

THE VILLA AVANTI ASSOCIATION

ARCHITECTURAL CONTROL GUIDELINES

November 2006
(revised)

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EXHIBITS: ARCHITECTURAL APPROVAL APPLICATION (page 16 & 17)

PREAMBLE

In order to maintain the architectural character and integrity of the community as well as preserve the value of the homes situated therein, it is necessary to enact and enforce the following Architectural Control Guidelines. These Guidelines establish requirements for both additions, alterations, repairs or restorations per Article 9, ARCHITECTURAL CONTROL, of the Declaration of Covenants, Conditions, and Restrictions, and for maintenance and repair per Article 8, MAINTENANCE AND REPAIR, of the Declaration.

The authority for the Board of Directors to enact and enforce architectural control guidelines is provided by the Declaration in Article 9, Section C. A copy of said Declaration was given to each owner at the time of purchase of their home. If there is any conflict between the Declaration and these Guidelines, the provisions of the Declaration shall prevail. Strict observance and adherence to these Guidelines is required.

A. PURPOSE

Pursuant to Article 9 of the Declaration of Covenants, Conditions and Restrictions For The Villa Avanti Association, the approval of the Architectural Control Committee must be obtained by the Owner before any additions, alterations, repairs or restorations to the exterior or structural portions of any Residence, or changes in or additions of fences, hedges, patio covers, landscaping, lighting structures, carports, garages, awnings, walls, exterior paint or décor, fountains, or other matter visible from the exterior of a Lot are commenced, applied, constructed, erected, or maintained by any person.

This review is in no way intended to approve architectural requests for structural engineering or in lieu of required governmental permits or inspections, including all City/County building code requirements for setbacks.

B. PROCEDURES

The following procedures shall apply in all instances where the Architectural Control Guidelines require the submittal of an Architectural Approval Application.

1. Application and Required Copies

At least thirty (30) days before work begins, Owners shall prepare and submit to the Architectural Control Committee of The Villa Avanti Association a completed Architectural Approval Application describing in detail the work proposed to be done. The Application and any attachments shall be submitted by the Owner in duplicate and shall include drawings of any proposed fence, structure, exterior addition, or alteration. All plans and drawings shall be prepared in accordance with the drawing requirements contained in Section C. DRAWINGS of these Guidelines. Additional drawings, specifications and color samples, if any, shall be included with the application as appropriate.

The completed Architectural Approval Application (including all plans, drawings and supporting data) shall be submitted to:

The Villa Avanti Architectural Control Committee
c/o The Avalon Management Group, Inc.
29379 Rancho California Road, Suite 206
Temecula, CA 92591

The Architectural Control Committee (hereinafter referred to as the ACC) shall respond in a timely manner to these requests for review. The ACC reserves thirty (30) days from the receipt of all materials related to the proposed improvements to complete this review.

After completion of its review, the ACC will retain one (1) copy of the completed Architectural Approval Application (including all plans, drawings, and supporting data). The second copy will be returned to the Owner.

2. Fees and Penalties

Owners are encouraged to make improvements to their property as appropriate, and no fee or other charge shall be assessed by the ACC, The Villa Avanti Association or the Associations management agent for the normal processing of any Architectural Approval Application, *provided that* the Owner complies with all the requirements of these Guidelines. This implies among other things that ACC approval has been applied for and received by the Owner before any significant changes or alterations have been initiated and/or completed.

Whenever architectural changes or alterations are initiated and/or completed by an Owner without first securing written ACC approval, a Late Submittal Fee in the amount of \$50.00 will be assessed. This Late Submittal Fee will not be refundable, even if a completed Architectural Approval Application is subsequently received and approved by the ACC.

Making architectural changes or alterations without the advance approval of the ACC is a violation of the CC&Rs. After appropriate notice regarding the alleged violations and a Hearing before the Board of Directors, Owners may be required by the Board to modify or remove the unauthorized changes or alterations at the Owner's expense. Owners may also be fined on a one-time or recurring basis until either a completed Architectural Approval Application has been received and approved by the ACC, or until such unauthorized changes or alterations have been removed and the property has been returned to the status quo ante.

C. DRAWINGS

1. Plot Plan

- a. Show all lot lines accurately as lengths, angles and curves.
- b. Show all dimensions on the work to be considered, and distances between existing, new work and property lines.
- c. Plans must show the facing side-walls of adjacent units. This is required so that the ACC has a clean definition of the placements of party walls with respect to adjacent neighbors.

- d. Your submittal must show the location of the bottom or toe of any slope and top of any slope.
 - e. Show the plotted locations of sprinklers, drains, trees, shrubs, fences, patio cover, walls, spas and associated equipment, and all other structures.
 - f. All yard drainage must include showing the direction of water flow and location of drainage swale yard drain.
 - g. The ACC reserves the right to request a plant list on a case-by-case basis.
2. **Roof Plan (Structural Additions Only)**
- a. Show plan of all existing and new roof with pitches noted.
 - b. Show material of all existing and new roofs.
3. **Floor Plan**
- a. Indicate all walls, columns, openings and any condition or feature that will affect the exterior design of the building.
 - b. Indicate exterior landscape or other details affected.

Drawings shall in any case show the nature, kind, shape, dimensions, materials, including color of materials, and location of improvements to be considered.”

D. GENERAL

1. When construction work requires the use of adjoining property, the applicant shall obtain written permission from the affected adjoining property owner. A copy of said permission shall be filed with the request for ACC approval.
2. All work must be performed in a manner consistent with the general dwelling construction and appearance of the community. All work considered to be of an unsightly finished nature or of lesser quality than the prevailing community standards shall be reworked to acceptable appearance.
3. Failure to obtain necessary approval from the ACC shall constitute a violation of the Declaration and may require modifications or removal at the homeowner's expense.
4. With respect to the approval process, the ACC reserves the right to an on-site inspection before rendering a decision.
5. In Section E. ARCHITECTURAL STANDARDS below, there appear lists of acceptable and unacceptable materials. These lists are not all-inclusive and the ACC reserves the right to approve or disapprove any material, whether or not such material is found in a list of preferred or acceptable materials and whether or not such material is listed in a homeowner's submittal.

E. ARCHITECTURAL STANDARDS

1. **Painting**

The Villa Avanti Homeowners Association encourages all members of the association to properly maintain their homes including repainting them as appropriate. Repainting in a harmonious color scheme that blends in with the houses around yours benefits everyone because it helps maintain the integrity of the neighborhood and keeps our property values up! Bold, offbeat colors, on the other hand may make your home stand out, but they hurt all of us - even you.

Because of problems in the past with homes repainted in unusual colors, the Board of Directors now requires all homeowners to obtain **prior written approval** from the Architectural Control Committee **before** they start to repaint the exterior of their homes. Even if you think you are using the same colors and finishes that were originally applied, or the same colors and finishes used by a neighbor, **prior written approval** for your home is still required. The only exceptions are for minor repairs or touch up using paint identical to the original.

The Architectural Control Committee wants to help you avoid problems by assisting you in the selection of colors and finishes for your home **before you start** your project. In general, pastel acrylic flat finishes in earth tones are acceptable and glossy finishes in bold colors are not. Contact us for specifics. Forms or assistance can be obtained by contacting The Avalon Management Group, Inc., 29379 Rancho California Road, Suite 206, in Temecula. Telephone: (951) 699-2918.

To save yourself the hassle and expense of paying fines or repainting your house again, submit the forms and ***get prior written approval before you start to paint!*** You'll be glad you did.

2. **Fences**

- a. For construction of private walls and fences, you are encouraged to use:
 - ⇒ Substantial wood posts, beams and planks.
 - ⇒ Use of equestrian style fence with diagonal braces, open or solid.
 - ⇒ Materials used in combination such as wood above masonry or stucco with rough-sawn wood cap.
 - ⇒ Partial or total screening as appropriate to private exterior spaces.
 - ⇒ Finished side of fence to face the public side.
 - ⇒ Wrought Iron Fencing Note: all wrought iron must be painted the color "Leather Brown" by Rustoleum or an identical equivalent color by another brand, **or** may be painted "Black".
- b. Unacceptable materials for fencing are:
 - ⇒ Aluminum or sheet metal.
 - ⇒ Chicken wire.
 - ⇒ Metal or plastic chain.
 - ⇒ Plastic or fiberglass panels.
 - ⇒ Plastic webbing, weeded or straw-like materials.
 - ⇒ Wood grapestick.
 - ⇒ Glass Block.
 - ⇒ Unfinished or uncoated cement or cinder block.

- c. Double fencing is discouraged.
- d. Fencing shall not be constructed higher than six (6) feet. Walls or fences built on top of a retaining wall will be considered separately from this restriction, with particular consideration for adjacent neighbors.
- e. Acceptable materials for the extension and repair of any wall or fencing shall be the original material and color only.
- f. Generally, party walls should not extend beyond the front of the home set farthest back from the street. Walls extending beyond this point will be considered on a case-by-case basis, with strong consideration for adjacent-neighbor impact.
- g. ACC approval is not required for staining, painting or weather proofing of wood fences, so long as the material applied is either clear, closely matches the color of the stucco or wood siding on the home or closely matches the color of the trim (fascia board) on the home. Painting of wood fences to match accent colors (i.e. color of painted doors, window framing, and fireplace caps) or any color other than the stucco, siding or trim color is not permitted.

3. Individual Product Interior Wall/Fence Criteria:

- a. Product Theme Solid Wall Base Requirements.

A uniform solid wall designed to reinforce the architectural setting while remaining compatible with the previously described perimeter wall program is encouraged and should be utilized at selected lots. The visual integrity of the overall neighborhood street scene will, therefore, be protected. These uniform thematic solid walls may be constructed of masonry or wood materials or a combination of masonry pilasters with wood fence panels. An alternative slump block wall with painted drysack finish and brick cap is presented herein as an acceptable alternative guideline which is compatible with the Architectural Guidelines.

- b. Open View Wall Base Application.

Where interior lot view opportunities exist without a privacy conflict, an open view fence or wall may be appropriate. Such a view fence shall be compatible with the architectural setting. An alternative tubular steel fence with decorative wood posts is presented herein as an acceptable alternative guideline compatible with the Architectural Guidelines.

- c. Fence Base Application

Three acceptable alternative wood fence designs compatible with the architectural setting are presented herein as guidelines. Paint color selection shall compliment the architectural setting. Owner wood fence features a board-on-board technique with appropriate cap, bracing and posts to present an identical appearance on both sides.

4. Cement Slabs and Walkways

ACC approval of cement slabs and walkways is not required where the following condition has been met:

- ⇒ The cement slab or walkway is located in the rear or side yard behind the owner's fencing.

Owners are required to obtain any necessary city permits and are responsible for ensuring proper drainage to the street for both front and rear yards.

5. Patio Covers

Patio covers require ACC approval and must comply with the following guidelines:

- ⇒ Structures must be of wood construction with the exception of vertical supports which may be of stud and stucco, brick or stone construction.
- ⇒ Covers must be painted to match either the stucco or trim color of the house. (*Accent colors are not acceptable.*)
- ⇒ Solid patio covers must be roofed with wood so as to closely match the roof of the house and the roof color.
- ⇒ Unacceptable materials include:
 - metal or aluminum
 - corrugated plastic or fiberglass
 - plastic webbing, reeded or straw like materials
 - canvas product on patio cover

6. Awnings

Awnings are permitted and may be of wood or canvas material so long as the colors blend in with the home. Fringe and piping, designs or writing is not permitted on awnings. Like other improvements and the home itself, awnings must be kept up or removal may be mandated by the Association.

7. Screen Doors

Screen doors may be installed provided the screen door meets the following requirements;

- a. Screen door to be made of wood or metal.
- b. Screen door design and color is to be compatible with the general architectural design of the house and must be consistent with the general appearance of the Community.

Screen doors do not require ACC approval so long as they conform to the above guidelines.

8. Storage Sheds

Storage sheds may be approved by the ACC provided the shed meets the following requirements:

- a. Shed to be constructed of wood or metal. Roof color shall closely match the color of the roof on the house. Shed must be painted in accordance with paragraph 8d below.
- b. Shed to be a completely enclosed structure with entry door(s).
- c. Shed design and construction are to be compatible with the architectural design of the house and must be consistent with the general dwelling construction and appearance of the Community.
- d. Paint of shed shall match paint of house in color and proportions (i.e. body color and trim color to match).
- e. Shed may not exceed six feet in height at eaves and no more than eight feet at highest point of roof.
- f. Shed shall conform to County/City Building Codes.
- g. The applicant shall obtain written permission for construction of the shed from adjoining property owner(s) and any other owners whose line of sight may be affected by the shed. A copy of said permission shall be filed with the request of architectural approval.
- h. The ACC reserves the right to perform an on-site inspection before rendering a decision as to approval.
- i. Failure to obtain necessary approval from the ACC shall constitute a violation of the Declaration and may require notification and/or removal at the homeowner's expense.

9. Miscellaneous

- a. Plans for dog runs along fence or property lines require adjacent-neighbor notification. Neighbor input will be strongly considered.
- b. Pets must be confined to fenced areas or kept in the housing structure or garage.
- c. Security bars visible from the exterior on windows and doors are not allowed.
- d. Decking which overhangs the slope areas will not be allowed.
- e. Blinds, rolled shutters or sunshades are not permitted on the exterior of the front windows.
- f. Exterior landscape/walkway lighting must be low voltage (12V). Higher voltage lighting will be approved if it is not directed or if it is placed so that it does not create an annoyance to the neighbors.
- g. Pools, spas and related equipment will be considered on an individual basis and require adjacent neighbor notification.
- h. Roof top appliances will not be permitted except solar panels as approved. All such systems require neighbor notification and ACC approval. Passive systems are prohibited in favor of active systems due to the unsightly nature of the roof-mounted water holding tanks. Solar panels should be placed so as to be as unobtrusive as possible and should not cover more than 25% of the roof space on the side of the pitch where they are installed, or in the case of a built up roof, 25% of the built up area.

- i. There shall be no provision in any plan for the permanent parking (48 hours or more) of any commercial recreational vehicle on common or residential areas visible to any other homeowners. Such vehicles include boats, trailers, motorhomes, campers and trucks. Such provision would violate Article 12, Section C, of the Declaration relating to parking and use of garages.
- j. Any portions of the property which are visible from the street shall not be modified or defaced (i.e. basketball backboards or such similar items).
- k. Access to slopes is permitted only for authorized reasons such as maintenance and repair.
- l. ACC approval is not required for gutters so long as they closely match the color of the trim and all downspouts closely match the stucco or siding color.
- m. Trash receptacles and other refuse must be located behind a fence or in the garage, except when put out for collection. Trash receptacles may not be put out until the evening before pickup and must be removed within twenty-four (24) hours.
- n. Driveways and walks are to be swept and kept clean and free of oil and rust stains.
- o. Basketball standards and backboards may be installed after ACC review and approval. Installations must comply with the following guidelines:
 - 1. Backboard must be of fiberglass or lexan, not plywood or particle board.
 - 2. Backboard must be mounted on a commercially produced pole designed for such a purpose.
 - 3. Backboard or hoops may not be mounted on homes, garages or fences.
 - 4. Net must be maintained and in good condition.
 - 5. Pole must be located within rear yard.
 - 6. Neighbor approval is required.
- p. Portable basketball hoops when not in use must be stored out of sight.

10. Landscaping

Within the Villa Avanti Association, a clean, neat, open and well-maintained environment was originally established both by the location of streets, residences, common areas and landscape maintenance areas within the project, and by the initial design of various plantings (whether installed by the Developer or by owners in accordance with ACC requirements) aesthetically consistent with that environment. Proposed new or modified landscape designs should continue to maintain this environment and are to be preferred over other design approaches.

Close monitoring of all landscape designs by the ACC is especially important because unlike other types of architectural modifications and improvements, landscaping improvements involve live growing plants whose characteristics and appearance tend to change significantly over time. The overall effect achieved by a particular design at the time of its planting may, even if (or when) properly maintained, change into something entirely different over time. Landscape designs must therefore allow for such growth patterns and appropriate guidelines for maintenance must be defined.

In evaluating proposed landscape designs, the ACC will consider the above factors and others contained throughout this Section as well as those factors contained below in Section E. Subsection 10A. Slope Area Landscaping and Section F. Landscape Maintenance Standards.

1. All trees, shrubs, hedges, lawns or plantings of any sort which will be visible from the exterior of any lot at the time of planting, or which, because of the growth patterns of such trees, shrubs, hedges, lawns or plantings, may in the future become visible from the exterior of any lot, require ACC approval prior to installation or planting. Such approval, whether or not granted at the time of installation or planting, shall not eliminate the need for appropriate maintenance of such plantings during the lifetime growth cycle of such plantings.
2. All landscaping work, plantings, paving, cement slabs, sidewalks, permanent irrigation or lighting systems, planter walls and fences, and other exterior improvements or additions in Front Yards, Side Yards or Common Areas require ACC approval. Landscaping of Front Yards shall consist primarily of live plants. Appropriate maintenance of all such plantings and improvements or additions shall be provided.
3. The removal of any tree already planted anywhere in a Front Yard requires ACC approval. Replacement of the removed tree with another tree of the same or similar type is required unless such replacement is specifically waived by the ACC.
4. ACC approval for landscaping in Rear Yard areas (except for Slope Areas) is not required unless such trees, shrubs, hedges, lawns or plantings will be visible from the exterior of the lot at the time of planting or which, because of their growth patterns, may in the future become visible from the exterior of the lot. In such cases, ACC approval is required prior to installation or planting. Such approval, whether or not granted at the time of installation or planting, shall not eliminate the need for appropriate maintenance of such plantings during the lifetime growth cycle of such plantings

10a. Slope Area Landscaping

Within the Villa Avanti Association, slope landscaping is of special significance, both for reasons of aesthetics and for erosion and vermin control. Slope Areas may be highly visible because they frequently rise above fences and buildings. Bare areas, dead plants and chaotic looking plantings may be seen by many people. As a result, property values may be influenced not only by the appearance of each individual property but also by the appearance of the surrounding Slope Areas.

Good, aesthetically-pleasing landscape design for our Slope Areas is exemplified by those areas under Association control that were professionally designed and are now professionally maintained. Owners who have Slope Areas as part of their Lots, whether up or down slopes and whether on the front, side or rear portions of their Lots, shall design and maintain their Slope Areas to the same standard.

When planting shrubs and trees, appropriate spacing between each plant must be established so that the open feeling demonstrated by Association maintained areas is continued in Owner maintained areas during the lifetime of the plants. In particular, adjacent trees shall be spaced so that they will not grow together as they mature and shrubs (other than groupings planned for use as low hedges) shall be spaced so that their individual identity is maintained.

All trees, shrubs, hedges, lawns or plantings of any sort, permanent irrigation or lighting systems, planter walls and fences, and other exterior improvements or additions of any kind in all Slope Areas (whether in or adjacent to front, side or rear yards) require ACC approval prior to installation or planting. Appropriate maintenance of all such plantings and improvements or additions shall be provided.

11. Drainage

- a. All drainage from improvements shall be constructed to return drainage to the front street. No drainage pattern shall be altered to cause drainage to flow over neighbor's property or on any slope. All drainage outlets in front must be cored through the curb and may not run over the sidewalk. Sidewalks may not be broken to lay drainage.

12. Neighbor Notification

It is the intent of the ACC to consult neighbors on any improvements which may impact on their use and enjoyment of their property. Neighbor approval or disapproval of a particular improvement shall be advisory only and shall not be binding in any way on the ACC,

- a. Adjacent neighbor means the home or homes which share a common property line.
- b. The following improvements require an adjacent neighbor notification statement with the submission of plans:
 - ⇒ Fences and walls
 - ⇒ Patio covers and gazebos
 - ⇒ Dog runs
 - ⇒ Pools and spas
 - ⇒ Storage and shed or utility building
 - ⇒ Any other exterior improvements that may impact neighbors and the community.
- c. Objections from neighbors and other interested parties should be voiced in writing or in person to the ACC. Any objections received after approval will not be considered by the ACC regardless of the reason for the delay.

13. Improvements Not Requiring Approval

- a. ACC approval is not required for installation of gutters so long as they closely match the color of the trim and all downspouts closely match the stucco or siding color.
- b. Cement slabs in rear yards.
- c. Screen doors do not require ACC approval so long as they conform to guidelines in Section E. Subsection 7. Screen Doors.

14. Appeal Procedure

In the event that plans and specifications submitted to the ACC are disapproved, the owner filing such application may appeal in writing to the Board of Directors. The appeal must be received by the Board not more than thirty (30) days following the final decision of the Committee for review, whose written recommendations will be submitted to the Board. Within thirty (30) days following receipt of the request for appeal, the Board shall render its decision. The Board may agree with the ACC and uphold disapproval or the Board may disagree with the ACC and approve the plans and specifications. The failure of the Board to render a decision within thirty (30) days shall be deemed a decision in favor of the owner filing the appeal.

15. Remedies

If, upon the expiration of thirty (30) days from the date on which an owner is notified of a violation of these guidelines, said owner has failed to remedy the non-compliance, the Board of Directors shall notice the offending party on a date and time for a hearing in writing. After affording such owner notice and hearing, the Board shall determine whether there is a non-compliance of the Declaration and, if so, the nature thereof. If a non-compliance exists, the owner shall remedy or remove the same within a period of not more than forty-five (45) days from the date of announcement of the Board ruling of non-compliance. If the owner does not comply, the Board will initiate reasonable and appropriate actions, including fines, to see that non-complying improvements are removed.

16. Variance

The Board of Directors may authorize variances from compliance with any architectural provision contained in the Guidelines on height, size, floor area or placement of structures or similar restrictions when circumstances such as a topography, natural obstructions, hardship, aesthetic or environmental consideration may require such variances.

F. LANDSCAPE MAINTENANCE STANDARDS

Landscapes may consist of various live trees, shrubs, ground covers and lawns combined with such inanimate items as walkways, benches, irrigation systems and yard lights. As used herein, landscape maintenance refers primarily to the care of live plants but also includes the irrigation systems associated with live plants.

The maintenance of live plants is an activity that is by its very nature both continuing and ever-changing. While the need for maintenance is continuing over the life span of the plant involved, the type of maintenance needed may change from mowing or light pruning to thinning or trimming or major pruning to removal and replanting when appropriate. The specific activity needed will depend on the type of plant involved, its age and growth pattern, its need for water and fertilizer, the setting in which it is located, and the overall effect desired. Such activities are on-going and not subject to any time limitation (i.e. the 180 day time limitation relating to unapproved modifications, contained in Article 9 Paragraph B of the Declaration does not apply to or limit the continuing maintenance obligation contained in Article 8 of the Declaration).

Within the Villa Avanti Association, a clean, neat, open and well-maintained environment was originally established both by the location of streets, residences, common areas and landscape maintenance areas within the project, and by the initial design of various plantings (whether installed by the Developer or by owners in accordance with ACC requirements) consistent with that environment. The result over the years has been the establishment of an uncrowded, aesthetically pleasing neighborhood.

Article 8 of the Declaration states that each owner has an affirmative obligation to “maintain in good condition and repair at his cost and expense, the exterior of his Residence, including, without limitation, . . . trees, landscaping, including slope area maintenance, planting, and all other exterior improvements.” The Association has an equivalent obligation with respect to the Common Areas and the Landscape Maintenance Areas. This obligation is not new; it has been in effect since the original recording of the Declaration.

The following Landscape Maintenance Standards provide interpretation and clarification of this overall requirement to maintain landscaping in good condition and repair. These Standards apply equally to all areas in the Project, including Front Yards, Back and Side Yards, Slope Areas, Common Areas and Landscape Maintenance Areas, whether part of an individual Owner’s Lot or Association managed property.

1. Turf Management

- a. Turf areas shall be inspected regularly and the grounds policed for litter and debris. Turf shall be mowed generally once per week during the active growing season and as often as required during slow periods of growth to maintain a neat and manicured appearance. It shall be cut to a uniform height and excess clippings shall be dispersed and/or collected to prevent damage and unsightly appearance of lawns. Walks adjacent to lawns shall be swept or blown after all work is complete.
- b. All sidewalks, curb lines, concrete slabs, tree circles and bed edges shall be mechanically edged as often as necessary to maintain a neat and manicured appearance. Trimming shall be performed around all road signs, transformers, trees, shrubs, utility poles and other obstacles as often as necessary to maintain a neat and manicured appearance.
- c. Fertilizer shall be applied from time to time as needed to maintain proper nutrient levels and provide a consistent, healthy appearance throughout the year.
- d. Water, whether provided manually or automatically via irrigation equipment, shall be provided as appropriate to the maintenance of healthy lawns throughout the year. Excessive watering and/or overwatering with runoff onto adjacent Lots shall be precluded.

2. Shrub Bed Maintenance

- a. All landscaped areas shall be policed regularly throughout the year for weeds, litter and debris. Weeds shall be removed on a consistent basis. At no time shall any Owner allow excessive weed growth or allow plants or weeds to encroach upon any other Owner's property.
- b. Shrub beds shall be groomed regularly to remove debris and promote an attractive, fresh appearance.
- c. Fertilizer shall be applied from time to time as needed to maintain proper nutrient levels and provide a consistent, healthy appearance throughout the year.
- d. Water, whether provided manually or automatically via irrigation equipment, shall be provided as appropriate to the maintenance of healthy groundcovers, shrubs and trees throughout the year. Excessive watering and/or overwatering with runoff onto adjacent Lots shall be precluded.
- e. Pruning, trimming, edging and weeding shall be done in a manner that enhances the natural beauty of the plant material and maintains the open uncrowded feeling of the neighborhood. Dead, damaged and diseased portions of plants shall be promptly removed. Major pruning shall be done following flowering or during the plants' dormant season. Remedial attention and repair to shrubs and trees shall be provided as appropriate to the season or in response to damage.
- f. Groundcover shall be pruned as necessary to contain perimeter growth to within bed areas where adjacent to walks, curbs, structures or property lines. Established, mature groundcover shall be maintained at a consistent, level height to provide a smooth and even appearance. Slopes with large areas of mature groundcover should receive a severe cut-back as often as necessary to maintain a neat and manicured appearance, and so that such material does not present any kind of hazard, including a fire hazard.
- g. Shrubbery shall be pruned to maintain its proper size in relationship to adjacent plantings and structures and to its intended function. Low plantings of shrubs and hedges shall be kept appropriately trimmed and pruned. Under no circumstances shall shrubs (either individually or in groups as a hedge) be allowed to exceed the maximum fence height of six feet or to encroach upon adjacent Lots.
- h. Trees shall be pruned as required to remove weak branching patterns and to promote natural growth development. Tree branches shall be pruned or removed when they conflict with the growth of plantings beneath, or when they result in the appearance of a crowded grove or hedge of trees, or when such branches might be considered a hazard to pedestrians or vehicles. Trees shall not be permitted to encroach upon adjacent Lots without Owner's permission, and their root systems shall not be permitted to damage buildings, walkways, curbs, fences, irrigation systems or sewer systems located on adjacent Lots.

- i. Where adjacent trees have grown together over time and further pruning is not considered appropriate, such trees shall be thinned by removal of as many plants as are necessary to maintain an open, uncrowded and aesthetically pleasing atmosphere. At no time shall groups of trees be permitted through uncontrolled growth or inadequate pruning or thinning to develop into a hedge that would exceed six feet in height or would encroach upon adjacent Lots without permission.

3. Weed and Pest Control

- a. The weeding of all mowed lawn areas, planter beds, ground cover areas, tree circles and sidewalk and driveway seams/cracks shall be accomplished on a regular basis as necessary to keep such areas reasonably weed-free. Weeding may be accomplished by a manual weeding program, or by the use of selective herbicides, or by other means provided that the selected method is effective in maintaining these areas in a reasonably weed-free condition. All Slope Areas shall be similarly maintained.
- b. All turf and shrub bed areas (including Slope Areas) shall be regularly inspected for insect, pest and disease infestations, preferably on a monthly basis. Where such infestations occur, appropriate and timely control measures shall be taken.
- c. Rodents and other vermin pose a particularly serious problem. All shrub areas (including Slope Areas) and other areas shall be kept sufficiently trimmed, weeded and free of litter and debris to deny a nesting or breeding place for such vermin. Where such vermin are detected, appropriate and timely measures shall be taken to eliminate them.

4. Irrigation Equipment and Operation

- a. Sprinkler systems shall be periodically cleaned and adjusted as necessary to provide the best possible coverage from the system. Each zone should be turned on, monitored for leaks or malfunctioning parts, and adjusted for proper spray arc and maximum system efficiency.
- b. Irrigation controllers shall be scheduled to maximize irrigation system efficiency, and changed when appropriate to correspond to variable watering requirements resulting from seasonal or other changes.
- c. Irrigation system operation shall be monitored and controlled to ensure that excessive watering and/or over watering with resultant runoff on adjacent Lots does not occur.
- d. Conditions of over/under watering and product failure shall be promptly corrected and readjustment of heads as problems arise shall be promptly accomplished. Problems, resulting from accidental damage, or from vandalism caused by others, shall be promptly corrected by Owner at Owner's expense.

5. Other Requirements

- a. The following named plant types/species are not acceptable for residential landscaping; they have been deemed undesirable and will not be approved for use in new or existing landscape designs or for planting or replanting in any Project area, including both Owner-maintained Lots and Association-maintained Common Areas and Landscape Maintenance Areas. They are invasive plants that spread easily. In particular, the willow seeds and roots propagate everywhere.
- Salix Lasiolepis/Arroyo Willow
 - Pampas Grass

Because of the problems caused by these plants, and the hazards which might result there from, the Association treats these plants as weeds and regularly has them removed and destroyed wherever and whenever they are found growing in Association-maintained Common Areas and Landscape Maintenance Areas, regardless of the age of the plants (i.e. whether they are young seedlings or mature plants).

Owners are required to refrain from intentionally planting new plants of these varieties on their Lots and are required to treat any young plants or seedlings found growing thereon as weeds and to promptly remove and destroy them. Owners are requested to remove any mature plants growing on their Lots and will be held responsible for any problems caused by their failure to do so. New growth from plants that have previously been severely cut back (e.g. to stumps) shall be treated as weeds the same as young plants or seedlings and shall also be promptly removed and destroyed.

- b. Wherever plants and shrubs are planted adjacent to each other and allowed to grow together to form a hedge (the landscape equivalent of a fence), such plants and shrubs should be kept trimmed to as low a height as practical and must meet the applicable requirements of Section E. Subsection 2. Fences. In particular, such hedges shall not be permitted under any circumstances to grow to a height in excess of the maximum fence height of six (6) feet or in excess of a lower height where such lower height restriction is deemed appropriate by the ACC.
- c. The maintenance of plants and shrubs growing adjacent to open (i.e. wrought iron) fences requires special consideration when such fences are located at the top of a Slope Area. In such cases, no plants or shrubs shall be permitted to grow within two (2) feet of the fence on the downslope side of the fence in order to facilitate fence maintenance and repair. To enable inspection of the fence from the downslope street, plants growing on the downslope side of the fence shall be pruned and trimmed to minimize obstruction of the fence from the downslope street. No plants (e.g. vines) from either side shall be permitted to grow on the fence itself.

THE VILLA AVANTI ASSOCIATION
ARCHITECTURAL APPROVAL APPLICATION

Date: _____ Owner Name: _____

Property Address: _____ Daytime Phone: _____

Owner Address (if different): _____

Modification Requested:

Contractor: _____ Phone: _____

Unless otherwise stated herein, Owners are advised that all improvements for which approval is requested must be completed within 6 months of Committee approval.

.....
Architectural Control Committee:

You are hereby advised that the work described above is proposed and approval is requested. Attached is a drawing of work to be done and types of materials to be used as indicated on the drawings. We understand that building permits for home improvements are required in certain instances by the City of Temecula, County of Riverside, or appropriate governing agency, and that the cost of the permits and subsequent inspection will be borne by us. We also understand that the Architectural Control Committee does not review plans for conformance to the Uniform Building Code or other governmental requirements as this is our responsibility to clarify acceptability with the City of Temecula, County of Riverside.

We acknowledge that all approved changes in the original design will be at our expense; that any and all damage to or relocation of existing sprinkler systems, underground utilities, building structure, slopes, drainage systems, swales and exterior landscaping or other damage resulting from the construction of the proposed improvement shall be at our expense. Additionally, any maintenance of permitted improvements shall be at our expense and we agree to hold The Villa Avanti Association harmless for the cost of maintenance of same. Furthermore, we agree to hold the Association harmless from any liability, damage and/or loss resulting from the construction or performance of the proposed modification, whether or not constructed pursuant to approved plans, drawings and/or specifications.

Signature of Owner

Return To: The Villa Avanti Association
Architectural Control Committee
c/o The Avalon Management Group, Inc.
29379 Rancho California Road, Suite 206
Temecula, CA 92591
Office: (951) 699-2918 or Fax: (951) 699-0522

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|---|
| <h2 style="margin: 0;">The Villa Avanti Association</h2> <h3 style="margin: 0;">Adjacent and Impacted Neighbor Statement</h3> |
|---|

Date: _____ Owner Name: _____

Property Address: _____ Owner Phone: _____

On _____ 20____, I notified the neighbors listed below that I am submitting plans to the Architectural Control Committee for approval. I agree to make these plans available to these neighbors for review, including those that adjoin at the rear of my property.

Signature of Owner

| Neighbor's Address: | Print or Type Name: | Signature: |
|---------------------|---------------------|------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

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FOR COMMITTEE USE ONLY:

Date Reviewed: _____ Approved: _____ Rejected: _____

Comments:

Committee Member Signature

Committee Member Signature

Committee Member Signature

Committee Member Signature