

MAINTENANCE STANDARDS

1. ARCO STUB: DRIVES AND WEST LAWNS

The plats showing property boundaries on the so-called “Arco Stub,” consisting of the Living Units at 8, 10, 12, and 14 Arco, indicate that the Common Area of the Association extends up to the western portion of the unit structures. Thus, the drives to the garages and the lawns and berms toward the Arco roadway are Association property. The Association has responsibility for maintenance of these drives, lawns and berms as specified above.

2. CONTRACTORS

Residents are responsible for the actions of their contractors including damage done by driving on grass or landscaped areas, dumping of construction materials or debris, cement cleanout from trucks, or other damage to the Common Area or other Living Units.

3. ELECTRIC COSTS HANDLED AS SPECIAL CHARGES

3.1 Members, whose garages are connected to one of the electric circuits metered and billed to the Association, will be assessed Special Charges for the costs of the electricity.

These Special Charges will be assessed according to electric usage as estimated by a survey, which may include inspection, conducted by the Association with Members’ cooperation. The Special Charges will be assessed under several categories including:

- A. A basic low usage consisting mainly of a garage door opener and electric lights.
- B. A high usage, which can vary from garage-to-garage, consisting of refrigerators, freezers, power tools, and other high-wattage appliances or electric demands.
- C. A situation, applied at the discretion of the Board, for virtually no electric usage.
- D. A situation involving a non-cooperating Member or Member’s tenant.

3.2 The Maintenance Committee will have the authority to cause an update of the electric usage survey each year and to change the Special Charges of any affected Member based on new, estimated usage and/or electric rates. The Maintenance Committee will also have the authority to divide electric charges equally among all or among several of the garages on the same circuit when it seem appropriate.

3.3 The Special Charges for electricity will be permanent and will be a part of the December installment of the Annual Assessment for the Members so affected.

3.4 The Living Units whose garages are on electric circuits metered and billed to the Association are:

Circuit 1: 11, 12, 13, 14 Berm Street.

Circuit 2: 25, 27 Tennis Court.

Circuit 3: 29, 31, 33, 35 Tennis Court.

Circuit 4: 1, 2, 3, 4 Tumbleweed.

Circuit 5: 5, 6, 7, 8, 9, 10 Tumbleweed.

4. MISCELLANEOUS SERVICES AND BENEFITS

The Board may levy a reasonable Special Charge on a Member for a benefit or service that the Association provides to the Member, a member of the Member's family or to a tenant of the Member, when such benefit or service is of unusual or extraordinary nature or not included as a normal function or role of the Association. In setting the amount of the Special Charge, the Board may consider direct costs to the Association as well as staff time.

5. MOVING VANS

Large moving vans cannot navigate La Luz streets. The manager must be contacted before hiring or directing moving vans.

6. PARKING (Addendum to Third Regulation)

Vehicles cannot be left on pavement where they may block garage access, garbage trucks, fire engines, or other emergency vehicles or interfere with the safe use of vehicles by neighbors.

7. SEWER MAINTENANCE RESPONSIBILITIES

The owner of each living unit has full responsibility for maintenance of that living unit's sewer line up to the city sewer in cases where the living unit is directly connected to the municipal sewer and the sewer line is not shared by any other living unit.

In cases in which a living unit shares with one or several other living units a common lateral which connects to the municipal sewer, the several owners of the living units will share the cost of maintenance with the following restrictions:

Each owner is responsible for sewer maintenance within his or her own living unit and up to the point of connection to the common lateral.

Sewer maintenance of a common lateral up to the connection to the municipal sewer will be borne equally by the owners of all living units sharing that lateral, unless the Board of Directors has evidence that it should not be equally divided. An owner may submit a copy of a sewer maintenance invoice to the Board for a decision on sharing of the expense. The Board may use as persuasive evidence in a decision any notation made on the invoice by the person doing the repair, particularly where the blockage or repair occurred with respect to the connection to the common lateral. If the blockage occurred before the connection to the common lateral, the Board may deny sharing the repair expense by any or some of the other owners.

If the Board has reasonable evidence to believe that, despite the place where the blockage or repair was done, the owner who bore the maintenance expense was largely responsible for the problem, the Board may rule against sharing of the expense.

Living Units believed to share common laterals to the municipal sewer as of this writing are:

Group 1. Berm: numbers 1, 2, 3, 4, 5

Group 2. Berm: numbers 6, 7, 8, 9, 10

Group 3. Berm: numbers 11, 12, 13, 14

Group 4. Berm: numbers 15, 16, 17, 18, 19, 20

Group 5. Link: numbers 2, 4, 6, 8, 10, 12

Group 6. Link: numbers 14, 16, 18, 20, 22, 24

If the Board rules that a sewer repair expense will be shared, equally or unequally, by several owners, the Board will notify the owners of living units involved with instructions on how payment is to be made. If such an owner does not comply within a reasonable time, as determined by the Board, the Board may attach a Special Charge, as defined in the Declaration, to the assessments of that living unit.

All individual sewer lines and all common laterals up to the connection to the municipal sewer will be considered as an implied easement, running with the land, from the La Luz Landowners Association to the owners of the living units.

If any sewer maintenance requires excavation or causes any other damage to the Common Area, the cost of restoration will be borne by the one or several owners of living units which bore the cost of the maintenance. The Board may decide that only the Association staff will perform or contract the work of the restoration. In such case, the

Board will assess a reasonable Special Charge to the owner or each of the owners of the living units involved.

If any significant staff time is involved in any sewer maintenance work, the Board may levy a Special Charge on the owner or owners bearing the cost of the maintenance to recover the time and labor performed by hourly workers on the Association staff, whether for direct sewer maintenance, assisting in the maintenance or working on the restoration. Significant staff time will be understood to mean a total of four (4) or more hours expended by the hourly workers on the Association staff. The Board may use as a guideline an hourly charge equivalent to \$8 per hour for an hourly worker. No charge will be made for work done by salaried staff employees.

8. SUBSTANTIAL LIQUID DISPOSAL AND HOT TUBS

No large quantities of water or other liquid will be allowed to flow from any Living Unit onto the Common Area. It is understood that this policy forbids allowing discharge of water from hot tubs, other large volume sources, liquids contaminated by chemicals or other agents, liquids having elevated temperatures such as hot tubs, or any non-aqueous liquid. As it is against the law to discharge gray water anywhere except into the sewer system, it is suggested that an owner develop a method which uses his or her own sewer system for the disposal of such gray water.

However, this policy is understood to permit for brief periods (e.g. 10 to 15 minutes) the discharge of water from municipal service to wash terraces, furniture, private sidewalks or similar items and to adjust or test private irrigation systems. This policy also permits discharge of rainwater and other precipitation drainage from builder-installed drainage channels such as canals.

The Board of Directors may, as permitted under governing documents, levy a Special Charge against the owner of any Living Unit from which a disallowed discharge drains or flows onto the Common Area. In determining the levy, the Board may take into consideration damage to the Common Area and/or staff time required to attend to the situation.