

**LA BUENA VIDA TWO TOWNHOUSES ASSOCIATION
CLUBHOUSE AND COMMON RULES AND REGULATIONS**

INTRODUCTION

The following Common Rules and Regulations have been established by the Board of Directors of La Buena Vida II Townhouse Association. Additional or revised Rules and Regulations may be enacted in the future and will be distributed to the Association members.

These Rules and Regulations are intended to be of benefit to the homeowners and tenants alike. Though these policies may seem restrictive in nature, they are designed as guidelines for good community relations. Each member subscribes to these Common Rules and Regulations by virtue of the member's ownership of a unit or a valid rental agreement.

Changes to these Rules and Regulations may be made by Board action or through a meeting of the membership of the Association. Violation of these Rules and Regulations may result in unnecessary expense to the homeowner or tenant, and/or the suspension of common area privileges.

Your Board of Directors hopes that these policies will facilitate a better understanding of each member's obligations and make your residential community an area to be proud of as an owner.

Respectfully submitted,
Board of Directors
La Buena Vida II Townhouse Association
January, 1997

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REVISED JANUARY 14, 1997**

1. ASSESSMENTS

- (a) Monthly assessments are due on the first (1st) day of each month and are considered past due on the 30th of any given month.
- (b) At the June 11, 1996 Board of Directors meeting, a resolution was passed that the late fee shall be raised from \$10.00 (ten) per month to \$15.00 (fifteen) per month to be assessed to any Homeowner who has not paid the monthly assessment by the thirtieth (30th) of the month it is due.

2. FINES

- (a) Fines will be assessed for the repeated violation of the Rules and Regulations of La Buena Vida Two Townhouses Association. A notice of violation will be mailed to the homeowner and renter. If the violation continues or is repeated at a later date, a second notice will be mailed to the homeowner and renter, and a fine assessed. At that time, the homeowner/renter has the right to request a hearing with the Board of Directors to discuss the violation and the assessment of the fine.
- (b) Should the fine not be paid within thirty (30) days from date of notice, a lien will be placed upon the property of said owner for the amount of the fine plus lien fees and will remain in place until the lien is satisfied.
- (c) The amount of the fine will be determined by the Board of Directors at the time of the violation, not be exceed \$50.00 per violation.

3. CLUBHOUSE

- (a) The clubhouse will be available for social activities only. No business, commercial, political or organized groups of controversial nature will be allowed to reserve and use the clubhouse facilities.
- (b) Normal hours for use of the clubhouse are from 10:00 AM to midnight. Additional hours can be arranged for through the Board of Directors or their duly designated representatives.
- (c) Residents may entertain guests in the clubhouse; however, the host resident will be held responsible for the conduct of such guests, as well as for any damage to the property or facilities.

- (d) Reservations for private functions may be made through the Board of Directors, or their designated representatives. A deposit of fifty (\$50.00) for owners and renters must be paid at the time reservations are made. This deposit will be refunded providing the clubhouse is left in good condition by **NOON** of the day following date of use.
- (e) Reservations may be made by resident adults only, and will be considered on a first come basis. Reservations may be made by phone with the designated board member and should be made at least two (2) weeks in advance. **PRIVATE FUNCTIONS** must end not later than midnight Sunday through Thursday and 1:00 AM on Friday and Saturday. Residents using the clubhouse for such functions will be expected to require their guests to conduct themselves in a way so as not to disturb other residents.
- (f) Alcoholic beverages may be permitted at private functions **ONLY** under the following terms and conditions:
- (1) No person under twenty-one (21) years of age is to be served alcoholic beverages, and
 - (2) Resident host agrees to indemnify and save harmless La Buena Vida Two Townhouses Corporation and La Buena Vida Two Townhouses Association from any legal actions, claims or suits arising from the serving of said alcoholic beverages.
- (g) All social and/or activities for teenagers and juniors must be scheduled and adequately chaperoned at all times by responsible resident parents.
- (h) Residents and guests wearing **WET** swimming pool attire are prohibited from using the clubhouse facilities.
- (I) Air condition should not be set below 75 degrees and heat should not be set above 68 degrees.

EACH RESIDENT, OR GROUP OF RESIDENTS, USING THE CLUBHOUSE AT ANY TIME WILL BE HELD RESPONSIBLE FOR LEAVING THE PREMISES AND FACILITIES IN A NEAT AND ORDERLY CONDITION, SEEING THAT ALL LIGHTS EXCEPT NIGHT LIGHTS ARE TURNED OFF, AND ALL DOORS AND WINDOWS SECURELY LOCKED.

4. EXERCISE ROOM - Section deleted in its entirety.

5. GAME ROOM

- (a) Casual access to game room or clubhouse inner area will only be permitted by the individual contacting a board member for entry. Board members may not always be available to open the clubhouse without advance notice. Please be courteous.
- (b) Billiard tables and/or Ping-Pong table may be reserved for private functions. Arrangements must be made through the designated board representative.
- (c) Players under eighteen (18) years of age must be accompanied by a responsible adult resident.
- (d) Good manners shall prevail; if others are waiting to play, yield the table at conclusion of one game.
- (e) Sitting on tables, placing beverage containers, food, cigars, cigarettes, etc. on tables is strictly prohibited. Trick shots or other unnecessary demonstrations are prohibited as they may damage the felt.
- (f) Billiard tables should be brushed off and covered when finished playing.
- (g) Smoking in the clubhouse and/or game room is prohibited.

6. SWIMMING POOL

- (a) **NO LIFEGUARD ON DUTY. HOURS: 6:00 AM TO 12:00 MIDNIGHT.**
- (b) **PERSONS USING POOL, DO SO AT THEIR OWN RISK AND THE RULES OF COMMON SENSE SHOULD APPLY.**
- (c) **PERSONS UNDER EIGHTEEN (18) YEARS OF AGE MUST BE ACCOMPANIED BY PARENT OR RESPONSIBLE ADULT.**
- (d) **GUEST MUST BE ACCOMPANIED BY ADULT RESIDENT. NO MORE THAN TWO (2) GUESTS PER HOUSEHOLD.**
- (e) **DOGS, GLASS CONTAINERS, BICYCLES, SKATEBOARDS ARE PROHIBITED IN THE POOL AREA.**
- (f) **LARGE SWIM EQUIPMENT MUST NOT INTERFERE WITH SWIMMERS - BE CONSIDERATE.**
- (g) **REMOVE SUNTAN LOTION BEFORE ENTERING POOL.**
- (h) **FURNITURE MUST BE KEPT ON COOL DECK AND OFF GRASS.**

- (i) SWIMMING ATTIRE REQUIRED. NO CUT-OFFS.
- (j) POOL GATE MUST BE KEPT LOCKED AT ALL TIMES.
- (k) POOL KEY DEPOSIT IS REQUIRED.
- (l) SITTING ON OR CLIMBING POOL FENCE IS PROHIBITED.
- (m) NO LOUD MUSIC OR NOISE, RUNNING, SPLASHING, OR ABRASIVE LANGUAGE WILL BE ALLOWED.

WARNING!!!!!! VIOLATORS OF THE ABOVE SWIMMING POOL RULES WILL BE SUBJECT TO DENIAL OF SWIMMING POOL PRIVILEGES AND/OR IMPOUNDING OF THEIR POOL KEY ALONG WITH A POSSIBLE FINE.

7. COMMON AREA

- (a) Pedestrians have absolute right of way on sidewalks.
- (b) Maximum authorized speed for all types of vehicles in driveways or alleyways is **TEN (10) MILES PER HOUR.**
- (c) The running of small motorized vehicles, such as go-peds, motorscooters, ATV's and/or dune buggies on the property is prohibited. Skateboarding and rollerblading on the interior common areas is prohibited.
- (d) Dogs **MUST BE CONTAINED ON LEASH, NEVER PERMITTED TO RUN LOOSE AND UNATTENDED,** and not tied or chained in front or sides of townhouses. **OWNERS MUST PICK UP THEIR DOG'S LITTER AND DISPOSE OF SAME AT ONCE.** All litter must be in bags before placing in the trash containers. Dogs running loose are subject to the city's leash law and owners subject to appropriate fines from the city of Scottsdale. Loose dogs, litter left uncollected, and barking dogs are subject to fines levied by the association of FIFTY (\$50.00) for each offense.
- (e) Cats are prohibited from roaming the common area between 10:00 PM and 6:00 AM.
- (f) Parking any type of motor-driven vehicles in alleyways and/or driveways is prohibited. Parking facilities for guests and/or visitors are provided in front of the clubhouse and at the ends of townhouses, **and are not to be used by residents.**

Residents are to park in the spaces assigned to their townhouses unless they can negotiate additional spaces from their neighbors.

- (g) All vehicles must be operable and have a current registration. An inoperable or unregistered vehicle not moved within thirty (30) days will be reported to the City for violation of a city ordinance.
- (h) Parking of boats and/or recreational vehicles in guest parking areas is prohibited. No storage is permitted in the parking areas. No mechanical repairs or overhauls are permitted in the parking areas.
- (i) Fire lane signs and painted curbs have been completed, inspected, and approved by the Fire Marshal. Violators parking in these areas will receive a warning, and a fine may be assessed with the second notice. The Fire Marshall's office may also ticket the vehicle. Repeated parking in the "No Parking Lane" may result in the vehicle being towed away at the owner's expense.
- (j) Each resident has two (2) assigned parking spaces. No parking is allowed behind the sheds in accordance with section 7(h) above.
- (k) Trash must be placed inside the dumpsters and the lid down and the side doors closed. Paper boxes must be broken down and placed inside dumpster. For disposal of old household items i.e. chairs, sofas, TV sets etc., contact some service agency such as Salvation Army (253-2769), Goodwill Industries (258-7046), Disabled American Veterans (242-0158) or others to pick-up the disposables at your residence. **DO NOT place inside, or by, the dumpsters hot water tanks, sinks, bathroom stools, cabinets, old carpeting, etc. THESE ITEMS MUST BE DISPOSED OF BY YOUR SERVICEMAN AND NOT PLACED IN OR AROUND DUMPSTERS.**
- (l) Foliage in the private patio areas should not be allowed to extend over the walls into the driveways or into the neighbor's parking area.
- (m) The acceptable color of covering for the front steps is green.
- (n) The use of carpeting or remnants in the parking areas is prohibited.
- (o) Garage sales are encouraged to be limited to twice a year in front of the clubhouse. This will maintain the privacy of the residents and prevent neighbors from being inconvenienced due to increased traffic. If any resident is interested in coordinating a community or individual garage sale, please contact a board member. The clubhouse may be used to store garage sale items overnight for safekeeping.

8. GENERAL

- (a) Co-owners are to present any Insurance claims to the Board of Directors who will contact the Insurance Company.
- (b) Parents or Guardians will be held financially responsible for children defacing property within the Common Area.
- (c) The Board has installed new roofs on the buildings. The new roofs have foam coating rather than the old style built up roofs. While foam is now the preferred roofing material, it is subject to more damage from people i.e. repairmen, installers, etc., thus it is most important to use good judgment in going up on the roofs. Simple rules to follow:
 - 1) Use only qualified, experienced service people and installers.
 - 2) Avoid gaining access to the roofs unless absolutely necessary and then use extreme caution so not to damage the roof.
 - 3) Children should **NEVER** be on roofs for their own personal protection as well as causing possible roof damage.
 - 4) Non-resident homeowners must make certain that their renters are well aware of these restrictions for roof access.

PLEASE FOLLOW THIS POLICY TO PROTECT THE NEW ROOFS ALREADY COMPLETED AND THE ROOFS THAT WILL BE INSTALLED IN THE FUTURE. ROOFING IS A **BIG EXPENSE** AND WE SHOULD ALL COOPERATE IN PROTECTING THIS MAJOR INVESTMENT.

- (5) If it is proven that damage to the foam seal was done by a repairman hired by the homeowner/renter, the cost of repairs will be the responsibility of the homeowner/renter.
- (d) No homeowner shall conduct a business or enterprise from the premises.
- (e) Landlords are requested to provide the Board of Directors with a completed tenant registration form to be filed with the Board prior to a move-in date. A copy of these association rules and regulations must be provided to the tenant(s) and their signature(s) of receipt returned to the Board of Directors.
- (f) Any person observed damaging the property of the Association will be held liable and billed for expenses to cover repair or replacement. Adult residents are responsible for damage incurred because of their guests, their children, or their

children's guests. Owners will be held responsible for damages incurred by tenant(s) or tenant(s) guests.

- (g) Playing in the streets is prohibited. Climbing or playing in the trees or shrubs on the complex property is prohibited. Children should not play in the grassy areas directly in front of other homeowners' units but rather play in the center grassy areas of the complex.
- (h) Good judgment and common sense will be used in enforcing these Rules and Regulations
- (i) Homeowners have the right to the quiet enjoyment of their property. Excessive noise is considered inappropriate and considered a violation of these rules and regulations. Common areas are for the enjoyment of all residents. Please show respect for the property of others and be courteous!

YOUR COOPERATION WILL HELP KEEP YOUR TOWNHOUSE AREA APPEARING BEAUTIFUL AND IN THE CONDITION YOU INTENDED IT TO BE WHEN YOU PURCHASED IT.