specific to them only, some of which can be found in the Sections referenced on the attached Index.

LICENSED CONTRACTOR: Section 8.03.M of the Riverlake CC&R's require that all buildings and other structures be constructed by a contractor licensed under the laws of the State of California. You will therefore be required to provide the name of your licensed contractor on the plan. If you have not yet designated a contractor, only tentative plan approval will be given.

CONSTRUCTION SITE MAINTENANCE: Section 8.03.L requires all builders and owners to maintain their construction sites in a neat and orderly fashion, and regularly clean up and remove all debris. Excess concrete from Transit mix trucks shall not be dumped or washed out in the gutters, storm drains or any lot other than the lot under construction. All debris shall be placed in a dumpster or appropriate container on a daily basis or as often as may be required to prevent it from blowing and leaving the construction site. In the event the Association must take steps to clean up any construction Lots, Parcels or streets, or repair any sidewalks, a portion of the construction deposit may be used to pay for any such clean-up or repairs.

LANDSCAPING: Front yard landscaping, and rear yard landscaping visible to the public or common area (i.e. Lake Lots), and pools, pool equipment and buildings or structures of any type are also subject to the prior written approval of the ACC as discussed in Section 9.03 of the CC&R's. The ACC has specific objectives and requirements with respect to landscaping. The "Landscape Guidelines" should be obtained from the Association office prior to preparation of landscaping plans. This set of guidelines also includes a list of approved shade trees.

REMODEL and/or ADDITIONS: Section 9.03 of the Riverlake CC&R's requires approval of any exterior addition, change or alteration to any existing structure. You must submit 2 complete detailed set of working plans. A construction deposit is required, ranging anywhere from \$500.00 to \$1500.00, to be determined at the time the plans are reviewed by the ACC. In addition, you must provide the name of your licensed contractor.

Once construction and all clean up is complete, the Association will make an inspection to determine if construction was performed in accordance with the approved plans and the project is completely free of construction materials. Thereafter, the unused portion of the deposit, plus interest earned thereon, will be refunded to the Owner. Please notify the ACC upon completion of the project.

GENERAL CONDITIONS:

1. Locate wing fences a minimum of 4'-0" back from adjacent front corner.
2. Brick or masonry that extends to outside corners of front elevation should extend down sidewalls to the wing fence.
3. Deck or stair railings are to be painted to match trim, or submit alternative.
4. Attic fans and all other vents through roof to be reasonably "not seen" from the common area such as streets and lake (Article 8.03.G)
5. Front and rear elevations on Lake front homes shall be architecturally consistent.
6. Siding grooves to be either horizontal or vertical, but not both unless used for special detail.
7. Street facade materials to return on sides a minimum 4'-0" or to the wing fence, whichever is greater.
8. Generally, no fixed hard surface within 12" of the bulkhead cap board.
9. Generally, retaining walls in rear yards of lake lots are to be a minimum of 12" from the bulkhead cap board. The maximum height of retaining walls in rear yards of lake lots is to be a function of the distance from the cap board of the bulkhead (for example, at 12" away from cap board the wall can be 15" high and at 24" away, 30" high maximum)

XVII. SECTIONS OF THE CC&R's THAT ADDRESS ARCHITECTURAL IMPROVEMENTS LISTED BELOW

8.02. Use of the Lake and Lots and Parcels Within the Lake Association. Subject to the rules and regulations, which may be promulgated by the Board of Directors of the Lake Association, to supplement (but not to contravene) this Declaration, the Lake may be used only for the purposes and in the manner set forth in this Section 8.02. The following additional easements, standards, limitations and restrictions shall apply to the Lake, and to all Lots and Parcels included within the Lake Association. For the purposes of this Section 8.02, the term "Bank Area" and "Bank" shall mean all property lying within the rear yard of any Lot with Lake frontage.

8.02 D. Docks. No dock or float or pier shall be installed or maintained on or in the Lake until the design has been approved in writing by the Lake Association, and by the Architectural Control Committee if any, for the Residential subdivision or other property in which the Lot or Parcel constructing such dock or float is located.

(1) It is the intention of Declarant to encourage professionally manufactured docks. No dock shall be wider than eight feet (8'), longer than sixteen feet (16') or project more than eighteen feet (18') from the bulkhead into the Lake.

(2) No pier shall be wider than five feet (5') or project more than twelve feet (12') from the bulkhead into the Lake.

(3) Docks shall be maintained in a neat and orderly fashion, and shall be painted or stained, when necessary, to maintain an attractive appearance, colors of paint or stain to remain as originally approved by the Architectural Control Committee.

8.02 G. Structures, Fences and Plantings. No structure other than those fences, docks, bulkheads and landscaping (including swimming pools) approved by the appropriate Committee under Section 9.02, may be constructed or maintained within the Bank Areas. In that regard:

(1) No fence, hedge or mass planting shall be made or maintained in the Lake;

(2) All planting within the Bank Area must be approved by the appropriate Committee. In reviewing and approving planting plans, the appropriate Committee shall normally encourage landscaping that includes the placement of trees, shrubs and groundcovers close to the Lake's edge with the expectation that over time the Lake and Bank Area will develop in such a manner consistent with natural bodies of water in the Sacramento Valley. The intent is to: (a) promote a natural look along the edge of the Lake; (b) encourage different but compatible landscape designs; and (c) use landscaping to create increased privacy in rear yards. Care must be taken to select: (d) shrubs, which at maturity will generally grow no higher than four feet (4'); (e) Species of trees which at maturity will have the main foliage at least six feet (6') above ground level; and (f) groundcovers that grow full enough to cover the

wood bulkhead but riot, so full as to grow into the Lake. The Committee shall normally disapprove large trees and shrubs at the edge of a Lot or Parcel which will interfere with views of other Lots or Parcels, shall normally encourage trees which at maturity can hang over the Lake and not obstruct the view and shall take into account the length of time a particular tree or shrub will inhibit such views prior to the time it reaches maturity.

(3) Structures visible from the Lake must be designed, constructed and maintained in such a manner that the facade facing the Lake is architecturally consistent with the front and sides of the structure, attractive from the Lake and adjoining Lots and Parcels, and to the extent reasonably possible, roof vents on such structures shall be run to the sides of the structure which are least visible from the Lake. The materials used on the rear or side elevations of any residence visible from the Lake shall be consistent with the front elevation, as shall the roofing material.

(4) Side yard fences subject to the provisions below for Lots with Lake frontage shall be no higher than six feet (6') in height measured from the grade of the Lot as sold by Declarant and shall be made of masonry, stone, wrought iron or wood.

(5) Side or rear yard fences for Lots with Lake frontage shall not exceed four feet (4') in height from the rear Lot line to whichever of the following points is closest to the rear Lot line:

- (a) twenty feet (20') from the rear Lot line;
- (b) a point on the side Lot line at a right angle from the corner of the house;
- or

(c) a point on the side Lot line at a right angle from the corner of the house on the adjacent lot. Side yard fences within an area where they are required to be no higher than four feet (4') in height shall be made of masonry, stone or wrought iron or a combination of those materials. Wood fences will normally be disapproved unless designed in such a manner that the appropriate Committee is convinced that the initial appearance as well as the future appearance will be guaranteed. Any wood fences approved by the appropriate Committee shall be painted with a heavy body stain or paint, shall have caps top and bottom, and shall have the "good" side facing the Lake and/or the adjoining neighbors.

(6) Lots with Lake frontage shall be required to construct wing fences at the rear of the home as well as in front. Rear yard wing fences shall be:

- (a) painted and constructed with material consistent with the materials of the home;
- (b) shall be located at a point at which the side yard fence changes elevation (i.e., from six feet (6') to four feet (4') or at the rear corner of the home subject to approval by the appropriate Committee.

(c) shall be constructed to an elevation consistent with the side yard fence but shall be sufficient in height to screen the side yard.

(7) All heating, air conditioning, heat pumps, pool filters, spa filters, etc., and shall be screened from public view.

(8) Variances to the fence requirements may be granted by the appropriate Architectural Control Committee in situations where one or more of the provisions need not apply or would create an undue hardship if it were to apply.

8.03 Restrictions and Regulations for the Entire Property. Consistent with its general classification and use, the Property shall be subject to the following limitations and restrictions and to such implementing rules and regulations as the Board of Directors may establish in connection therewith:

8.03 G. Utilities, Antennas, Heating or Air Conditioning Equipment, Solar Installations and Basketball. All electric, gas, television, radio and telephone line installations to buildings or structures placed upon any Lot shall be underground and no electric, power or telephone poles shall be installed on any portion of any Lot.

No television, radio or other electronic antenna, satellite dish or device of any type shall be erected, constructed, placed or permitted to remain on the ground surface of any of the Lots, or upon any of the houses or buildings constructed on such Lots (unless the same be contained within a house or building) without the prior written approval of the appropriate Architectural Control Committee.

No heating, cooling or air conditioning equipment, including fans or similar devices, shall be placed or permitted to remain upon the roofs of any house or building constructed on a Lot, without the prior written approval of the appropriate Architectural Control Committee. So far as reasonably possible, all roof vents shall be behind the roof ridge.

No basketball standards or other fixed sports apparatus shall be installed or attached to any dwelling or garage or be erected on any Lot. However, subject to the prior written approval of the Architectural Control Committee (in accordance with Section 9.03), such items may be installed in rear yard areas so long as the installation is not visible from the street, the Common Area or the Lake. For this purpose (and this purpose only), the Common Area between the Sacramento River and the Lots immediately north of the Sacramento River shall not be considered Common Area.

It is the intention of the Declarant to encourage solar power. However, to the extent permitted by applicable law, the installation of solar panels shall be subject to the prior written approval of the Architectural Control Committee having jurisdiction over the Lot or Parcel affected. Swimming pool solar installations within public view or visible from the Common Area shall be of the trellis type or some other aesthetically pleasing type which blends naturally with the improvements and vegetation on the Lot or Parcel.

8.03 H. Garages. Each single-family residence shall include an enclosed garage. Duplexes and

halfplexes shall have a separate enclosed garage for each residential unit. Each garage may be detached or part of the residence structure. Every garage shall be designed and maintained in a condition so that at least two (2) automobiles may be parked therein.

8.03 J. Visible Fences. All screening and fencing must be approved by the appropriate Architectural Control Committee and must be designed to conform to the design of the proposed or existing residence; such screening must be architecturally designed and in its construction wood, rock, masonry or wrought iron or a combination thereof shall be employed. All screening and fencing must be maintained in a good sound structural manner, and, when and where appropriate, painted periodically so it does not appear shabby or unkempt. Screening and fencing facing the street or toward the Common Area must be so designed as to face its most attractive or equally attractive side toward such areas and shall have a cap board and base board. Screening must be of a quality design, construction and materials to complement the existing adjacent structures. Screening or fencing facing neighboring lots may be of typical “good neighbor” construction; however, screening or fencing of double—sided construction, with cap board and baseboard to guarantee a lasting appearance, is desired. Any front-facing wing fence on a Lot or Parcel and any side-yard fence which is on a corner Lot or Parcel and visible from any street shall be of the same material and color as the exterior wall surface of the residence unit to which it relates. Where buildings on adjoining Lots or Parcels are set back different distances from the street, the visible perimeter fence on their common property line shall be of the same material and color as the wing fence of the building which is closest to the street. If any different material or color is desired, or if more than one material or color is used on the exterior wall surfaces, the proposal for the style, material and color of such fences shall be subject to prior review and approval by the Architectural Control Committee. It is desired but not required (except under special conditions) that all fencing be completed during the initial construction. It is required, however, that the wing fences be installed and painted by the builder of the home at the time of construction of the home. No notice of completion or occupancy shall occur until and after wing fences are completed. Any deposits held by the Committee or the Association will not be refunded until wing fences are complete.

803 L. New Construction and Materials. No building or structure constructed elsewhere shall be moved or placed on any Lot or Parcel. Without limiting the generality of the preceding sentence, it shall be construed to prohibit prefabricated homes or buildings, modular homes or buildings and mobile homes. All buildings erected on any Lot or Parcel shall be of new construction. However, this subparagraph shall not prevent the use of used brick or any other materials that the Architectural Control Committee having jurisdiction over the Lot or Parcel may determine to be attractive and preservative of property values. When the construction of a building or other structure is begun on a Lot or Parcel, work shall be pursued diligently and continuously to completion, subject to weather, strikes, acts of God, and other matters beyond the control of the Owner. No residences shall be constructed on any lots described as “package homes,” “tract homes” or “look—a—like homes” nor will construction of residences be approved which constitute duplication of elevations or are markedly similar to an existing residence’s

elevation. All builders are to maintain their construction sites in a neat and orderly fashion, and shall clean up and remove all debris. The owner and general contractor shall be responsible for the maintenance of such neatness and removal of debris by subcontractors employed on the construction site. Transit mix concrete trucks shall not be permitted to dump excess concrete mix on any Lots or Parcels.

8.03 M. Licensed Contractor. All buildings and other structures shall be constructed by a contractor licensed under the laws of the State of California unless approved by the Architectural Control Committee having jurisdiction over the Lot or Parcel.

8.03 N. Right of Inspection. During reasonable hours and after reasonable notice, the Association shall have the right to enter upon and inspect the Property or any portion thereof and the improvements thereon for the purpose of ascertaining whether or not the provisions of this Declaration are being complied with and shall not be deemed guilty of trespass by reason thereof.

8.03 O. Owners' Maintenance Obligations. Except as may be provided in supplemental declarations which may be imposed upon some Subsequent Phase Property, and except as otherwise provided in this Declaration regarding certain yard areas of Lots and Parcels within and bordering the linear park, each Owner shall be responsible for maintenance and repair of any structure which may be constructed or installed upon his Lot or Parcel, and of his yard areas. Without limiting the generality of the foregoing, and except as may be provided in supplemental declarations referred to above, each Owner's repair and maintenance obligations shall extend to and include:

- (1) Painting, repairing, replacing and caring for roofs, fences, exterior building surfaces, exterior glass surfaces, exterior doors, and to maintaining all yard areas.
- (2) Weekly mowing, trimming, and edging of lawns and other groundcover.
- (3) Fertilizing lawns at least three (3) times a year.
- (4) Watering at intervals necessary to keep grass, shrubs and trees in an attractive condition.
- (5) Removal of dead or dying plants.
- (6) Removal of weeds and other plants that grow in the joints of the sidewalks and gutter.

8.03 P. Fences Near Streets. No fence or wall exceeding three feet (3') in height shall be erected or permitted to remain nearer any street than setback lines shown on the recorded plat. No fence or wall shall be erected or permitted to remain within the linear park except by the Association.

8.03 Q. Further Subdivision of Lots. No Lot shall (be further subdivided except:

(1) Where a Lot is to be divided between two Owners of adjacent Lots for the purpose of enlarging such adjacent Lots and converting three Lots into two larger Lots, or

(2) Where a Lot on which a duplex has been constructed or is permitted to be constructed, and the Lot is to be divided into two Lots, dividing the duplex Lot into two halfplex Lots.

In the case of a division under (1), above, the liability of the divided Lot for future assessments shall be allocated to the two resultant Lots equally. A division under (2) shall not affect assessment levels.

8.03 T. Roofs. All buildings shall have roofs of wood shake, of medium or heavy butt classification, subject to the authority of the Architectural Control Committee having jurisdiction over the Lot or Parcel to approve tile roofs and subject to the authority of such Committee to approve different roof materials for special architectural styles. All visible roofing on any residence shall be uniform in design and material. Subject to the authority of the Architectural Control Committee to approve a roof pitch of less than 5' in 12', it is anticipated that the pitch of all roofs will be at least 5' in 12'. Approval of a pitch of less than 5' in 12' shall in no way imply any roof guarantee by such Committee.

Every residence constructed on any of the Lots shall have a minimum roof overhang (including gutters) consistent with the following policy, unless the Architectural Control Committee approves deviation because the lack of such overhang is an integral part of the specific design. "Overhang all around (including gutter) is to be a minimum of (see table below) inches deep from the face of the wall finish within 24" of the plate line. If the exterior wall finish at such 24-point varies in depth (such as when masonry is partially used) then the wall finish furthest from the building line (if it is greater than 25% of the front elevation wall surface at such 24" point) will govern and determine the overhang requirement. Overhang normally not requiring gutter can be the calculated depth excluding the gutter depth."

<u>PITCH</u>	<u>MINIMUM OVERHANG INCLUDING GUTTER</u>
5:12	30"
6:12	30"
7:12	24"
8:12	24"
Greater	Varies

8.03 U. Stucco. It is anticipated that the Architectural Control Committee will pay particular attention to the use of stucco on the exterior portions of homes, which portions are visible from the street or Common Area, because of the tendency of stucco to stain from water running off of shake roofs or from sprinkler spray. Additionally, while stucco prices vary and at times is comparable in price to wood siding, the Committee also believes there is a general perception that extensive stucco use is more common in non-custom communities. Stucco is, however, also frequently used on quality custom homes

and therefore will be approved if used tastefully and with due regard to the possibility of staining. In this regard, roof overhang and drainage becomes important and should be appropriately considered in plan preparation for such homes.

8.03 Y. Trees. No trees shall, be destroyed, uprooted, cut or removed without the prior written consent of the Committee. Each Owner will be required to install as part of his landscaping, a minimum of five (5) fifteen (15)—gallon trees. The species to be of the homeowner's choice; however, at least three (3) of the trees are to be planted in the front yard. In the case of lots that have substantial mature trees in existence at the time of construction, this requirement may be waived.

8.03 Z. Minimum Size. Minimum square footage requirements may vary, depending on the housing type and use, and will be established as Subsequent Phase Property is annexed. Unless otherwise established by Declarations of Annexation, minimum square footage requirements for Bridgeview, Southshore and Stillwater are as indicated below. In the case of all Lots in Bridgeview, no single-family detached residence shall be constructed having a total finished floor space, exclusive of storage porches and overhangs, less than 1600 square feet for a one—story or split—level building and 1800 square feet for a two—story building. No duplex shall be constructed having less than 2400 square feet in total. Two halfplexes shall be treated as one duplex for this purpose. Such square footage shall be exclusive of garages and patios but shall include both residences. In the case of Southshore and Stillwater, the foregoing minimum square footages shall be increased by 200 feet to 1800, 2000 and 2600 square feet, respectively.

8.03 AA. Paint and Stain. All surfaces other than masonry walls, such as carports, wing fences or any other structure visible from the street, Lake or Common Area shall be painted or stained with a material that contains substantial color or a heavy bodied stain. No transparent or semitransparent stains will be approved unless the applicant can absolutely convince the appropriate Committee that a uniform appearance will occur and will continue over time.

8.03 CC. Perimeter Fences. The Architectural Control Committee described in Article 9 may require that fences or walls be constructed along all or portions of the perimeter of any Residential Subdivision or Parcel, and may dictate the design, plans, materials, colors and all other specifications so as to harmonize development within the Property.

8.04. Additional Restrictions and Limitations on Duplexes and Halfplexes. The following additional restrictions and limitations apply to each duplex and halfplex constructed or to be constructed within the Property:

8.04 A. Appearance. Duplexes and halfplexes shall conform to the single—family dwelling appearance of the particular Residential Subdivision in which the duplex or halfplex is located. Entries and garages for each unit of a duplex shall face different streets where possible unless specifically otherwise approved in writing by the Architectural Control Committee having jurisdiction over such

duplex or halfplex.

8.04 B. Common or Party Walls. The Owners of adjoining Lots A and B shall have equal rights to the use of party walls, except that each shall have the exclusive right to the use of the interior surface of the wall on his side. Neither Owner shall use any portion of the wall so as to interfere with the use and enjoyment of the other Owner. The center line of this wall shall be considered to adjoin and abut against the property line from the bottom of the foundation over the full length or depth and height of any building so erected; however, should minor variations between the center line of the party wall and the property line occur, the finished wall of the completed structure shall take precedence over the building plans and shall be accepted by the Owners, heirs or assigns, as being the true party wall.

Each wall which is built as a part of the reconstruction of the homes upon the property and placed on the dividing lines between the Lots or Parcels shall constitute a party wall and, to the extent not inconsistent with the provisions of this Section, the general rules of law regarding party walls and liability for property damages due to negligence or willful acts or omissions, shall apply thereto.

The cost of reasonable repair and maintenance of a party wall shall be shared equally by the Owners of the two (2) halfplexes who make use of the wall.

If a party wall is destroyed or damaged by fire or other casualty, the Owner of either halfplex which uses the wall may restore it and, if the Owner of the other halfplex thereafter makes use of the wall, he shall pay one— half (1/2) of the cost of restoration thereof without prejudice, however, to the right of any such Owner to call for a larger contribution from the other under any rule of law regarding liability for negligent or willful acts or omissions.

Notwithstanding any other provision of this Section, an Owner who, by his negligent or willful act, causes the party wall to be exposed to the elements or damaged or destroyed, shall bear the whole cost of furnishing the necessary protection against such elements or the whole cost of repair or restoration or replacement.

In the event of any dispute arising concerning the party wall, or under the provision of this Declaration, such dispute shall be determined by arbitration as provided herein.

8.04 C. Uniform Appearance. The Owner and/or Builder of the adjoining Lots A and B of a halfplex or the adjoining units in the case of a duplex shall install, as a part of the initial construction, uniform fencing, landscaping and drapery material in all areas visible from the public streets in order that a uniform appearance is created.

8.04 D. Insurance. Each Owner shall maintain in effect, at all times, fire insurance with special form coverage insuring his halfplex in an amount equal to its full insurable replacement value. The policy shall contain an endorsement preventing cancellation by the company without fifteen (15) days' prior written notice to the Owner of the adjoining halfplex. A copy of such endorsement shall be delivered to

the Owner of the adjoining halfplex. The Owner of each halfplex shall be responsible for the insurance premium covering his respective halfplex.

Nothing shall be done or kept in any halfplex which will, by its nature, increase the rate of the insurance, and no activities shall be conducted which might result in the cancellation of any insurance or which would violate any law.

In the event either or both of any two (2) adjoining halfplexes should be encumbered by a mortgage or deed of trust, monies for insurance may be impounded on a monthly basis as determined by the mortgagee or beneficiary.

If a halfplex is damaged or destroyed by fire or other casualty against which it is insured, or is required hereby to be insured, and if such damage is limited to a single halfplex, the Owner of the halfplex shall restore the halfplex to its original condition and any insurance proceeds shall be devoted to that purpose.

In the event two (2) adjoining halfplexes are both damaged by fire or casualty against which they are insured, or which they are required to be insured, to such an extent as to be considered impractical to repair, both Owners of (the adjoining units may elect not to rebuild).

8.04 E. Access for Maintenance. Each Owner shall have reasonable access over the property of the adjoining halfplex to properly maintain his halfplex, common fences and the maintenance and landscaping.

8.04 F. Drainage Easements. It is contemplated that no Lot will drain in whole or in part over any other. However, it is possible that such drainage will occur to a greater or lesser extent. By conveying Lots subject to this Declaration, Declarant shall be deemed to grant and reserve drainage easements so that each A Lot shall be burdened by a drainage easement for the benefit of and appurtenant to its adjoining B Lot, and so that each B Lot shall be burdened by a drainage easement for the benefit of and appurtenant to its adjoining A Lot. Each drainage easement shall burden that portion of a Lot not covered by a structure at that time of its conveyance by Declarant, but the burdened portion may be improved from time to time by the Owner of the Lot, even with a structure, so long as such improvements do not substantially interfere with the drainage of the benefited lot.

8.04 G. Individual Maintenance. Each Owner shall maintain his own halfplex in good condition and repair at all times, at his expense, and shall have the exclusive right to paint, repaint, tile, wax, paper or otherwise refinish and decorate his halfplex at his discretion, subject to the covenants set forth hereinafter.

8.04 H. Common Fences. The Owner of adjoining Lots A and B shall have equal rights to the use of common fences, except that each Owner shall have the exclusive right to the use of the side of such fence on his side. Neither Owner shall use any portion of such fence so as to interfere with the use and enjoyment of the other Owner. The cost of reasonable repair and maintenance of such common fences

shall be shared equally by the adjoining Owners. If such common fences are damaged or destroyed, the Owner of either Lot may restore it and the Owner of the other Lot shall pay one— half (1/2) of the cost of restoration, without prejudice to the right of any such Owner to call for a larger contribution under any rule of law regarding liability for negligent or willful acts or omissions.

8.04 I. Front Yards. The Owners of adjoining Lots A and B shall each have the right and obligation to maintain the existing front yard landscaping. No Owner shall change the basic style and design (e.g., a change from junipers to rock) of the front landscaping without first securing the written consent of the adjoining Owner and the Architectural Control Committee to such change. The same landscape maintenance contractor shall maintain the front yard landscaping of both Lots A and B at least weekly. If the Owners of Lots A and B are unable to agree upon a landscape maintenance contractor, the Architectural Control Committee shall select the contractor upon the request of either Owner. The requirement of maintenance by a landscape maintenance contractor shall not apply during periods in which the Owners of Lots A and B and the Architectural Control Committee all continue to agree that the requirement need not apply. Should any Owner or the Architectural Control Committee give notice that the requirement should be made applicable, the requirement shall be applicable beginning on the first day of the calendar month commencing at least ten (10) days ~after the giving of such notice. Notice shall be written and mailed or delivered to the Owners at the Lots and mailed or delivered to the Architectural Control Committee. During such times as requirement of maintenance by a landscape maintenance contractor shall apply, the services performed by the contractor shall be those commonly provided by such contractors, including, as applicable, mowing, trimming, weeding, fertilizing, replacing, as necessary, trees, shrubs, plants and grass, and repair of sprinkler systems. Each Owner shall be responsible for the cost of front yard maintenance of his Lot. If an Owner fails to pay, the other may pay for such Owner and shall be entitled to reimbursement plus interest at the then highest lawful rate.

8.04 J. Exterior Alterations, Maintenance and Replacement. No alterations shall be made in the exterior design or color of any structure unless such alterations are agreed upon by common Owners and resolved by the Architectural Control Committee, if no agreement.

No Owner shall add to, alter or construct any structural change beyond the confines of the unit and/or area conveyed for his exclusive use and occupancy without first having obtained written consent of the Architectural Control Committee, the local governing agency and the adjoining Owner.

Each common Owner shall cooperate with the other and share on the expense of any maintenance, repair and/or replacement relating to the exterior of the structure, which would or should be equitably construed as a common responsibility.

8.04 K. Arbitration. In the event a dispute arises between an Owner and an adjoining Owner over the application of these restrictions, the same shall be submitted to a Board of Arbitration.

Each party to the dispute will select one (1) arbitrator and the two (2) arbitrators will select a third

arbitrator. The arbitration tribunal shall have complete control of the conduct of the arbitration and may specify any rules or regulations with reference thereto not to conflict herewith. The decisions of a majority shall be the decision to the arbitrating tribunal and shall be final. The technical rules of evidence shall be waived in the discretion of the tribunal. The parties are entitled to be represented by counsel and to be heard; provided, however, that nothing herein contained shall limit the power of the arbitration tribunal to control the manner, method and conduct to the proceedings and the presentment of the evidence, subject always to the requirement that the parties be given a fair and impartial hearing. Where not inconsistent herewith, the rules of the American Arbitration Association apply.

In any arbitration, the arbitrators shall have the broadest possible power permitted by law to frame their awards or decisions so as to do substantial justice between or among the parties. The Declarant herein agrees that it will faithfully observe the contents of this agreement and the Rules, and that it will abide by and performs any award or decision rendered pursuant to this agreement upon the award.

8.05. Additional Restrictions and Limitations on Lakefront Lots and Parcels. Any building, structure or other improvement to be constructed or placed upon any Lot having frontage on the Lake (a “Lake Lot”) shall also be subject to the following additional restrictions and limitations:

8.05 A. Setbacks. In addition to the setback requirements required by other sections of this document and the City of Sacramento, on Lake front Lots in which a two— story or split—level home is to be constructed, the minimum rear yard setback will be twenty feet (20’). However, in the case of a home which is constructed in which fifty percent (50%) of the house (measured from the projection of the eaves) is twenty—five feet (25) or more away from the rear property line, the appropriate Architectural Control Committee may approve the remaining fifty percent (50%) being placed to a point equal to the minimum fifteen feet (15’) rear yard setback. Cobble Shores Lots 1, 2, 4—9, 12—22, 25—28, 30—39, 42—53 and 149—151 shall have a minimum front yard setback of thirty—five feet (35)~ All corner lot setbacks will be subject to the review of the appropriate Architectural Control Committee but in any event will not be approved any less than minimum City requirements. The remaining interior Lots will have a minimum setback of twenty—five feet (25’); however, larger setbacks will be encouraged by the Committee.

8.05 B. Grading. Lots with Lake frontage are graded by Declarant such that the majority of drainage will drain toward the street. The Committee will generally disapprove landscape plans such that run off will drain directly to the Lake.