

## Villa Hermosa II (VHII) Architectural and General Guidelines

**Any violation of these guidelines is subject to a Board hearing and possible fine as outlined by the fine schedule.**

**Homeowner must make these guidelines available to their tenants, as the Homeowner is liable for any fines.**

The information presented in this guideline is intended as a supplement to the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR VILLA HERMOSA II (CC&R's). If a discrepancy and/or contradiction occur between the information presented in these guidelines and the information recorded in the CC&R's, the information in the CC&R's will supersede these guidelines.

The Guidelines defined in this document and the CC&R's pertain to rental homes and their tenants as well as the owners of rental home. All residents of Villa Hermosa II, with no exceptions are responsible for following the guideline described below.

### **Purpose of the Committee**

The VHII Architectural Committee consists of volunteer Homeowners/Board members and was formed to ensure that all homeowners' adhere to the overall architectural theme, including design and color. In an effort to maintain the overall integrity of the development, guidelines have been established. These guidelines are not intended to restrict or limit homeowner ideas or proposals, but rather to protect all homeowners from undesirable improvements that may lower the condominiums' property values.

### **Maintenance**

The Association shall provide all maintenance of the common area. In addition, the Association shall provide exterior maintenance to each unit, except for glass surfaces, which shall be maintained by each owner/tenant in a manner acceptable to the Board of Directors.

No changes or additions to the exterior of the units (including planting of trees, antennas, patio covers, exterior sunshades, awnings, walls, or fences, etc) may be made unless approved in writing by the Board of Directors and any institutional first mortgager whose interest may be affected. Plans and specifications must be submitted in writing. The Board must make approval or disapproval of the plans within a reasonable period of time, providing the next regularly scheduled Board meeting has a quorum.

Additional information regarding the specific responsibilities of the Association and the Homeowners can be found in the CC&R's Repair & Maintenance Section #1 & #2.

### **Painting**

No painting of exterior walls or exterior doors is permitted. The Association will maintain these areas. They will be painted as needed.

### **Patio Covers, Awnings, and Shades**

Residents are required to keep their entries, walkways and patios clean and neat at all times.

Nothing shall be attached or hung to the exterior walls, railings, and Covers. Storage of large or unsightly objects is NOT permitted outside of the unit, including, but not limited to, furniture BBQs, and storage of bicycles and/or motorcycles, with the exception of the Exclusive Use Common Area back yards. The Architectural Committee/Board reserves the right to ask any owner/tenant to remove unsightly objects that are not aesthetically pleasing to the community.

Awnings, shades, arbors or trellises are only permitted in the rear yard area. Installation of patio structures in the Exclusive Use Common Area back yards is prohibited, except a structure which is consistent with the design parameters set forth in the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR VILLA HERMOSA II (CC&R's) Exhibit A – Pre-Approved Patio Covers.

Exterior window awnings, shades, covers, and trellis are not permitted.

Wind chimes are permitted as long as you neighbors do not object. Owners/tenants are encouraged to approach their neighbors before contacting management. Once a reasonable objection has been made to management or the board of directors, the wind chime must be removed.

A limited number of decorative flags, windsocks, and bird feeders are permitted as long as they are not offensive to other homeowners and tenants. They may not be placed in common areas of the community.

### **The American Flag**

Homeowners and tenants may display the American flag in a respectful manner, however they may not be placed in common areas or in areas that protrude out of the homeowner's unit and into common areas.

### **Holiday Decorations**

Holiday decorations are permitted as long as they do not damage the exterior of the building. Nails, staples, tacks, screws, and other invasive means of attaching decoration to the exterior building finish are prohibited. If attaching decorations causes damage to the exterior of the unit, the homeowner is responsible for the repairs. If necessary the HOA will make the repairs. The homeowner will be billed for the cost of the repairs. Lights are not to be installed any higher than 8ft from the ground. Water solvable adhesive may be used.

We ask that you use good judgment regarding your neighbors. Decorations shall not be excessive or offensive. Neighboring owners have the right to objects to the size & quantity of the decorations. Owners/tenants are encouraged to approach their neighbors before contacting management. Once a reasonable objection has been made to management or the board of directors, the decorations must be removed.

Holiday decorations shall be removed no later than two weeks after the holiday. The exception is the year-end holidays. For this period, installations may commence anytime after Thanksgiving and be removed by January 15.

Use of Association electricity for decoration is prohibited.

### **Exterior of Condos**

Stucco repair and all exterior stucco is the responsibility of the Association. Unit numbers, as well as any outside common area light fixtures, are the responsibility of the Association. Owner/tenants are not permitted to add light fixtures to the exterior of building. Painting of the exterior stucco, wood, and other finishes is prohibited.

### **Entryways, sidewalks and Common Areas**

Entry/door decorations and plants shall not be excessive or offensive.

No furniture of any kind is permitted in common areas or entryways.

No outdoor carpet in entryways or common areas.

Trash and Trash cans are not permitted on front patio, sidewalks and common areas.

Motorcycles, motorized scooters, ATVs, etc are not permitted on front patio.

### **Entry Doors**

Only the front doors originally installed by VHII are permitted. Upgraded doors must be pre-approved by the Board of Directors after submission the Architectural review Committee before installation.

### **Windows**

Window screens are the responsibility of the homeowner and must be maintained in good repair.

No window air conditioning units are permitted.

Window coverings are restricted to standard curtains and blinds, shutters. The use of sheets, blankets, newspaper or foil of any type is prohibited

Window decorations (stained glass hangings, etc) are permitted, however only one decoration per window. The decoration shall not be offensive or obscene in any manner. Light emitting signs and decorations of any kind are prohibited with the exception of Holiday lighting listed below.

Advertising signs (rental signs, for sale signs) are permitted in one (1) window only. Only one (1) sign is permitted per residence and shall not exceed 12" by 12" in size. No other signs are permitted within the project. One political campaign sign is permitted and may be displayed in your window only. Political signs must follow the City of Calexico's ordinance.

**Please note tinting your windows is not allowed and will void the life time warranty for your window**

### **Antennas/Satellites**

No Owner/tenant shall install, or cause to be installed, any television, radio, "Citizens Band" (C.B.) antenna, or other similar electronic receiving or broadcasting device on the exterior of any Condominium Unit or elsewhere within the Association Property, unless approved in writing by the Architectural Control Committee.

Satellite dishes are only permitted in the designated dish install area. All VHII homes in Phases 2 & 3 are prewired for satellite connection. An exterior cable box is located at the exterior of each home in Phases 2 & 3 under the roof eave. Owner/tenants and satellite installation companies hired by Owner/tenants must use the prewired cables and cable box. Drilling, cutting, removing and damaging any of the exterior finishes of the building to install cable TV and/or satellite TV is prohibited. Any damages to the exterior of the building caused by the owner/tenants and/or company hired by owner/tenant will be repaired by the association and the cost billed to the.

If improper installation of satellite and/or cable causes damage to the roof membrane of the building, owner may be responsible for damages resulting from the improper installation. Owner/tenants and/or installers hired by owner/tenant are not permitted on the roof of the building with prior approval from the Board.

### **Landscaping**

All landscaping is the responsibility of the Association. Gardening or landscaping is not permitted unless by written authorization by the Board of Directors. Lawn decorations are not permitted.

Damage to the Association landscaping as a result of Owner/tenants negligence may result in a fine and/or replace/repair of landscape at owner's expense. Owner/tenants are encouraged to help preserve the landscape around their homes.

### **Landscaping and Back Yard Improvements**

Any improvements or flatwork in an Owner's Exclusive Use common Area back yard must be approved in writing by the City and the Architectural Control Committee. All portions of the Exclusive Use Common Area of a particular Owner's Condominium shall be landscaped by the Owner thereof in accordance with Rules and Regulations promulgated by the Board. Thereafter, such landscaping shall be maintained by the Owner in a clean, safe and attractive condition according to such Rules and Regulations promulgated by the Board and the Association.

Water supplied from an Association meter is not permitted for landscaping at Owner's Exclusive Use common Area back yard.

### **Sidewalks**

Sidewalks are for pedestrian use only. Roller skates/blades, bicycles, skateboards, scooters, ATVs, etc., are not to be used and operated on sidewalks at any time. Owner/tenants are to use sidewalks, walking in landscape areas is not permitted.

### **Vehicles & Parking**

All owner/tenants have assigned parking stalls. You may only park in your assigned parking stall(s) and/or visitors parking stalls. Parking in a stall assigned to another home may result in the towing of your vehicle. VHII HOA has a strict parking policy. Owners/tenants can tow vehicles violating the parking policy without notifying the owner of the vehicle. (See attached Parking Policy and parking map)

Vehicles shall be kept only in the appropriate parking areas in the community. No vehicle shall be constructed or repaired (except for short term emergency purposes) within the property. No trailers, mobile homes, boats, machines, mechanical equipment, or inoperable vehicle shall be stored or allowed to remain on the property.

Any unassigned open parking spaces shall be available exclusively, on a first-come, first-served basis, to Owners, guests and visitors;

No parking in fire lanes and in front of fire hydrants, this is violation of the fire ordinance. The affected occupant will have to the right to the tow the vehicle at their owner's expense if the owner is unable to be contacted

Each Owner shall keep his/her covered parking readily available for parking of his/her respective vehicle, and shall not store any goods or materials therein nor use any portion thereof for any other use, if such storage or use would prevent said Owner from parking his/her vehicle therein;

Speed Limit inside Gated Community is 10 MPH, no exceptions. Violators of the speed limit may be fined by HOA.

### **Mailboxes**

Posting of flyers on mailboxes is not allowed. It is against Federal Law.

### **Pets & Animals**

Animals of any kind are PROHIBITED from being left unattended in common areas. Animals that become a noise nuisance and disturb neighbors, owners/tenants are subject to fines and/or HOA discipline. Owners/tenants are encouraged to approach their neighbors before contacting management. Once a reasonable objection regarding a pet(s) has been made to management or the board of directors, the board may impose fines and/or discipline.

Dogs must be on lease at all times when on common and association property. Owners of dogs are required to pick up after their dogs. Repeated offenders are subject to HOA fines.

Damage to association property as a result of pets and/or animals is the responsibility of the owner of the home in which the pet or animal resides. Owners may be fined and/or billed for any repair of any damage to association property caused by pet or animal.

Additional Information & guideline regarding animals can be found in CC&R's Use Restrictions Section 6.

### **Trash**

Each Owner shall place all rubbish, trash, garbage or other waste material in garbage cans, garbage bags or other closed containers approved by the City or other appropriate agency. All such garbage cans and other containers shall be stored in an area which is obscured from view from the Association Property and each Owner shall use his best efforts to assure that no odor shall arise there from so as to be unreasonably offensive to any adjacent Condominium or other portion of the Project, or to otherwise be unsanitary, unsightly, offensive or detrimental to any other residents in the Project.

Trash that is placed in the dumpsters located on association property must be contained inside the dumpster. Placing trash next to dumpsters is not permitted. Throwing trash over gate, block wall, or behind dumpster is not permitted. Gates at dumpster enclosure must be closed and latched properly after uses. Damage to the dumpster facility and/or negligence of trash may result in fines.

### **Villa Hermosa I Property**

There are two separate communities and homeowner association within the gated community of Villa Hermosa II. The homes know as "Villa Hermosa 1" located on the North West corner of the property is a separate association and not part of Villa Hermosa II HOA. More importantly, the property and association property of Villa Hermosa 1 is not accessible to the owners/tenants of Villa Hermosa II HOA.

The pool and its facilities located north of the parking area is owned and maintained by Villa Hermosa 1. Owners and tenants of Villa Hermosa II HOA are not permitted to use the pool and pool facilities owned by Villa Hermosa 1.

The tennis courts and its facilities located north of the parking area is owned and maintained by Villa Hermosa 1. Owners and tenants of Villa Hermosa II HOA are not permitted to use the tennis courts and its facilities owned by Villa Hermosa 1.

The play equipment and play facilities located north of the parking area is owned and maintained by Villa Hermosa 1. Owners and tenants of Villa Hermosa II HOA are not permitted to use the play equipment and play facilities owned by Villa Hermosa 1.

Villa Hermosa 1 also has Architectural and General Guidelines. Owner/tenants from Villa Hermosa II may be liable for fines and/or property damage if found responsible for violating Villa Hermosa 1 architectural and general guidelines.

Do Not Trespass on Villa Hermosa 1 Property.

### **Miscellaneous**

Hose Bibs (faucets) affixed to the outside of buildings shall NOT be used for recreational purposes. All hoses and equipment shall be immediately removed after using an outside hose bib.

Ball playing against any structure (resident building, enclosure, or pool building) is strictly prohibited.

Climbing on trees, buildings, utility boxes, structures and fences throughout the complex is strictly prohibited. Use the gates provided. Jumping walls and fences is prohibited.

Graffiti, spray paint, writing initials, etc on common and association property will not be tolerated. Fines will be levied against anyone responsible for graffiti.

Pigeon Control: Do not leave food, garbage, pet food, bird feed, etc in the rear yard area. Local pigeons feed from food sources left unattended in the rear yard areas. Pigeon control is a difficult and costly problem for the association. Do your part, and keep the rear yard areas clean.

End of Architectural and General Guidelines

Attached to this document

1. *SECTION 13 from the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR VILLA HERMOSA II (page 7 of 8)*
2. *Architectural and General Guidelines Summary of Fine Policy 2009v1 (page 8 of 8)*
3. *Parking Lot Towing Policy Letter dated July 2007*
4. *Pool Rules Letter Dated May 2009 (English & Spanish version)*

SECTION 13 from the *DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR VILLA HERMOSA II*

*Section 13. Association Rules and Regulations. The Board shall also have the power to adopt, amend and repeal Rules and Regulations, as it deems reasonable, which may include the establishment of a system of fines and penalties enforceable as Compliance Assessments. The Rules and Regulations shall govern such matters in furtherance of the purposes of the Association, including, without limitation, the use of the Association property, the Exclusive Use Common Area, signs, parking restrictions and enforcement, trash collection, minimum standards for maintenance of Condominiums consistent with such standards as may be set forth in this Declaration or adopted by the Architectural Control Committee, and any other matter which is within the jurisdiction of the Association; provided, however, that the Rules and Regulations may not discriminate among Owners and shall not be inconsistent with this Declaration, the Articles or By-Laws. A copy of the Rules and Regulations as they may, from time to time, be adopted, amended or repealed, or a notice setting forth the adoption, amendment or repeal of specific portions of the Rules and Regulations shall have the same force and effect as if they were set forth in and were part of this Declaration and shall be binding on the Owners and their successors in interest, whether or not actually received thereby. The Rules and Regulations, as adopted, amended, or repealed, shall be available at the principal office of the Association, or other location determined by the Board, to each Owner upon request. In the event of any conflict between any such Rules and Regulations, and any other provisions of this Declaration, or the Articles or By-Laws, the provisions of the Rules and Regulations shall be deemed to be superseded.*

## **Architectural and General Guidelines** **Summary of Fine Policy 2009v1:**

Violation of the Guideline defined in the Architectural and General Guidelines, CC&R's, Bylaws, and Pool Rules & Regulations for Villa Hermosa II are subject to fines as described below pursuant to the governing Civil and local laws and regulations.

Fines are not automatic. Fines can only be levied after a hearing is conducted with the Board and the accused party. The accused party has the right to contest all fines levied against them. Any homeowner, who believes the notice was sent in error, or feels there are mitigating circumstances, has the right to request a hearing before the Architectural and General Guideline Compliance Committee. The compliance committee is made up of the Board Members at this time.

The homeowner is liable for the fines and assessment imposed by the Board.

- 1st offense – Courtesy Notice (7 days to resolve)
- 2<sup>nd</sup> offense – Second Notice hearing invitation stating possible fine imposed of \$100.00 (sent Certified/Return Receipt) – 7 days to resolve
- 3<sup>rd</sup> offense - Third Notice hearing invitation stating possible additional fines imposed monthly. Additional \$100.00 fine per month until resolved.
- 4<sup>th</sup> offense - Notice informing owner that matter has been referred to attorney and owner liable for all legal expenses incurred by association for this matter.

Possible Correction of Situation by Homeowners Association attorney in which the homeowner shall be required to pay all cost incurred on the account.

If the cost to repair damage to Association property resulting from infraction by accused owner/tenant exceeds the fine amount. Owner may be responsible for the additional cost incurred by the Association to repair damage by special assessment.



Board of Directors Acceptance of the  
Villa Hermosa II – Architectural and General Guidelines v1 2009

The Board of Director voted to approve the Villa Hermosa II – Architectural and General Guidelines v1 2009 as written and present this 3<sup>rd</sup> day of September 2009 and incorporate this document as a supplement to the Declarations of Covenants, Conditions and Restrictions, and reservation of Easements for Villa Hermosa II. The Villa Hermosa II – Architectural and General Guidelines v1 2009 is considered approved and adopted as of the date above by the Board of Directors.

Documents Attached to the Villa Hermosa II – Architectural and General Guidelines v1 2009, and considered part of approved documents

*SECTION 13 from the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR VILLA HERMOSA II (page 7 of 8)*

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\_\_\_\_\_ Date \_\_\_\_\_  
Darren Hardesty, President

\_\_\_\_\_ Date \_\_\_\_\_  
Armando Martinez, Vice President

\_\_\_\_\_ Date \_\_\_\_\_  
Francisco Lagarda - Treasurer

\_\_\_\_\_ Date \_\_\_\_\_  
Vincente Escareno - Secretary

\_\_\_\_\_ Date \_\_\_\_\_  
Porfiro Huerta - Board Member

END OF, The Villa Hermosa II – Architectural and General Guidelines v1 2009