

LAKEVIEW CONDOMINIMUM RULES AND REGULATIONS

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- 1. Emergency Contact Information page 15**
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LAKEVIEW CONDOMINIMUM RULES AND REGULATIONS

**THIS DOCUMENT IS INTENDED TO PROVIDE
A SINGLE POINT OF REFERENCE FOR ALL LAKEVIEW DOCUMENTS**

**THE ARTICLES, BY-LAWS, AND THE COVENANTS (CC&R'S), REMAIN IN
FULL EFFECT AND RETAIN PRECEDENCE OVER THIS DOCUMENT.**

*This document REPLACES any prior "Rules & Regulations documents
previously issued by the Board of Directors of Lakeview.*

*Every resident needs to take the time to read, understand and abide by these
Rules & Regulations.*

*It is the Unit Owner's responsibility to provide a copy of this document to your
tenants and to ensure their compliance.*

The owners of the property and their heirs or assigns are ultimately responsible for compliance with these and all other governing documents for themselves, their guests and/or their tenants. All fines and other charges will be billed to the account of the property owner, and are collectible under the same terms and conditions as the association fees.

DEFINITIONS

In order to assist the residents of Lakeview in understanding the difference between Common Areas, Common Elements, Restricted Common Elements, Units and Maintenance, the pertinent definitions are listed below:

COMMON AREA- all property owned by the **Lake Biltmore Village Owners Association (LBVOA)** for the common use and enjoyment of the Members, including such things as the lake, rights-of-ways, fountains, easements, recreational facilities, pumps, trees, landscaping, pipes, wires, conduits and other utilities situated on the Common Area.

COMMON ELEMENTS - all property owned by the **Lakeview Homeowners Association** for the common use and enjoyment of the residents of Lakeview are owned solely by the owners of the individual

units. This includes the land, pool, streets, guest parking spaces, carport canopies, tennis court, trees, paths, lawns and landscaping as well as the exterior walls and roofs of all buildings.

To protect the integrity of the roof, which is a common element, Owners are required to notify the Property Manager of any private maintenance work to be performed on the roof. This is particularly important when a roof air conditioner is replaced or serviced, as such work may break existing seals, causing the roof to leak. The Property Manager will arrange for individual roof inspections following any such repairs. Residents are not authorized to be on the roof at any time.

Lakeview property and maintenance responsibility thereof extends to the lake's edge, and on 28th Drive to the curb. Each resident shall have the right to enjoy the non-restricted Common Area/Elements.

RESTRICTED COMMON ELEMENTS – Certain Common Elements are restricted to the exclusive use by individual units, which includes two (2) covered parking spaces, the storage area adjacent to the unit, and the patio area behind and adjacent to the unit. Exterior windows and doors which only service the owner's home as well as the roof air conditioner are also Restricted Common Elements.

UNITS – Each Unit (apartment) is composed of the **space** enclosed and bounded by the interior surface of floor to the interior surface of the ceiling. The lateral boundaries are the interior undecorated surfaces of the perimeter walls. The Term “Unit” is synonymous with “Condominium Unit”. The Unit is considered your owned property.

MAINTENANCE RESPONSIBILITY - Lakeview is responsible for the maintenance of all “Common Elements”. It is therefore a violation for a homeowner to make any changes to Common Elements without the express written authorization of the Board of Directors. Any Common Elements needing maintenance should be reported to the Property Manager.

Owners are responsible for all maintenance inside their patio, their patio gate, for any additions to the original Unit, for the storage room interior and door, all windows and doors, roof air conditioner and the inside of the Unit.

A general rule of thumb is anything inside your Unit or which services only your Unit, is your responsibility.

The following Rules And Regulations are listed in alphabetical order:

ANIMALS

Dogs, cats and other "Common Household" pets may be kept, provided they are not bred, kept or maintained for any commercial purpose. Each household may not have more than two (2) pets, each weighing no more than one hundred (100) pounds. Exotic animals, including, but not limited to snakes, lizards, or wildlife animals are strictly prohibited.

Pets are not allowed to roam freely through Lakeview property at any time. Dogs must be on a leash held by an adult accompanying the animal. Owners' are responsible for removing pet defecation immediately and disposing it properly plastic bags are provided at two stations on the Property. Failure to do so is a fineable violation.

Owners' are responsible for any damage caused by their pets.

Both dogs and cats should be neutered or spayed. Pets are not allowed to become a nuisance. Persistent barking and whining will not be tolerated. Restrictive action may be taken by the Board of Directors to have any animal removed from the premises if problems persist.

ARCHITECTURAL CHANGES AND/OR MODIFICATIONS TO UNITS.

All Owners' must request and complete an "Architectural Form" when making any visible additions or alterations to a Unit. You must submit your request through the Property Manager, which will submit it to the Board of Directors for review and approval prior to the commencement of any work. Owners are solely responsible for the future maintenance of any changes. Any request on which no action has been taken by the Board within thirty (30) days of receipt by the Board may be treated as if it were approved. (A copy of this form is attached as the last page of this document.

BOARD OF DIRECTORS

The Directors are elected annually at the Association Meeting to conduct the business affairs for the Association. Each director shall be an Owner or the spouse of an Owner (or if an Owner is a corporation, partnership or trust, a director may be an officer, partner or beneficiary of such Owner). If a director

shall cease to meet such qualifications during his/her term, he will thereupon cease to be a director and his place on the Board shall be deemed vacant.

In the event of any dispute or disagreement between any Owners relating to the Property, or any question of interpretation or application of the provisions of any applicable governing document, the determination thereof by the Board shall be final and binding on each and all of such Owners.

BOARD MEETINGS

The Board of Directors meets on a regular basis to transact the business affairs on behalf of the Members. Postings will be made at the mail box areas advising Members of the date, time and place of the next meeting. The Meeting is called to order at the announced time.

Owners (including any person designated by a member in writing as the member's representative) shall be permitted to attend and speak at an appropriate time during the deliberations and proceedings. The board may place reasonable time restrictions on those persons speaking during the meeting but shall permit an Owner to speak once after the Board has discussed a specific agenda item but before the board takes formal action on an item under discussion. The Open Meeting consists of the following:

- Call to Order
- Open forum
- Approval of Previous Meeting Minutes
- Financial Report
- Old Business
- New Business
- Adjournment

The "Open Meeting" is followed by an "Executive Meeting" for the purpose of dealing with the restricted information. Only Board Members are allowed to attend the Executive Meetings due to the nature of the business being transacted, which is limited to the following five areas:

- Legal advice from an attorney for the board or the association.
- Pending or contemplated litigation.
- Personal, health or financial information about an Owner, a Lakeview employee or contractor, including Lakeview records directly related

thereto.

- Matters relating to the job performance of, compensation of, health records of or specific complaints against a Lakeview employee or contractor who works under the direction of the association.
- Discussion of an Owner's appeal of any violation cited or penalty imposed by the Lakeview except on request of the affected Owner.

CLIMBING PLANTS

No climbing plants of any kind which attach themselves to the stucco wall (such as cats claw, creeping fig, etc.) will be allowed anywhere in Lakeview. These plants are invasive, require excessive water and are destructive to the stucco. Effective with the date of this document, all such plants may be removed without further coordination with the homeowner. Once removed, they will not be allowed to grow back. Landscapers will be authorized to routinely remove such plants from all buildings without notification to the occupant(s).

COLLECTION PROCEDURES

In order to maintain the standard of living at Lakeview and to provide adequate Reserve Funding for emergencies, it is necessary that all Owners' of Record pay their Assessments promptly. Currently your monthly Assessment is due on the first day of each month. If payment is not received by the 15th day of the month, a late charge of \$15.00 is assessed and continues monthly until the account is brought current.

Late charges, collection charges, documentation charges, cost incurred by the Association, lien fees and attorney fees are treated in the same manner as Assessments and are collected under the same guidelines. In addition, if actions become necessary to enforce collection of any Assessments and charges, the Association is entitled to collect interest on the unpaid balance at the rate of 6% per annum plus all legal fees.

The Association will take all necessary actions allowed by law to enforce collection of funds due and owing to the Association.

CONTACTING THE PROPERTY MANAGER

It is always the most efficient to contact the Property Manager by using e-mail

rather than telephoning. If you do not have e-mail access, contact a board member for assistance.

AZ HOA Management Company
3201 W. Peoria Ave., C-602
Phoenix, AZ 85209
602-944-3368

Lakeviewcondos@hotmail.com

COURTESY

Noise Control - Due to the quiet nature of our community, excessive noise should be avoided at all times. In particular, 10 PM to 8 AM are considered “quiet hours” and additional efforts should be taken to avoid loud noise during this time. The pool and tennis court areas are closed during these hours.

Children - For their own safety, children playing in the Common areas must be supervised at all times. Children should be prevented from playing in the carports and immediately in front of homes other than their own. **Parents or Guardians are solely responsible for the behavior and safety of their children.**

Carport/Estate Sales - Carport sales are not permitted. Estate sales are only permitted with prior Board approval. Classified ads for the sale of individual items may be placed in the web site.

Security and Safety - Residents are encouraged to leave exterior lights on during night hours as a deterrent to crime, and to be vigilant about suspicious activity. Be aware that most break-ins occur during daylight hours.

EMERGENCY CONTACT INFORMATION FORMS

It is required that each and every Owner have on file the name and telephone number of whom to contact in case of an emergency. The form for this purpose is attached to this document.

ENFORCEMENT ACTIONS

While cooperation is usually the norm here at Lakeview, there are occasions when the Board of Directors must take enforcement actions to protect and preserve the rights of others.

Owners (or their guests or tenants) who violate the provisions of these rules and regulations or the other governing documents will be given notice of the first violation. A repeat of the violation will result in a fine. If the violation is not corrected within one month of the initial fine, additional fines may be levied. Once levied, unpaid fines will be collected under the same procedures listed above under Collection Procedures (see page 7).

GARBAGE AND REFUSE

Four dumpsters are located on the property and are emptied twice weekly by a contractor. There are no provisions for recycling. Trash placed outside of the receptacle constitutes a violation and will not be picked up by the contractor. All trash should be placed in plastic bags and tied before being placed inside the receptacle.

Throw-away furniture items, appliances, box springs, mattresses, sofas, chairs, carpeting, tile and other heavy bulk items must be removed from the property and disposed of in a landfill by the Owner or his/her representative. You may not throw these items in the trash receptacles.

Rocks, stones, wood or other building materials are likewise prohibited in the trash receptacles.

Depositing car batteries, auto lubricants, and other hazardous materials in trash receptacles is also prohibited by State Law and is punishable by heavy fines. Anyone observed violating these procedures will be issued a fine of not less than \$100.00 plus the cost of removal.

INSURANCE

Every owner is responsible for obtaining his/her own insurance for the inside structure and finishes of his/her Unit, personal property and covering his/her personal liability. Given the very high deductibles in effect on the association policy, it is essential that your personal homeowners policy have adequate coverage to protect you in the event of any damage to the inside of your Unit. A Certificate of Insurance (not your policy) must be forwarded to the Property Manager.

LANDSCAPING

Landscaping has been designed to complement the architectural style of the buildings. In order to preserve this design and to further water conservation

efforts, Owners may not plant trees, shrubs or flowers in front of their Units, without obtaining written authorization from the Board of Directors. Potted plants are acceptable.

Landscaping services are provided by the Association only for the common elements. Residents of Lakeview are requested to not address the landscaping staff directly. If there is a problem with the landscaping or irrigation system, report it to the Property Manager or a Board Member.

The timers for the irrigation system are set for the appropriate watering schedules based on seasonal conditions. If a sprinkler head is blown off or broken, report it to the Property Manager. It is a violation for a resident to make adjustments to this system.

For those of you that have existing trees and shrubs in your enclosed patios, it is your responsibility to remove them or keep them trimmed and contained within your patio. Shrubs and trees that are too large for the patio area must be removed by the Unit Owner(s) at their expense and any damage caused to the Common areas or Limited Common Areas must be repaired at the Owner's expense.

MISCHIEVOUS ACTS & VANDALISM

Residents who observe this type of activity should not attempt to apprehend the perpetrators, but should immediately contact the City of Phoenix Police Department. We ask that persons observing the act write down all pertinent details such as description of individual(s), type of vehicle, type of vandalism (damage) and any additional information relating to the incident along with the date and time of the occurrence. Once the police have been notified, we ask that you forward the information to the Property Manager.

PATIOS

In order to maintain a uniform appearance, no items other than patio furniture, grills and plants may be placed on patios. Storage cabinets which are no higher than the surrounding walls may also be placed within completely walled patios.

For those of you that have patio or entry covers on your Units, it is your responsibility and expense to maintain them. Covers are add-ons and not the responsibility of Lakeview. Owners are required to make all repairs to the interior patio walls and gates. Wrought iron fencing, such as that on many of the lakeside homes, are after-construction installations and are the responsibility of

the home owner.

POOL AREA

Keys for the pool area and gates are provided to each Owner. The first key is provided at no charge. If an Owner would like a second key, the cost is \$5.00. If the key is lost, stolen, taken by a resident who moved out and did not surrender the keys, the cost of replacement is \$25.00. The \$25.00 charge goes towards the cost of changing the locks every 2 to 3 years. This is done to prevent and limit access to Lakeview by previous owners/renters who fail to surrender their keys when they vacate the premises.

Rules pertaining to pool usage are:

- Persons using the pool must wear appropriate swimming attire.
- We ask that you remove excess lotions and oils before entering the water. Please place a towel on furniture to avoid staining.
- All hair pins, clips, ties and rubber bands must also be removed before entering the water.
- Guests using the pool must ALWAYS be accompanied by the resident.
- No resident may have more than five guests at a time unless approved by the Board of Directors.
- Children under 16 must be accompanied by a parent or guardian, and must be closely supervised for their own safety and to ensure that the rights of other residents are respected.
- There is NO LIFEGUARD at the pool and residents are solely responsible for the safety and behavior of themselves, their children and their guests.
- Playing/hanging on the handrails is not allowed.
- Sharp metal toys are not permitted and toys and trash must be removed when leaving the area.
- Babies must have spill-proof swimming diapers before being allowed in the water.
- If you move chairs or chaise lounges, please return them to their original position around the pool. Please do not move tables equipped with umbrellas.
- Close any umbrellas after use to ensure against wind damage.
- Please use the trash can.
- Do not leave anything floating in the pool which might clog the filters.
- Pool gates and bathroom doors must be closed and locked at all times.
- No animals are allowed in the pool or pool area.

- Children under 14 years of age may not use the hot tub/spa at any time.
- No glass containers are allowed in the pool area.
- Intoxicated persons are discouraged from entering the pool area.

In addition to the above -

Pool hours are from 8:00 am. to 10:00 pm. These hours are set so as to not disturb other residents whose Units are adjacent to the pool area.

The pool is cleaned and maintained by an outside contractor. Residents and/or guests are not allowed to tamper with or make adjustments to any of the equipment. This is a violation as well as a threat to the safety of others and will be dealt with accordingly.

Cans and other trash must be disposed of in the trash receptacle by the individuals who brought them into the pool area. No food may be taken into the water. No grills are allowed inside of the pool area. If you smoke in the pool area, use the ash trays provided and please empty/clean them after each use.

The pool at Lakeview is a community owned pool, and as such cannot be closed for private parties. The Board of Directors or a social committee may hold functions that may take up the pool area for a certain period of time, such as an association meeting or social gathering of the residents.

The restroom is provided for your convenience. It should be kept clean and neat for the next person. Destruction or defacing will not be tolerated and may be subject to a fine of not less than \$50.00 and loss of privileges.

Anyone not adhering to the Rules may be asked by any Board Member to leave the pool area. If you are asked to leave and fail to do so, the police will be summoned. In addition, a fine of not less than \$50.00 will be assessed and loss of pool privileges for up to 30 days.

RENTALS

No Unit may be rented or leased for less than a 6-month period. The Property Manager must be notified prior to renting/leasing a Unit and the following information must be filed with the Property Manager within 10 days of occupancy, which must include, at a minimum, the names and contact information of all adults authorized to live at the Unit, the time period of the lease, including the beginning and ending dates of the tenancy, and a description of, and license plate numbers of the tenants' vehicles. The Owner is

responsible for providing tenants with a copy of these Rules and Regulations and assuring that tenants abide by these rules.

SALES

The Owner is responsible for assuring that any contracted Realtor contact the Property Manager to obtain guidelines before selling a Unit.

SIGNS

Senate Bill 1062 allows owners to display "For Sale" signs anywhere on their property, either indoors or outdoors. You are prohibited, however, from placing "For Sale" or "For Lease/Rent" signs on the Common Areas or Common Elements.

"For Sale" /"Open House" signs may be used on the day of an Open House, but must be removed at the end of the day.

No other types of signs are allowed without written approval of the Board of Directors.

SOLICITATION

Lakeview is a privately owned community and Door to Door solicitations are prohibited. Anyone entering Lakeview for the purpose of solicitation is trespassing and should be asked to leave the property.

SPEED LIMIT

The maximum speed limit within Lakeview is **10 MPH**. Please obey this speed limit as Lakeview is a small community with limited views around corners. This rule is for the protection of everyone.

USE OF PROPERTY

The property shall be used exclusively for residential purposes and each Condominium Unit shall be occupied as a separate dwelling. No business or trade may be conducted in a Unit (includes a child care business) or on any Lakeview property.

USE OF THE LAKE

Lakeview HOA is but one member of 26 in the LBVOA. LBVOA has established it's own rules and regulations regarding the use of the Common Area which includes the lake, and all Lakeview residents and guests are bound by these rules. A copy of the current LBVOA rules may be found on the Lakeview website. www.lakeviewhoa.net/.

VACATION AND ABSENTEE OWNERS

Lakeview enjoys the diversity of many Owners whose main residence is in another city or state, but who live at Lakeview on a part time basis. In order to protect the property value of each Unit and that of neighboring Units, it is necessary that each owner arrange to have someone local check on their Unit on a regular basis. When a Unit is not being occupied, the water supply lines inside of the Unit should be turned off.

VEHICLES & PARKING

Each Unit will be assigned 2 parking spaces, to be occupied by a single vehicle each. Any requests for additional parking for a 3rd vehicle (including motorcycles) must be submitted and approved by the Board in advance.

Residents are required to maintain and keep clean their own respective parking spaces. The only obligation the Association has with regards to the parking spaces is the maintenance of the covering structure.

If a vehicle is parked in another owner's parking space or in fire lanes, the vehicle may be towed at the owner's expense without further notice.

No boats, campers, travel trailers, RV's, motor homes, work trailers, or commercial trucks are allowed to be parked on the property. Requests for exceptions may be considered by the Board on an individual basis.

Unregistered or inoperable vehicles may not be stored or parked on the property.

EMERGENCY CONTACT INFORMATION – LAKEVIEW CONDOS

Date: _____ Unit #: _____

Owner's Name(s): _____

Mailing Address: _____

Home Phone (): _____ - _____

Cell Phone (): _____ - _____

E-Mail Address _____

Renter Name _____

Home Phone (): _____ - _____

Cell Phone (): _____ - _____

E-Mail Address _____

In case of emergency please notify:

Local Contact Name: _____

Relationship: _____ Phone (): _____ - _____

Please return completed forms via mail, fax or email to:

AZ HOA Management Company
3201 W. Peoria Ave., C-602
Phoenix, AZ 85209

lakeviewcondos@hotmail.com

Lakeview Homeowners Association

ARCHITECTURAL FORM

The undersigned owner of a unit in Lakeview HOA petition the Association for permission to alter the existing exterior of their structure by:

Nature of Improvement: _____

Color (if applicable): _____ Dimensions (If applicable) _____

Location (if applicable) _____

Construction Material (if applicable): _____

Supplier: _____ Approximate Cost: _____

A sketch of all improvements must be attached to the application to show location and dimensions.

Unit Owner: _____ Lot #: _____

Unit Address: _____ Phone #: _____

In consideration of the approval by the Association, the undersigned owner agrees to maintain the addition in safe and sturdy condition and to repair any damage to the exterior of the unit caused by the construction, use or maintenance of this addition.

The undersigned owner agrees to fully pay, indemnify and protect, save and hold harmless the Association from any and all suits, claims, demands, judgments, costs and expenses, including attorney's fees and all other obligations and liabilities sustained by the Association in connection with the issuance of this permit.

This application and permit, if approved, shall not constitute a waiver of any applicable government building codes or zoning ordinances. Compliance with any such building codes or zoning ordinances shall be the sole responsibility of the undersigned homeowner.

The promise, conditions, responsibilities and liabilities agreed to herein shall inure to and be binding upon the heirs, tenants, successors and assigns of the parties hereto.

Dated: _____ Signed: _____

Signed: _____

FOR INTERNAL USE ONLY

Inspected on: _____

Approved / Disapproved by: _____ Reasons for Disapproval: _____