

Rancho Carlsbad Owners' Association

AMENDED AND UPDATED RULES AND REGULATIONS

The following Rules and Regulations have been established by the Rancho Carlsbad Owners Association (RCOA) to promote safety, enjoyment, and value within Rancho Carlsbad (herein referred to as Community). These Rules and Regulations apply to, and are created for the benefit of, all persons who reside in the Community and their guests. Rules and Regulations may, with proper notice, be modified at any time by the Association's Board of Directors. Please note also that the following Rules and Regulations complement and expand upon the Association's By-laws and Covenants, Conditions, and Restrictions (CC&R's). Residents should review the By-laws and CC&R's for additional policies and restrictions that affect Rancho Carlsbad.

1. GENERAL

A. Definitions

1. The Definitions set forth in the Amended and Restated Declaration of Conditions, Covenants and Restrictions are hereby incorporated here:-

2. "Approve or Approval" shall mean said approve or approval has been provided in writing by the approving person, committee, the Homeowners Association, or any agent therefor.

B. Persons 55 and Older

Rancho Carlsbad is an active retirement community that provides housing for people aged 55 and older. Each household must have at least one person the age of 55 years or older, and all other household members must be at least 45 years of age.

C. Residential Use Only

No trade or business may be conducted from manufactured home spaces in the Community, except that a home may be used as a combined residence and professional office by the owner as long as such use does not involve entry into the Community of clients or other business-related guests and provided such use does not interfere with the quiet enjoyment of the Community by other residents. No daily or nightly child care service is allowed within the Community.

D. Animals

1. Definition of Animal

The word animal means any domesticated cat or dog including service animal. Since the Community is high density and not designed to accommodate fences and other outside enclosures, a "pet" is further defined as a house animal.

2. *Animals Per Unit*

Each unit may have a maximum of one (1) dog and two (2) cats, in addition to any domesticated bird, aquatic animal kept within an aquarium, or other similarly restricted animal.

3. *Disapproved Animals*

The following list of dogs is disapproved for occupancy within the Community: Pitbulls and Pitbull mix, Rottweiler and Rottweiler mix, Doberman Pincher and Doberman Pincher mix, and Wolf-Hybrid.

4. *Approved Animal*

Prior to bringing an animal into the Community, the resident shall obtain:

- a. Permission from the RCOA
- b. An Animal Agreement
- c. Proof of vaccinations and neutering/spaying
- d. A photograph of the animal

5. *Existing Animals*

All existing animals are subject to the same registration requirements described above including:

- a. An Animal Agreement
- b. Proof of vaccinations and neutering/spaying
- c. A photo of the animal

6. *Replacement of an Approved Animal*

When an approved animal is no longer residing in the unit, any new animal shall first be approved pursuant to the terms of the approved animal section above.

7. *Responsibilities of Animal Owner and Unit*

Animal owner must:

- a. Clean up after the animal(s).
- b. Assure that the animal does not create loud or disruptive noises.
- c. Not allow an animal to enter on the property of other residents.
- d. Keep the animal on a leash at all times when outside of the enclosed unit areas or dog park. The leash must be 12 feet in length or less.
- e. Attend and accompany an animal at all times when outside the residence, including resident porches and carports. Animals may not be tethered by leash to any outside structure.
- f. Not leave the animal unattended in the home for more than 24 hours.
- g. Provide the Administration Office certification that the animal is in full compliance with all vaccinations annually.

8. *No Animal Areas*

State Law prohibits pets in the pool area. Animals, excluding service animals, are not permitted in the community garden area and any community buildings, including but not limited to:

- a. The administration building
- b. The clubhouse
- c. The recreation buildings
- d. The laundry buildings
- e. The multipurpose buildings

9. *Guest Animals*

Non-approved animals shall not be brought into the community by guests, nor may residents temporarily care for non-approved animals. Guests who bring an animal into the community must complete a pet agreement prior to arriving.

10. *Failure to Abide by the Animal Agreement and these Rules*

Failure to abide by the Animal Agreement and these rules will subject the Unit owner to fines and other enforcement alternatives under the Enforcement Policies and Procedures. These may include, without limitation, the removal of the offending animal after a third violation. In addition, nuisances may be reported to County Animal Control. Loose or stray animals will be turned over to County Animal Control.

11. *Animal Biting*

If an animal bites any person, the animal shall be removed from the unit and the community.

12. For health and safety reasons residents must not feed wild animals.

E. *Rental of Homes*

Owners may rent out their homes, provided that no home will be rented without community management first having approved both the proposed tenant and the form of the rental agreement to used. Community management will provide an addendum that must be attached to any such rental agreement that will require the tenant to abide by the Community's Rules and Regulations, CC&R's and By-laws. A rental agreement or lease shall have an initial term of no less than 6 consecutive months. Owners who rent out their homes are always be responsible for Homeowners Association dues and for utility billings. Rent payments by a tenant to an owner is a private matter between the parties involved does not concern the RCOA or community management.

F. *Sale or Transfer of Home*

At the time a home is sold or transferred to a new owner, that same new owner must simultaneously purchase the underlying manufactured home space. EXCEPTION: if a home has been bequeathed or gifted to an immediate family member, the heir or family member will not be bound by this requirement.

G. Guests

Residents responsible for the conduct of their guests at all times and residents are responsible for any violations of the governing documents by their guests. Guests using the Community's recreational facilities must be accompanied by a resident or be in possession of a yellow guest tag. Yellow guest tags are used when the guest is visiting a resident and not intended to be used when the resident is not home. Extra guest tags may be obtained from the Administration Office. Daily passes for guest automobiles will be issued at the entrance gate and must be displayed on the dashboard at all times. No guest will be allowed to stay longer than 30 days in any calendar year. Extended guest passes for no more than 30 days may be obtained from the Administration Office. Written approval for longer visits may, in special cases, be obtained from the Board of Directors.

H. Community Access

The entrance to Rancho Carlsbad is monitored by gate personnel. Management has the responsibility to control and prevent access to the Community by any person at all times. Management also has the responsibility to protect the Community and to eject without prior notice any person or persons who become objectionable, create a disturbance, or cause a nuisance.

Each resident vehicle, including golf carts, will be issued a resident sticker to be placed on the driver's side of the front windshield in the lower lefthand corner. All resident stickers shall be removed from windshields and returned to management ten (10) days prior to close of escrow when a resident's home is sold or when the home is removed from the Community. A temporary pass will then be issued for the remaining ten (10) days of residency. Vehicles sold by residents must have resident stickers removed and returned to management before a new sticker can be issued.

Unless a guest is listed on the resident's list of authorized visitor(s), residents must notify gate personnel of the expected arrival of visitors. If a host resident does not so notify gate personnel and that resident cannot be reached by phone, visitors may be turned away.

I. Phone Numbers

Residents must give at least one phone number to management so that they can be contacted when necessary. These phone numbers will be published in the Community's phone directory unless the resident or owner requests management to treat the phone number confidentially. This directory will be given only to owners, renters and management. The directory must not be used for business solicitation purposes, and must not be given to third parties outside of the Community.

J. Trespassing

Trespassing on home spaces within the Community is strictly prohibited.

K. Conduct and Noise

Residents and their guests must conduct themselves so as not to interfere with the quiet enjoyment of the Community by others at all times. Quiet hours are between 10:00 pm and 8:00 am and must be observed by residents and their guests. Apart from emergencies, contractors are prohibited from entering or working within the community before 8:00 am and after 6:00 pm Monday through Saturday. In some instances, in order to complete their day's work, contractors may be allowed to stay after 6:00 pm if no noise or inconvenience to neighbors is generated. Any work that creates noise or inconvenience and affects the quiet, peace and tranquility of the neighborhood is prohibited in the Community on Sunday or a national holiday.

Abusive language or conduct will not be tolerated. Residents shall treat all Association staff and vendors with respect and shall not use abusive language or behavior when interacting with staff or vendors. If a resident has an issue with a staff member or vendor, the resident shall not attempt to address the issue on his or her own, rather it should be reported in writing to the community manager for handling. Residents shall treat all Association staff and vendors with respect and shall not use abusive language or behavior when interacting with staff or vendors. If a resident has an issue with a staff member or vendor, the resident shall not attempt to address the issue on his or her own, rather it should be reported in writing to the community manager for handling.

The use or display of any weapon or fireworks is expressly forbidden. Skateboarding, roller-blading, roller-skating, running of remote-controlled toys, drones or playing games involving balls or flying objects is not allowed on community streets.

L. Estate/Moving/Yard/Carport Sales

Rancho Carlsbad is a controlled access community. Sales open to the public, are not permitted. Items for sale may be shown to guests by appointment only. It is the responsibility of the resident to notify the gate of the prospective buyer's name and time of arrival. One (1) yard/carport sale is allowed annually.

II. TRAFFIC AND PARKING

A. Vehicle Restrictions

Noisy, polluting, unlicensed, unregistered or uninsured vehicles may not be driven within the Community. Motorcycles may not be driven within the Community, with the exception of residents who own motorcycles may drive their motorcycle, entering and exiting the Community, directly to and from their residence by the most direct route.

B. Speed Limits

All vehicles, including but not limited to golf carts, electric scooters, and bicycles, must be operated slowly and with caution in the Community, and all posted traffic regulations must be observed. Pedestrians shall be granted the right-of-way at all times. Automobiles must share the road in a safe and courteous manner with bicycles, pedestrians and golf carts. The speed limit is 15 MPH.

C. Driveway, Street and Guest Parking

Each unit space must at all times have clear room available on the driveway and/or in the carport or garage for a minimum of two (2) automobiles. A maximum of three (3) vehicles including golf carts may be parked on a unit space, and only in the driveway and/or carport and/or garage (exception: golf carts refer to Section IV M). Vehicles parked on a unit space must be operable and may include pick-up trucks up to a rating of 3/4 ton. There are two (2) exceptions to this last restriction: Any vehicle which is parked inside an enclosed garage and recreational vehicles which are parked on a driveway or street for not more than twenty-four (24) consecutive hours for purposes of loading or unloading.

Whenever possible, guests should park on their host's driveway or in designated guest parking spaces; if such is not available, street parking is permitted during the day and evening until midnight. Overnight street parking is prohibited. Designated guest parking spaces are not to be used to accommodate vehicles owned by residents. However, residents may park in a guest parking space overnight with temporary special permission obtained from management. Guest vehicles must not be parked in guest parking areas for more than seventy-two (72) hours without notification to Community Management. Parking is not permitted at any time on vacant spaces or on the driveways of vacant spaces, unless permission has been given by the owner of the lot. Vehicles violating the above parking rules may be towed at the owner's expense.

D. RV Storage Area

Only Rancho Carlsbad residents may rent a space in the RV storage lot. Management will maintain a first-come-first-served waiting list for RV rental spaces. No resident may rent more than one space if a waiting list exists except on a temporary basis. Rental spaces are to be used solely for the parking and storage of currently DMV registered and insured recreational vehicles or other licensed motorized vehicles. Registrations and titles must be in the name of the resident. The RV storage area shall not be utilized as a sales yard or as storage for a sales yard. The maintenance, restoration and/or repair of any vehicle shall not be permitted within the recreational vehicle storage area. No uncovered chemicals shall be stored on-site. The utilization of a stored vehicle as a living unit shall not be permitted. No storage sheds or structures may occupy a rental space. Existing storage sheds or structures will be removed when a space is vacated and re-rented by another resident. Rental spaces may not be sublet and are not transferable or assignable to other residents. When a resident sells his/her home, he/she cannot transfer the right to rent the RV space to the purchaser unless no waiting list for RV spaces exists. If a waiting list of residents desiring RV spaces exists, a resident keeping a space empty for more than 90 days without written permission from the Board will lose his/her right to rent that space.

E. Vehicle Repair and Maintenance

Only emergency repairs may be performed on vehicles parked on the street or in designated guest spaces. Only emergency repairs or light maintenance will be allowed on vehicles parked in carports or driveways. Oil Changes and other automotive repairs involving fluids are prohibited in Rancho Carlsbad due to environmental concerns, and Federal and State Statues. Each resident is fully responsible for any costs of clean-up arising from the malfunction or repair of any vehicle owned by that resident or that resident's guests.

III. ARCHITECTURAL STANDARDS RELATING TO NEW HOMES

A. Vacant Spaces

When a manufactured home is removed from a space, the space owner will have 90 days to place a new home on the space and to place this home on the San Diego County real property tax rolls.

B. Homes and Garages

Homes must be new single story manufactured homes that are considered to be double-wide or larger by the manufacturing home industry, having a minimum living area of 1600 square feet. The total square footage under roof cannot exceed 75% of the total lot square footage. For lots smaller than 4000 square feet, a written request to move a smaller home on the lot must be submitted to the Architectural Control Committee. The smaller home being requested shall be no less than 1450 square feet. Enclosed garages are acceptable as an alternative to carports as long as all City of Carlsbad, and the California Code of Regulations, Title 25, setback and fire codes are met. Minimum setbacks are 5 feet front, 3 feet rear and 3 feet side. The new home must be placed on the lot with the front setbacks of the home angled to the street in the same direction of the other homes for uniformity. Exceptions may be made by the Board of Directors for lots that are large or uniquely shaped.

C. Plan Approval

No home may be placed or constructed on a lot in Rancho Carlsbad without submittal of the following: detailed building plans, New Home Installation Check List, and preliminary landscaping plans. The committee will review plans within 30 days of submittal and issue a determination on the application within this time period and issue a determination on the application within this time period. Before commencement of construction, the owner must show that his plans conform to applicable government codes and that required building permits have been obtained from the City of Carlsbad, and/or the State of California. The plans shall show placement of the home on the lot with specific dimensions from all property lines. The plan must show specific location of all exterior items including carport, storage shed, garage, porch deck roofs, steps, exterior air conditioning unit, drainage, and other hardscape. A brochure or representative picture, from the home manufacturer, with outside dimensions, specifications and exterior building material description of the new home, color samples showing the exterior color of the home and trim, storage shed, carport and/or garage must also be submitted along with the plans. No work shall commence until the written approval of the Committee is obtained. All work performed must be in substantial compliance with the approved plan and/or application. Any deviation from the approved plans and/or application shall require further Committee approval(s).

Setting up a manufactured home and other construction in Rancho Carlsbad shall only be performed by contractors who can produce, upon demand and before work begins, a valid written California State Contractor's License certificate showing the individual to be a properly licensed contractor, duly insured and bonded. Should the certificate fail to identify the individual, then another document must be produced attesting to the fact that the individual is authorized to proceed by or under the certificate owner. To insure plan changes are acceptable, the Architectural Control Committee must give approval prior to the city's final approval. After removal of the old home the owner must complete the placement of the new home within three (3) months. After placement

of the new home, a final landscaping plan shall be submitted to the Architectural Control Committee for review and approval. All related improvements and landscaping must be completed within three (3) months of placement of the new home.

D. Removal of Structure from a Lot

The removal of any residence, or other structure, from the lot upon which it is situated shall be done only in accordance with the provisions set forth below. No less than forty-eight hours prior to the start of dismantling, the owner of the residence, or lawful designee, shall:

1. Complete the form entitled "Notification of Removal of Residence" available at the administration office.
2. Deposit \$2,500 with the community manager to cover any damage to the area during the removal and to ensure the lot is returned to an acceptable appearance and condition. The deposit shall be used by RCOA to repair any damage or to remove debris. The deposit will be returned within twenty-one (21) working days following the date of removal. If, in the opinion of the community manager, repairs and/or removal of debris are necessary, management shall notify the responsible individual of the action required. In the event there is disagreement as to compliance with RCOA regulations in removal of the structure, the owner may submit written request to the RCOA for a hearing by the Board. This request must be submitted within three (3) working days after notification by the community manager that corrective action is required. Upon receipt of such request, the Board will schedule a hearing and its determination will be final.
3. If corrective action is not taken, and a request for a Board hearing has not been filed as specified herein, the community manager may, within four (4) working days of such notification and without further notice, use the deposited funds for such purpose and return to the depositor any unused portion with a written accounting of the expenditures.

The owner of the residence, or designee, is responsible for all coordination of contractor personnel prior to the start of any work. Such coordination shall include ensuring that the contractor has registered with the Association Office.

The removal and clean-up must be accomplished within fourteen (14) working days from date of submittal of Removal of Residence form and deposit of funds. All services, such as gas lines, water lines, sewer lines, electric lines and cable lines to the residence, are to be disconnected, capped and left intact in workable condition.

E. Preliminary Requirements for New Homes

Prior to placement of a new residence, the owner shall submit the following to the community manager:

1. A deposit of \$2,500 to cover any damage to the common area during the installation. This deposit shall be used by RCOA to repair any damage,

or remove debris post placement. The deposit will be returned within twenty-one (21) working days after the completion of installation. If, in the opinion of the community manager, repairs and/or removal of debris is necessary, management shall notify the responsible individual of the action required.

2. If corrective action is not taken, and a request for a Board hearing has not been filed as specified herein, the community manager may within four (4) working days of such notification, and without further notice, use deposit funds for such purpose and return to the depositor any unused portion with written accounting of the expenditures.

3. In the event there is a disagreement between the community manager and an owner as to whether the owner has complied with RCOA regulations, the owner may submit within three (3) working days, and after notification by the community manager that corrective action is required, a written request to the Association office for a hearing by the Board. The Board will schedule a hearing, and its determination will be final.

F. Approval Process

Prior to authorizing the placement of any residence in Rancho Carlsbad, the community manager shall obtain the written concurrence from the Architectural Control Committee that all plans submitted are in compliance with the specifications and regulations set forth herein. Once the community manager is satisfied that the submitted documentation is complete and satisfactory, the applicant will be notified in writing of approval for the installation to proceed.

An approval is not a statement, including without limitation, the home, placement of the home or accessory structures, the amperage usage, the construction materials, meet the requirements of any statutory, regulatory or ordinance requirements. It is the sole and exclusive responsibility of the resident to comply with the statutory, regulatory or ordinance requirements and to obtain any and all necessary permits.

G. Post-Approval Activities

The home must be completely installed, including improvements and landscaping to the satisfaction of the community manager, within 90 days of the placement of the residence.

Notwithstanding any other provisions set forth herein, the owner of the property upon which a home is situated, has the ultimate responsibility for the homeowner's compliance.

H. Driveway Standards

Driveways/carports require clear and adequate space for off-street parking for a minimum of two (2) automobiles. Driveways shall be a minimum of 11 feet in width. Carports shall have a minimum clear space of 11 feet wide between the home and the carport stanchions to safely enter/exit a vehicle. (Ref: Section II, Article C. Driveways)

Driveways concrete installation/location and carport covers and stanchions are addressed in Section IV. Additional Architectural Standards, Article(s) I. Carport Supports and L. Use of Concrete.

Modification to an existing or new driveway or carport installation requires prior review and approval of the Architectural Control Committee.

I. Roofs / Gutters

Roofs must be pitched and of conventional composite shingle-type construction, except that of carports, porch and deck structures. A request for an exception to use alternative fire retardant roof shingles must be submitted to the Architectural Control Committee in writing with brochures, samples and color swatches. No work may begin until approved by the Committee and the owner receives an approval letter from the community manager. New homes to have rain gutters with a minimum 2" drain pipe buried under ground and exiting through street curb.

J. Siding and Skirting

Siding may be of wood, hardboard or the current cement composite hardboard siding with a vertical or horizontally lined design, or stucco. On any side of a home or garage which fronts a street, the siding of the home must drop down to meet a decorative foundation fascia constructed of block covered with brick or stone. Cement-based stucco can be substituted for bricks or stone when the entire structure is stucco. A request to use other cement-based decorative fascia must be approved by the Architectural Control Committee and a sample of the product with manufacturer's data must show material, length, width, thickness and how the product is installed. On other sides of the home, the skirting must drop down to rest on the driveway or on a concrete footing of minimum size 6" wide by 4" deep. Skirting should match the existing siding in color, material, and style. New or renovated decks or porches facing the street(s) will have cinder block covered with brick, or stone skirting wrapped around a minimum of 3 feet around the side.

K. Foundations

A foundation is required and must be HLTD and/or HCD approved as a permanent foundation and earthquake bracing system for a manufactured home. Wheels and axles must be removed.

L. Entry Steps

Front entrance steps must be constructed of stone, brick or other cement-based pre-approved material that conforms to appropriate building codes. Any other materials require Architectural Committee approval.

M. Railings

Railings on entry steps and porches shall be of wood, wrought iron, wood alternative composite or vinyl. Railings must meet all California residential codes and be approved by the Architectural Control Committee.

IV. ADDITIONAL ARCHITECTURAL STANDARDS

A. Approvals and Permits

1. Exterior construction, alteration, excavation, painting or permanent landscaping (including the removal or major trimming of trees), may not commence without first having submitted plans to and receiving written approval from the Architectural Control Committee. All work shall meet the guidelines of Title 25 of California's Code of Regulations, and shall be permitted by the City of Carlsbad and/or the State of California when so required.

Any and all approved improvements must be completed within 90 days from the date of approval by the Committee, with the following exceptions: 1) Homeowner may, in writing, request to withdraw his plans, and 2) If an approved plan cannot be finished within 90 days, a request for an extension of 30 days only may be submitted. Should the homeowner fail to complete the work within 120 days of approval, the issue may be considered on an exception basis by the Architectural Control Committee.

An approval is not a statement, including without limitation, that the home, placement of the home or accessory structures, the amperage usage, the construction materials, meet the requirements of any statutory, regulatory or ordinance requirements. It is the sole and exclusive responsibility of the resident to comply with the statutory, regulatory or ordinance requirements and to obtain any and all necessary permits.

B. Sheds and Enclosures

The Community is high density and not designed to accommodate outside enclosures other than standard storage sheds or enclosures for utility meter, trash cans, and/or air conditioning unit. Erected sheds and enclosures must visually blend with the main home in an aesthetic manner. These sheds must be painted to match the home.

Homes may have a maximum of two sheds per space, having a maximum combined masonry floor area of 120 square feet. Sheds shall conform to all California Code of Regulations, Title 25 and City of Carlsbad regulations as to location, height, and construction and must be placed a minimum of three (3) feet from any property line.

Utility meters, air conditioner and garbage can pads in side or rear yards may be enclosed provided the total height of the enclosure does not exceed 48". Utility meter enclosures must be made of lattice, removable, properly vented and accessible to the meter reader.

Installation of a greenhouse may not commence without submittal of a detail building plan and receiving written approval by the Architectural Control Committee.

C. Air Conditioners

Evaporative cooling systems, window or roof-mounted air conditioners are not permitted in the Community. A ground-mounted air conditioner is allowed in the rear yard of the home, or, with the written approval of the Architectural Control Committee, in the side yard of the home.

D. Antennas, Mini Satellite & Video Dishes, Flag Poles

Exterior antennas, mini satellite, video dishes, and flag poles must be approved by the Architectural Control Committee. The antennas/dishes are to be located in the rear of the home site and not be visible from the street or common areas. Maximum height for a flag pole is 20 feet. Must be set back 5 feet from the front and 3 feet from the side from all property lines respectively. Corner lots are considered to have two front yards.

E. Signs

Signs are not permitted on manufactured home spaces, except name and address signs, and "home for sale" signs no larger than 18" x 24".

Political signs may be posted 90 days prior to an election and must be removed within 15 days after the election. (CA civil code 1940.4.)

F. Outdoor and Landscape Lighting

Outdoor lighting must be designed in such a manner as not to disturb neighbors or create a glaring or unattractive appearance from the street.

G. Freestanding Fences, Privacy Screens, Hedges and Walls

No freestanding fence or privacy screen will be allowed in the front yard or side yard of a space (Note: a corner lot will be presumed to have two front yards.) Planted hedges, less than six (6) feet tall, are permitted in side and rear yards. Hedges must be maintained and trimmed so as not to encroach into a neighbor's space. The following construction standards must be met:

1. A fence or privacy screen can not exceed (6) feet in height (measured from original grade), (California Code of Regulations, Title 25)
2. Fences and privacy screens can be wood and/or vinyl. When applicable, fence posts shall be 4x4 installed plumb. CAUTION: Use extreme care to avoid underground utilities when digging post holes.
3. A freestanding fence or privacy screen shall not exceed 16 feet in length. A 30" minimum opening is required for fence sections exceeding 16' length. Fences and privacy screens will be allowed between residences' spaces provided they are located mid to rear of side property line, and agreeable to the property owner on affected side, as shown in Exhibit 1.
4. Freestanding fences - No chain link are permitted. If using lattice, the material shall be either wood or plastic and requires the lattice to be mounted using a wooden frame.
5. The fence or privacy screen, shall be white or a color matching the home. Fences left in their natural state must be stained/coated for protection to meet and maintain community standards.

6. Non-retaining masonry, brick or similar walls constructed along the side yard property lines shall not exceed 12 inches in height from ground level and shall not encroach into the front yard. Such walls shall be set back from the curb. The Architectural Control Committee will determine the exact acceptable setback distance, depending on the home's orientation to the curb line. (Reference Section V. Maintenance, Paragraph D. Drainage, prior to designing/constructing any walls.)

7. The Board may approve exceptions where appropriate.

H. Screens Attached to Awning Supports

Homeowners may attach privacy screens to the awning supports of either carports or porches, provided that all fire and ventilation requirements of the City of Carlsbad and of the State's Title 25 Code of Regulations are met. Note: The carport screen must not exceed 50% of the opening. Privacy screens cannot be attached directly to the front of home.

I. Carport and Porch Awning Supports

Carport and porch awning supports, of an approved type, are to be erected and maintained in a vertical position and be appropriately anchored to the concrete driveway or concrete footings, or secured in concrete to maintain strength and stability. Homeowners are advised to check with the City of Carlsbad before modifying carport and/or carport supports.

J. Awnings

Colors must blend with house or trim. Color chips for metal awning and/or color swatches for fabric as well as quality standards must accompany application to Architectural Control Committee for approval prior to installation.

K. Exterior Painting

Plans for painting, along with color samples or swatches, shall be submitted for approval to the Architectural Control Committee even if there is no change to the house paint color. The primary color of the home is to be earth tone compatible. Any color, design, scheme, or configurations must be in harmony with Community standards and approved by the Architectural Control Committee. No more than three colors may be used including shutters, awnings, or railings.

L. Use of Concrete

The use of concrete or other permanent impervious material will be limited in its use to driveways, walkways, patios, footings and foundations. Stamping of patterns into concrete, such as a flagstone pattern, and colored concrete are encouraged in order to alleviate the cold look of plain concrete walks and patios. Adequate drainage must be provided. Painting of concrete driveways and application of cover coat is restricted and will be considered on a case-by-case basis. The CC & R's (Covenants, Conditions and Restrictions) provide an easement in favor of Rancho Carlsbad for passage of utility lines into each home. These lines are generally located three (3) feet, more or less, inside and along the rear property lines of all lots. Concrete must not

be used to cover these areas. Concrete and decking installed by the homeowner, which must be removed for repair or replacement of utility lines, shall be removed at the homeowners' expense. Also, three (3) foot concrete extensions to accommodate curved awning supports must stop at the end of carport awnings and not extend to the street, as shown in Exhibit 2.

M. Golf Cart Pads

The design and location of a golf cart pad is unique and a function of several factors: lot size, home location, driveway size and landscaping. Therefore, a detailed plot plan of the property showing the location, surface material and landscaping of the pad must be submitted with a request to the Architectural Control Committee. The size of the golf cart pad shall be limited to accommodate only a golf cart and must not be located within three feet of a neighboring structure and in the front yard area except for three feet adjacent to the driveway side of the home. The surface material shall be concrete or pavers as appropriate for the location of the pad (i.e. certain locations require pavers instead of concrete). The pavers and landscaping shall blend with existing design. Golf Carts must not, for health and safety, be parked on entrance walkways.

V. MAINTENANCE OF MANUFACTURED HOME SPACE

A. General Appearance and Condition

Residents are responsible for maintaining their homes and spaces in a clean, repaired, and attractive manner. Homes **must** be well maintained and attractively painted; yards **must** be neat and free of debris, with landscaping and lawns trimmed, weeded, and watered. All trash cans, boxes, garden tools, bottles, appliances, ladders, furniture (except patio furniture), power tools, etc., must, except on drying racks or clotheslines that are not visible from the common area, be kept out of view. Laundry, towels, swimwear or other apparel may not be hung outside the home. Storage under homes is not allowed for health and safety reasons. "Crawl spaces" under homes must be secured against intrusion by animals. Crawl space air vents made of plastic should be backed up with sturdy metal screening to discourage such intrusion.

B. Landscape Maintenance

It is the desire of this Community to maintain a "greenscape" type landscape design in the front yard of each home. Any new home or any re-landscaping of an existing home must have some live plant material. Artificial grass is acceptable. If rock is used in landscaping, there must be live plant material in the front of the house to keep the "green" appearance. Front yard planter boxes (free standing or attached to the front of the house) will be limited to 18 inches in height. With the exception of seasonal holiday decorations, any front yard ornaments, such as statues, whirligigs, etc., will be limited in number and size by the Architectural Control Committee, which in its sole discretion, deems compatible to the preservation of the overall aesthetics and harmony of the community.

Each homeowner will be solely responsible for the upkeep of all landscaping on that owner's space. The only exception is if the homeowner has executed a "Street Side Tree Maintenance Agreement." If the homeowner does not execute the "Street Side Tree Maintenance Agreement," then the homeowner is solely responsible for any "Street Side Tree" located on the space.

“Street Side Trees” are defined as: trees from the approved tree list located on or about the property line between individually owned homes.

A street side tree covered by the “Street Side Tree Maintenance Agreement” that is diseased or causing damage, as determined by Architectural Control Committee, will be trimmed and/or roots cut at RCOA expense. If removal of the tree is determined to be necessary, the stump will be ground down and a replacement tree planted in the same space, with appropriate root barrier and watering pipe to minimize future surface root problems. Replacement trees will be a minimum size twenty-four inch (24") box, from the approved tree list, the choice to be that of the homeowner(s). Such replacement tree will become a “Street Side Tree”.

“Non-street side trees” - The RCOA encourages as many trees in the Community as aesthetically possible. If an owner wishes to remove a tree that is overgrown or whose limbs or roots represent a hazard to the property, such request will not be unreasonably denied. If an owner wishes to remove a tree for other purposes, again, such a request will not be unreasonably denied. On a case-by-case basis, the planting of a replacement tree may be required. If the tree to be removed is within the street-side view corridor, the stump and roots will be removed or ground down to below grade. If the property owner’s tree to be removed is beyond the street-side view corridor, the tree shall be cut at a minimum to ground level.

A space owner shall not let his/her landscaping encroach on a neighbor’s space if such encroachment becomes a nuisance to that neighbor. Space means the same as home, lot, or unit.

C. Trash

Trash containers must be located out of view. Containers should be put out for curbside pick-up no sooner than 5:00pm on the evening previous to pick up day. Containers must be retrieved from the curb on the same day as trash pick-up.

D. Drainage

The homeowner will be responsible for the drainage of his or her lot and will maintain or improve lot grade to prevent water from collecting under the home as required by Title 25. Water from a lot may drain onto an adjoining street, but must not be allowed to flow over neighboring lots unless it can be shown that such neighbor-to-neighbor drainage is the result of a natural and established drainage pattern. Water runoff from roofs must be directed to an adjacent street by means of gutters and downspouts. Downspout drains leading to the curb must be buried with the curbside end emerging through the curb. No lot may be graded or roof drainage altered without written approval of the Architectural Control Committee.

E. Access by Management

Management may at any time enter an individual manufactured home space or exclusive use area for the purpose of making emergency repairs or to abate any nuisance being conducted or being allowed to continue by the space or homeowner. Any cost of such repair or maintenance, when occasioned by the neglect or misuse of such property by the resident, will be reimbursed to the RCOA by the individual owner via a reimbursement assessment which may become a lien upon the lot. All utility meters and shut-off valves must be kept uncovered and accessible to Community maintenance personnel.

VI. RECREATION AND COMMUNITY FACILITIES

PLEASE NOTE: ALL COMMUNITY RECREATION AREAS ARE TO BE USED AT ONE'S OWN RISK. THE RANCHO CARLSBAD OWNERS' ASSOCIATION CANNOT BE HELD RESPONSIBLE FOR ANY INJURY INCURRED AS A RESULT OF THE USE OR MISUSE OF THESE FACILITIES. THE RESIDENT IS SOLELY AND EXCLUSIVELY RESPONSIBLE FOR ANY INJURY INCURRED AS THE RESULT OF THE USE OR MISUSE OF THESE FACILITIES BY *RESIDENT, RESIDENT'S GUESTS OR RESIDENTS' INVITEES*.

ALL RANCHO CARLSBAD BUILDINGS ARE SMOKE FREE

A. Posted Regulations

Recreation and community facility areas are subject to the regulations set forth in this Section VI, as well as to special regulations posted on-site. Regulations posted on-site are intended to have the same force and effect as the rules and regulations contained in this document.

B. Guests

Guests must be accompanied by a host resident when using the recreation facilities, or be in the possession of a yellow guest tag. Extra guest tags may be obtained at the Administration Office. Yellow guest tags must be returned to host resident after their visit. Tags should not be removed from the Community.

C. Clubhouse

Food and drink are not allowed in the billiard room or library. No person in a bathing suit, bare feet, or shirtless will be allowed in any part of the clubhouse.

D. Craft, Fitness, Ping Pong and Shuffleboard Rooms

Bathing suits, bare feet, and shirtless attire are not allowed in these facilities. For safety and liability reasons, persons under the age of 16 are not allowed in the fitness room. Please observe posted regulations in all areas.

E. Pond

No swimming, boating, or remote controlled toys are allowed in the pond. Fishing in the pond is allowed during daylight hours by residents or guests accompanied by host resident. Fishing will be on a "catch and release" basis with only barbless hooks allowed.

F. Swimming Pool and Hydro-therapy Pool (spa)

This is a private pool and it is for the use of Rancho Carlsbad residents and their guests only. The courtesy patrol is in charge of pool facility operations and enforcing the RCOA health and safety rules. Their instructions must be followed without hesitation. The courtesy patrol is to be treated with respect at all times. Anyone who disrespects the policies and rules of the pool facility may be removed from the pool area at the discretion of the courtesy patrol.

Please remember no lifeguard is on duty and all swimming and bathing is at one's own risk. All posted pool and spa regulations, some of which are repeated here, must be observed:

1. Pool hours and rules are posted in the pool area. Spa area will be locked from 11 p.m. to 5 a.m. while thermal cover is on.
2. The pool is reserved Monday thru Friday mornings 6:00 a.m. thru 12:00 noon for exercise, therapy, lap swimming and classes for adults only.

Pool hours for children sixteen (16) years and under are as follows:

Monday thru Friday – 12:00 noon to 2:00 p.m.

6:00 p.m. to 9:00 p.m.

Saturday - 10:00 a.m. to 2:00 p.m.

6:00 p.m. to 9:00 p.m.

Sunday and *National Holidays – 9:00 a.m. to 9:00 p.m.

*National Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. When the specified National holiday falls on a Sunday, then the nationally celebrated Monday will follow the Sunday rules.

Children must be closely supervised at all times by the host resident or an adult guest over the age of twenty-one (21) and in possession of a yellow Guest Tag.

3. Persons sixteen (16) years or younger are not permitted to use of the spa.
4. Adult and child bathers must wear proper and sanitary swimsuit attire. Persons wearing diapers, cutoffs, swim diapers or underwear will not be allowed in the pool or spa under any circumstances.
5. No food, alcoholic beverages (including beer) or glass containers will be permitted in the pool or spa areas.
6. Water wings, noodles, kickboards, and USCG approved life vests are recognized safety items and are permitted in the pool. Diving rings, diving sticks are allowed in uncrowded conditions. Toys and inflatable items are not permitted. (Examples: water guns, super soakers, balls, Frisbees, etc.)
7. Smoking is not permitted inside the enclosed pool area, which includes the craft, fitness, ping pong, shuffleboard, locker rooms and restrooms.
8. Running on the pool deck or acting in a manner that exposes oneself or others to the risk of injury will not be allowed.
9. Standing or sitting on the lifeline is not permitted.

10. Only audio and video equipment used with earphones are permitted in the pool and spa area.
11. For health and safety purposes, animals are never allowed inside the pool area. Animals may not be left unattended outside the facility whether leashed or not.

G. Tennis/Pickleball Courts

Tennis/Pickleball court regulations are as follows:

1. The tennis/pickleball courts are to be used exclusively for tennis/pickleball - no skating, skate boarding or other activities are allowed.
2. Play is limited to one (1) hour for singles games and one and one-half (1-1/2) hours for doubles games if other players are waiting to use the courts.
3. Members of the Rancho Carlsbad Tennis Club and Pickleball Club will have priority use of the courts on their scheduled club play days. These days and times are posted on the court and on the RC News calendar.
4. Proper tennis shoes with non-marking soles must be worn at all times on the courts.
5. Residents only may use the tennis courts for instructional purposes such as giving lessons to others for compensation.

Please observe all regulations posted at the courts.

H. Community Garden Area

1. The RCOA Board assigns the Garden Club to maintain the master plot plan for the Community Garden Area.
2. Any resident, in good standing with the Association, may secure a plot by contacting the Garden Club. With guidance from the Garden Club, residents may choose from any available plot and must execute a copy of the Community Garden Area Rules and Regulations.
3. Any changes to the Community Garden Area Rules and Regulations is the responsibility of the RCOA Board.
4. Plots may only be used for production of food, flowers and legal plants.

I. Private Parties

A resident wishing to reserve the ballroom, lounge, card room and/or the barbecue area for a private party shall apply in writing or make arrangements personally with the Activities Coordinator. The application should include the nature of the party, the date and time preferred, and the number of guests expected. Please note that no "general invitation" parties may be given - all guests must be known to the resident/host.

Any reservation of Community rooms will require a damage and cleaning deposit plus a use fee. Depending on the nature and size of the party, a reservation may also require the sponsor to show evidence of insurance and to hire an off-duty Courtesy Patrol Officer when using the ballroom. In any case, the resident sponsoring the party will be held responsible for the proper conduct of his or her guests, as well as for any damages or injuries to the premises, to the party guests, or to any personal property of the sponsoring resident or his/her guests. The Activities Coordinator will provide written Community Facilities and Clubhouse Use and Guidelines relative to the reserving of clubhouse rooms for private parties.

VII. ENFORCEMENT OF THESE RULES AND REGULATIONS

The Association has the power to enforce these rules and regulations by the procedures set forth in the Community's CC&R's, Bylaws and Policy for Enforcement, as well as by means of the Mobile Home Residency Law, as applicable, the Davis-Stirling Act, and other applicable statutes and administrative regulations. A resident who does not own his/her own space may be subject to eviction under the terms of his/her rental agreement.

Sanctions against violating property owners can include:

- a. Assessment of a fine.
- b. Suspension of the use of the recreation areas.
- c. Suspension of voting rights.
- d. Legal or equitable remedy that may be awarded by a court of law, together with reasonable attorney's fees.

The Association's "Policy for Enforcement" can be obtained through Management and is distributed annually pursuant to Civil Code.

Please note that the failure of the Board of Directors to enforce any of the rules and regulations set forth above shall not constitute a waiver of the right to enforce any and all of these rules and regulations in the future. Furthermore, invalidation of any particular rule or regulation by change of law or by Court order shall in no way affect the remaining provisions.

The Rules and Regulations were adopted by the Board of Directors on October 23, 2018 and are effective October 23, 2018.

RANCHO CARLSBAD OWNERS' ASSOCIATION

COMMUNITY GARDEN AREA RULES AND REGULATIONS

THE FOLLOWING ASSOCIATION RULES AND REGULATIONS, APPROVED BY THE RCOA BOARD OF DIRECTORS, APPLY TO ALL GARDENERS, THE USE OF THEIR ASSIGNED PLOTS AND THE GARDEN AREA IN GENERAL. FAILURE TO COMPLY WITH THESE RULES IS SUBJECT TO THE ASSOCIATION'S POLICY ON ENFORCEMENT OF THE RULES AND REGULATIONS AND MAY LEAD TO LOSS OF USE RIGHTS TO A PLOT(S).

1. PLOT SELECTION / ASSIGNMENT:

- a. Any resident who is in good standing with the Association, may secure a garden plot by contacting the Garden Club. With assistance from the Garden Club representative(s), the resident may choose from any available plot(s) and will be given a copy of the Association Garden Area Rules and Regulations. The gardener will be given two copies of said Rules and Regulations: one copy to be signed for RCOA records and one to be kept by the gardener.

2. PLOT MAINTENANCE:

- b. Plots are to be maintained reasonably free of weeds and debris such that they have a neat and tidy appearance (wire, wood, dead plant materials, broken flower pots, plastic containers, etc.).
- c. Gardeners are to monitor water usage on their plot(s). Do not flood walkways or other garden plots. Do not leave water running and unattended while irrigating, unless the irrigation system is on a timer.
- d. Personal gardening equipment and power tools should be stored as safely and neatly as possible, preferably in some type of storage shed or tool rack.
- e. When relinquishing plot(s), the gardener must leave said plot(s) free of any debris and weeds. RCOA Management is to be notified of said relinquishment in writing.
- f. No new elements of a garden plot, vegetation, tree or structural, shall exceed 8 (eight) feet in height above the ground in order to ensure adequate sunlight and root space in neighboring plots.

3. GENERAL:

- a. Garden plots must be used only for the production of food, flowers and legal plants as defined by California Civ. Code §1940.10(a)(3).

- b. Access to a plot other than your own, is by permission of the registered plot holder only.
 - c. Vandalism, theft or harvesting from other garden plots by gardeners or their guests is strictly prohibited.
 - d. Garden waste such as weeds, plants, etc. are to be disposed of in the designated receptacles.
 - e. Gardeners are expected to be considerate of other gardeners when determining what and where to plant within the designated plot and make an effort to be a good neighbor.
 - f. Violation of these rules and regulations are to be reported to RCOA Management.
4. CHILDREN AND PETS:
- a. Children are encouraged to come to the garden to be introduced to the wonders of gardening and must be accompanied and fully supervised by an adult.
 - b. Pets, (e.g. dogs – unless service dogs) or any other animals/livestock are not allowed in the garden area.

5. THE GARDEN CLUB PROPERTY AND TOOLS:

The Garden Club purchases and maintains gardening equipment such as wagons, wheelbarrows, rototillers and use of said equipment is for Club members only. At certain times, the Garden Club procures delivery of fertilizer/mulch, etc. which, again, is for club member use only.

6. GARDENER'S AGREEMENT AND RECEIPT OF RCOA, INC. COMMUNITY GARDEN AREA RULES AND REGULATIONS

I hereby acknowledge receipt of these Community Garden Area Rules and Regulations.

DATED: _____

SIGNATURE: _____

PRINTED NAME: _____

GARDEN PLOT NUMBER(S): _____

APPROVED BY: _____

MANAGEMENT