

MOTA RANCH OWNERS' ASSOCIATION – OWNERS MANUAL STREET & PARKING RULES

1. Park in designated areas only. Vehicles parked in areas which are not designated as parking areas may restrict the movement of emergency vehicles and thus cause a "clear and present danger". These vehicles may be removed as necessary to protect life and property.
2. No boat, trailer, camper, motorcycle, golf cart, commercial vehicle, mobile home, or other recreational vehicle shall be parked or stored in any parking area or driveway except for two 24 hour periods each week to facilitate residents loading, unloading and cleaning such vehicles before and after use. Such items may only be parked or stored in driveways during these periods if they do not block sidewalks or streets. No residents or guests shall be permitted to sleep overnight in any such vehicle or boat, or to utilize generators on the vehicles or boats while within the development.
3. Park your vehicle in your garage for any period of time which is longer than four hours. Your vehicle must be kept in your garage overnight.
4. Limit speed to 10 miles per hour on the private streets.
5. Park trucks, campers, trailers and other commercial and recreation vehicles outside the project.
6. Use motorbikes for ingress and egress only.
7. Remember that violating vehicles are subject to tow away at owner's expense.
8. Areas not designated for resident parking are reserved for guests.
9. No inoperable vehicle of any kind shall be parked or stored in any driveway, parking area, street, or guest parking.
10. No vehicle shall be constructed, reconstructed, or repaired within the properties, except emergency vehicle repairs thereto and then only to the extent necessary to enable movement thereof to a proper repair facility.
11. Guest Parking in the townhome areas are limited to 24 hrs. Guest parking is not to be used for extra vehicle or stored vehicles. These vehicles may be towed at owner's expense.

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GROUNDS AND RECREATION RULES

GROUNDS RULES:

1. Leash and curb your pets. **ALL PET DROPPINGS MUST BE CLEANED UP IMMEDIATELY.**
2. NO altering or planting in the Common Area.
3. Place garbage carefully in trash containers to prevent spillage and clean up any that occurs.
4. Refrain from lawn damaging activities.
5. Ride your bikes only in on streets, not on sidewalks.
6. Walk only on lawns and paths, not ground cover areas.
7. Maintain domestic noise below that able to be heard in the Common Grounds.
8. Report any vandals, trespassers or unleashed animals. Please identify the persons (if possible) or the owners responsible.

Remember that any damage to Association buildings or plants is chargeable to the responsible unit owner, including tampering with irrigation heads, time clocks, valves, pumps, telephone boxes, and chemicals.

RECREATION RULES:

1. **NOISE:** Please limit noise to a level that will not disturb other users of the facility or neighboring residential units.
 2. **LIABILITY:** The Association assumes no liability for use of the facilities.
 3. **DAMAGE:** Any damage will be charged to the Member involved.
 4. **EXCLUSIVE RESERVATION OF FACILITIES:** The exclusive reservation of the facilities for parties or gatherings which may tend to restrict access by the general membership will not ordinarily be approved unless the owner making a request can provide such assurances that there shall be no general inconvenience to the residents and that the owner shall pay a deposit of \$150.00 which is refundable once the association is assured that the facilities have not been damaged or destructed in any way and that association shall not suffer any expenses as a result of the gathering. Should damage occur, the cost of any labor and materials for repair will be deducted from the \$150 deposit. Should the damages exceed \$150, the owner's account will be charged the additional costs of materials and labor.
- RESIDENT'S USE:** The facilities shall be for the exclusive use of the residents and guests, as defined herein. Nonresident owners shall not retain any right to the use and/or enjoyment of recreational facilities. All rights shall pass from the nonresident owner to the resident.

SERVICE REQUESTS AND COMMENTS

Any homeowner who wishes to bring to management's attention the need for maintenance work in the common area landscaping or facilities should utilize the Service Request and Comment form. Any townhouse owner who is in need of maintenance and/or repair should also utilize this form.

If any resident is having difficulty with a neighbor or who wishes to bring to the Board of Director's attention that another resident is in violation of the legal documents or rules of the Mota Ranch Owners Association, should also utilize the Service Request and Comments form.

Upon receipt of the form, Management can act directly upon the nature of the request or problem.

Records Review & Reproduction Policy

1. RECORDS DEFINED

a. The records available for inspection and copying are those designated by the California Civil Code, as amended, from time to time.

The Association's board may withhold from inspection any records that in its reasonable business judgment would:

- i. Constitute an unwarranted invasion of privacy;
- ii. Constitute privileged information under the attorney-client privilege;
- iii. Involve pending or anticipated litigation or contract negotiations; and/or
- iv. Involve the employment, promotion, discipline, or dismissal of a specific board member or employee.

PERSONS ENTITLED TO INSPECT OR COPY

Every member shall have the right to inspect or copy the association's records in compliance with the rules and procedures contained in this policy. A member may authorize, in writing, an attorney or other designated representative to conduct the inspection or request copies on the member's behalf. Any such authorized representative shall be considered a 'member' for purposes of this policy.

3. WRITTEN REQUEST REQUIRED

a. Inspection or copying shall be limited to those records specifically requested in advance, in writing. A member who wants to inspect or copy the association's records shall submit a written request to the association's secretary or manager. The request must specify the particular record desired, including pertinent dates or time periods, and shall state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the association to retrieve the record(s) requested.

No member may submit more than one request for inspection and/or copying in a 30-day period.

4. INSPECTION RULES

a. No member may request an inspection of more than 200 pages of records at any one time, nor shall the association be required to produce more than 200 pages of records at any one time. If the member's request exceeds either of these limitations, the association shall provide records for inspection in the order requested by the member up to the limiting factor. The member shall then make written request(s) for additional sessions until the member has inspected all the records originally requested. Requests for additional sessions are subject to all the same rules and restrictions as any other inspection request.

b. All inspections shall take place at the association's office or at such other location as the association designates. No member shall remove original records from the location where the inspection is taking place.

c. Members shall not alter the records in any way.

d. The association shall make records available for inspection on or before the tenth working day after the association actually receives the written inspection request. This time frame may be extended upon the member's written request, or if the records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable. The association shall notify the member (by telephone, in person, or in writing) that the records are available, and specify the time, date, and place for the inspection.

Inspectors shall be by appointment only, during the normal business hours of the association's office.

5. COPYING RULES

a. If a member wants a copy of any record, the member shall designate in writing the record desired. Any written request shall designate the specific record or portion thereof.

b. During an inspection, the member may designate such record by use of a tab, clip, or Post-it note upon the page(s) desired.

c. Copies shall be available within ten working days of receipt of the request, unless the voluminous nature or condition of the records make this time frame impractical. In such cases, the copies will be made available as soon as is practical.

A member shall pay twenty-five cents (\$.25) per page for regular or legal-sized photocopies, payable in cash or by personal check, at the time the copies are delivered. However, the secretary or manager may require advance payment in his or her discretion, taking into account such factors as the amount of the copying charge, the member's payment record, and other relevant factors.

6. MANNER OF INSPECTION OR COPYING

a. Members shall not exercise their inspection or copying rights in order to harass any other member or resident, association agent, officer, director, or employee.

All people inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the association office or such other location where the inspection or copying is taking place. The association office, or place of inspection or copying, shall assign one staff person to assist in the inspection. All requests for further assistance and copying during an inspection shall be directed only to that staff person.

7. ENFORCEMENT OF INSPECTION & COPYING RULES

a. Any violation of these rules shall cause the immediate suspension of the inspection or copying until the violator agrees to comply herewith.

b. The association will not honor any requests for inspection or copying that do not comply with this policy. Within five working days of receiving the noncompliant request, the association shall send a written notice to the person who made the request indicating the nature of any noncompliance. Any association representative who receives and oral request for inspection or copying shall refer the person making the request to this policy, and the association will have no further obligation to respond until it receives written request.

The association's board may take any available legal action to enforce these rules, including the levy of a fine.

Adopted by the Board of Directors, May 28, 2003

MOTA RANCH OWNERS ASSOCIATION VIOLATION PROCEDURE AND FINE POLICY

The following policy was adopted by the Board of Directors of Mota Ranch Owners Association on May 28, 2003, for use when owners/residents are in violation of the governing documents of the Association. This fine policy is being distributed to all Mota Ranch owners and residents as required by the California Civil Code.

1. When a violation is noted, a first notice is sent to the homeowner. (Please note that unit owners are responsible for the actions of their tenants and guests.)
2. If the violation is not corrected and the homeowner has not contacted the Association within 30 days of the first notice to advise when it will be corrected, a second notice is mailed, giving the owner a specific time to correct the error (30 days or less) and advising him/her that he/she will be invited to a hearing before the Board of Directors, which could result in sanctions against him/her if the violation is not corrected.
3. If the violation has not been corrected within the time limits given in the second notice, the Board invites the homeowner to a hearing, listing any or all of the following sanctions being considered by the Board:
 - a. A fine of \$50 per occurrence (or per month, depending on the type of violation);
 - b. Correction of the problem by the Association and a Reimbursement Assessment to be charged to the homeowner;
 - c. Legal action.
If legal action is required, all costs will be charged to the owner as a Reimbursement Assessment;
 - d. Loss of the right to use of the recreational facilities;
 - e. Loss of the right to vote.
4. The hearing is held and the Board of Directors makes a decision regarding whether there is a violation and what sanctions will be imposed if the violation is not immediately corrected. A written notice of the Board's decision is mailed to the homeowner, giving him/her a minimum of five (5) days to correct the violation before the sanction is imposed.
5. If the Board of Directors deems that a fine is necessary, \$50.00 will be assessed against the account of the homeowner monthly (or per occurrence, depending upon the type of violation) until the violation is corrected.