

**MISSION VIEJO MIRASOL COMMUNITY ASSOCIATION
RULES, REGULATIONS AND POLICIES**

GENERAL RULES

February 2015

1. Every member of the Association shall comply with all the terms set forth in the recorded CC&Rs, the Association By-Laws and these Rules, Regulations and Policies.
2. Each condominium unit shall be used as a private dwelling and for no other purpose.
3. No owner shall rent or lease his condominium unit to another for less than 30 days. All rental and lease agreements shall be in writing and shall obligate the tenants to abide by these Rules, Regulations and Policies; owners are responsible for penalties assessed whenever tenants fail to comply. All tenants must be registered with the Association.
4. No sign, poster, banner, billboard or advertising device of any kind shall be displayed without prior approval of the Association, except for one "For Sale" sign or "For Lease" sign per condominium unit, not exceeding 8 square feet in size and not more than 6 feet above the ground.
5. No owner or other resident shall obstruct or interfere with the rights of quiet enjoyment of other owners or residents. This includes, but is not limited to, animal noise and loud music. All vehicle and home security alarms shall be silent – no outside horns or alarm bells. Vehicles will be towed if their security alarm is continuously audible persists.
6. No owner shall permit any condition to exist that induces, breeds or harbors infectious plant diseases, noxious insects or vermin.
7. No animal of any kind shall be raised, bred or kept in any condominium unit. Dogs, cats and other such ordinary household pets are permitted, not to exceed three (3) pets per household, provided they are not kept and maintained for any commercial purposes. All pets must be kept within their owner's condominium unit or enclosed rear yard. Dogs must be kept on a leash while outside their yard or unit. The owner must immediately clean up after their animals that are being walked and use the common areas for pet relief.
8. All garbage and trash shall be kept in sanitary, covered containers, and shall be placed on the streets for collection only in such containers, or sealed sturdy boxes or plastic bags, and only for a 24 hour period of time before and after scheduled pick-ups.
9. Trash or debris shall not be allowed to accumulate anywhere in the association nor shall any odors be permitted to arise therefrom so as to be unsanitary, unsightly or offensive to any other resident.
10. Garage doors are to remain closed at all times unless loading/unloading or immediate use upon entering or exit.
11. No portion of the association shall be used for the purpose of mining, quarrying, drilling or looking for water, oil, gas, hydrocarbons, minerals, rocks, gravel, earth or any other substance.

12. Lights or ornaments of any kind shall not be affixed to the exterior surface of the building. See the MIRASOL HOLIDAY DECORATIONS policy. Nails, or punctures into the exterior walls are strictly prohibited.
13. Homeowners shall not change out the garage door opener without the approval of the Board of Directors. The request must give adequate information that the garage door opener is like or better than the one that is currently installed.
14. Any Association member may make a written request to the Board to inspect certain Association documents per Article IX of the By-Laws. The Board will approve such a request if the stated purpose of the inspection is related strictly to the requester's interests as a member of the Association.
15. Display of Current United States Flag:

A homeowner may display a current United States banner flag ("flag") in the common area around the homeowner's unit with a bracket attached to the wood trellis portion of the building, fence or in a small staff in the ground. The flag may not be attached to the stucco and can be no larger than 3' x 5'. No other flags or banners of any kind are permitted in the common area.

No flag may be displayed on any common area lighting, roof, windows, siding, streets, sidewalks or garage door. Flags may be made of cloth, or fabric, but may not be made of lights, flora, chalk, paving materials or balloons or any other similar building, landscaping or decorative component or include the painting of architectural surfaces. Only one flag per household. Flags must be cleaned and mended as needed and unfurled. Flags may not be displayed in such a manner as to permit them to be easily torn, soiled or damaged in any way. Tattered, soiled, worn, dirty or torn flags are not permitted. Flags should not be displayed during inclement weather unless an all-weather flag is used. Flags may only be flown from sunrise to sunset. Any damage to the common area caused by the display of a flag shall be borne by the homeowner via an assessment for the repair. A flag that is not in compliance with these rules may be removed by the Association at the homeowner's cost.

VEHICLES AND PARKING

Regulation:

All parking spaces within Mirasol are for guest parking and permitted resident vehicles only. Any household having **three (3)** motor vehicles licensed for street use **and at least three (3) licensed drivers residing at the address in Mirasol** may apply for and obtain a parking permit decal from the Mirasol Property Management Company to park their **third** vehicle in the guest parking spaces. The household must also use their garage to park two (2) of their motor vehicles at all times. The garage is subject to inspection to assure compliance with this requirement.

A household having a vehicle that does not fit within their garage as originally constructed, may apply for and obtain a parking permit decal from the Mirasol Property Management Company to park their oversized vehicle in a guest parking space. The garage and oversized vehicle are subject to inspection. No oversized vehicle will be permitted that will not fit completely within the guest parking spaces and may not overhang that marked area in length. The attached resident parking application form, payment and a copy of a valid and current vehicle registration with a Mirasol address for the oversized vehicle, along with a copy of the applicant's valid driver's

license with a Mirasol address are required. The Association Board and/or Parking Committee must approve the application before a parking permit/decals will be issued. The decal must be **AFFIXED TO THE LOWER RIGHT SIDE OF THE FRONT WINDSHIELD ON THE PASSENGER SIDE, and MAY NOT BE INTERCHANGED WITH ANY OTHER VEHICLE.** Decals will be issued on an annual basis and will be valid for a calendar year (January 1 through December 31). The cost to apply for a permit is \$100.00, which **must be submitted along with the above-required form and documentation; if an application is not approved, the \$100 check will be returned to the applicant.**

Procedure for Issuance of a Third Vehicle Parking Decal

1. Residents who turn in their applications for a parking permit decal by the required due date will be given priority. Those applications received after the due date will only be considered if there is any parking permit decals still available. Instructions and due date information will be sent by letter.
2. Decals will be issued **on a first come, first-serve** basis.
3. There will be a maximum of one (1) decal issued per residence, regardless of the number of drivers and vehicles.

Association Parking Rules:

Parking spaces throughout the Association are for use by guests and permitted vehicles only. Limiting the use of the minimal parking spaces will ensure adequate space for our guests and ease congestion within the Mirasol community.

1. Permits will be limited to a total of **30** to assure adequate guest parking and **compliance with the City of Mission Viejo required** guest parking code. **Households having two (2) or fewer vehicles are required to park in their garages or off site.**
2. Households must be able to park their vehicles entirely within the garage such that the garage door must be fully closed. Partially closed doors will be subject to citation. Repeated offenses may lead to a possible fine.
3. All of the streets within Mirasol are private and are considered fire lanes. Any vehicle parked in a fire lane is subject to immediate towing at the owner's expense.
4. Parallel parking within the association and parking a vehicle on a driveway or apron is not allowed and is subject to immediate towing at the owner's expense. Temporary stopping on garage aprons for loading and unloading, car washing or short-term garage access is allowed.
5. Any vehicle parked in a designated handicapped space without a valid handicap permit will be subject to towing at the owner's expense as well as enforcement of the California Vehicle Code by local law enforcement.
6. Recreational vehicles, including but not limited to, campers, motor homes, boats, trailers, mobile homes, commercial vehicles of any type, dump trucks, trailer trucks, construction or other equipment, cannot be parked anywhere within the Mirasol association except inside an owner's closed garage. **PERMITS WILL NOT BE ISSUED FOR VEHICLES THAT**

HAVE BEEN DISPLACED FROM THE GARAGE BY A RECREATIONAL OR OTHER "RESTRICTED" TYPE VEHICLE.

7. Any vehicle parked in other than a designated or authorized parking space, or without a valid parking permit, will be subject to a citation and/or possible towing at owner's expense.
8. In accordance with the California Vehicle Code, any towed vehicle will be immediately reported to the proper law enforcement agency. ALL TOWING WILL BE AT THE VEHICLE OWNER'S EXPENSE.
9. All drivers within the association are required to use safe driving habits and obey all posted signs. Reckless driving will be subject to a violation notice and possible fine, as well as enforcement of the California Vehicle Code by local law enforcement.
10. No painting, repairing or mechanical work shall be done to any vehicle anywhere in the association. Emergency repairs to immediately enable the vehicle to become operable are allowed.
11. All vehicles must park in spaces with the FRONT of the vehicle facing the curb. Vehicles not parked "head-in" will be subject to a citation.
12. **No vehicle will be permitted that will not fit completely within the guest parking space and may not overhang that marked area in length.**
13. The Mirasol Board of Directors, and/or the Property Management Company, reserve the right to revoke any parking permit for non-compliance with the rules, misuse or falsification of the vehicle parking permit application. If the parking permit is revoked, the parking permit application cost will not be refunded. If the reason for the revocation is corrected to the satisfaction of the Mirasol Board of Directors, the permit may be re-issued.

GUEST PARKING

Definition:

A guest vehicle will be considered any vehicle parked in the guest parking areas within the boundaries of the Association which does not have a valid third vehicle permit affixed to the lower right hand corner of the windshield (passenger side).

Policy:

The Association's contracted parking patrol company will log all guest vehicles parked in the community on a nightly and/or daily basis.

Any guest vehicle that has been logged once will receive a written notice (citation) on the second occasion of its observation in a guest parking area.

Any vehicle that has received a written notice (citation) will be given a final warning and citation on the third occasion of its observation in a guest parking area.

Any vehicle that has received a final warning (citation for third violation) will be towed, at the owner's expense, on the fourth and additional occasions of its observation in a guest parking area.

Subsequent violations will result in the vehicle being towed at the owner's expense, including but not limited to, an administrative expense from the security service, towing charges, storage charges, etc. In accordance with the California Vehicle Code, any towed vehicle will be immediately reported to the proper law enforcement agency.

This policy will be in effect on a ninety-day rolling basis and will initiate in or about March 2015.

Violations involving illegal parking in fire lanes and handicap spaces are subject to immediate towing at the owner's expense.

EXTENDED GUEST PARKING:

All safelisting of guest vehicles will be done on-line or by telephone through a parking program implemented by the Association's parking patrol company. Safelisted guest vehicles must at all times (24/7) display a valid safelist confirmation number affixed to the lower right hand corner of the windshield (passenger side).

Safelisting of vehicles is for guest vehicles only. Unit Owner(s) may not safelist their own vehicles. Violation of the Guest Parking rules may result in fines, etc., as set forth in the "Enforcement of Rules and Regulations, CC&R's and Bylaws", and may also include a temporary or permanent prohibition of all of the Unit Owner(s) parking privileges in the common area, including third vehicle or oversized permit parking. The term "Unit Owner(s)" includes any tenant(s) of the Unit Owner(s).

CALIFORNIA VEHICLE CODE 22658 establishes Community Association's duties and responsibilities concerning towing of vehicles from their common interest developments.

This vehicle code requires the posting of signs at each entrance to a common interest development. The signs may be no less than 17 inches by 22 inches (17x22) with lettering no less than 1" high. Each sign must contain (1) statement that public parking is prohibited and that all vehicles not authorized to park on the common interest development will be removed at the owner's expense and (2) the number of local traffic law enforcement agency. The sign may also indicate that a citation may be issued for the violation.

Vehicle Code Section 22658 provides that the President of the Association or his/her designee (Property Management Company) must give notice of the removal of a vehicle to the local traffic enforcement agency immediately after the vehicle has been removed. The license plate number and address from where the vehicle was removed also needs to be included.

If the identity of the registered owner of the vehicle is known or readily ascertainable, the President of the association or the Property Management Company shall, within a reasonable time, notify the owner of the removal by first class mail.

Vehicle Code Section 22853 provides that if the vehicle is not returned to the owner within 120 days, the person removing the vehicle shall immediately send a written report of the removal by mail to the Department of Justice in Sacramento. It will include a description of the vehicle, date,

time, place removed, amount of mileage, grounds for removal and name of garage where the vehicle is stored.

POOL AND OTHER COMMON AREAS

1. The pool area is for the exclusive use of the owners, other residents and their invited guests. Each household is limited to a maximum of 4 guests at any one time. The gate is to remain locked at all times and all users must observe posted pool rules. **GLASS OF ANY KIND IS NOT PERMITTED IN THE POOL AREA.**
2. The pool area shall be used only between the hours of 7:00 am and 11:00 PM and only in compliance with the General Rules.
3. The pool area may not be reserved for private functions of any kind. It must remain available to all authorized users at all times it is open.
4. Use of the pool and all other Common Area facilities is at your own risk. No lifeguards are on duty. Restrooms, showers and other Common facilities shall be kept neat and orderly by the users, including removal of all garbage and trash.
5. No running, diving in the pool or spa and horseplay is strictly prohibited. Violators will be removed immediately.
6. Each owner shall be responsible to the Association for repair, at his or her own expense, of damage to the pool and any Common Area facilities caused by abuse or misuse by their family members, tenants and guests.
7. No pets or other animals are allowed to be in the enclosed pool area at any time.
8. Pool keys may be purchased for \$50 each from the Property Management Company. Broken or damaged keys will be replaced free of charge, provided the damaged key is returned.
9. Children under fourteen (14) must be accompanied by an adult parent or guardian at all times in the pool area.
10. Smoking is prohibited in the enclosed pool and spa areas.

ARCHITECTURAL GUIDELINES

1. No owner or other resident shall interfere with or alter in any way the established drainage pattern for his lot or any portion of the Common Area without prior approval (in writing) of the Board of Directors or the Architectural Control Committee.
2. No structural alteration, addition, modification, construction, reconstruction, decoration or redecoration shall be made to the exterior or interior of any condominium unit. **NO STRUCTURE IS TO BE ALTERED IN ANY FASHION.**
3. Individual unit owners may not alter in any way the front walkways leading from the street to their front porches or doors.

4. Any unapproved alterations to stoops or existing walkways, or unapproved installation of additional concrete walkways or stoop enlargements, will result in an assessment. If the Association must bring the area back to its original condition, a back charge will be assessed to the owner.
5. Fences, walls, balconies, railings, patios and any other structures may not be altered, remodeled or enclosed in any way.
6. Unit owners are responsible for painting and upkeep of their rear yard, inside wood fences. When painting the fences or touching up other exterior paint or stucco areas, use the pre-approved paints. (Pre-approved paint information can be obtained from the Property Management Company.)
7. No window in any condominium unit may be covered in whole or part with aluminum foil, newspaper, paint, reflective tint, sheets or other similar opaque material. However, installation of non-reflective indoor window tinting materials for UV-protection of furnishings is permitted.
8. No antennas or satellite dishes shall be installed on the exterior of any condominium unit or in the Common Area without written approval by the Board of Directors. Any antenna or satellite dish installed without approval will be removed and the cost for removal will be assessed to the homeowner.
9. No clothing, towels, blankets, laundry or clotheslines shall be placed or hung from any patio or balcony, or any portion of the Common Area, where doing so will be visible from any other condominium unit, portion of the Common Area or the public. Patios and balconies shall not be used for storage of bicycles, surfboards, athletic equipment or similar items at any time.
10. Plants, trees and shrubs that exceed or may exceed the height of the unit's fence in the homeowner's exclusive use area are subject to prior approval of the Board of Directors. Neither plant material, nor any other landscaping element shall be placed or installed in any portion of the Common Area. Potted plants or any type of object shall not be placed on the balcony pilasters or walls of the exterior of the building or in the common areas. No additional light fixtures or any objects shall be attached to the building.
11. Solar energy systems may be installed in any condominium unit if they are designed to integrate with the existing design of the Project, and with prior approval (in writing) in accordance with the Architectural Approval Procedures.
12. No structural or landscaping element or other improvement shall be installed that unreasonably obstructs the view from any other condominium unit.
13. Each owner is responsible for periodic trimming of the trees, shrubs, grass and other materials in his or her exclusive-use rear yard area on a regular basis, and shall keep his or her yard, patio and/or balcony in a neat, clean, safe and attractive condition.
14. Each owner is responsible for the upkeep of their exclusive-use area including, but not limited to, resurfacing of decks and painting. Failure to do so will result in the Association taking the necessary action to do so. Any costs incurred by the Association for this maintenance will be borne by the homeowner.

ARCHITECTURAL APPROVAL PROCEDURE

Obtain an Architectural Application by contacting the Property Management Company. Mail the completed application, three sets of your plans and specifications, and a check for the cost of preparation and recording any required Covenant (“Maintenance and Indemnity Agreement “cost can be obtained from the Property Management Company).

One set of the plans and specifications will be retained by the Associations’ Architectural Committee, one set will be retained by the Property Management Company and the third set, either approved or disapproved, will be returned to you.

1. Within 30 days of your submission, the Committee will notify you of their decision.
2. Plans and specifications shall be approved or disapproved by the Architectural Committee only as to style, design, appearance and location, not for engineering design or code compliance. It is the owner’s responsibility to obtain all necessary permits.
3. When submitting plans to the Architectural Committee for an exterior structure that will be visible from other condominium units (such as a patio cover), you must also submit written evidence that all of your neighbors who will be able to view the structure from their units have no objections to your plans. Please note that in the event your neighbor does have an objection, the approval of your plans is ultimately up to the Architectural Committee.

REQUIREMENTS

Submit to the Architectural Committee three sets of drawings (drawn to scale) with the following details:

1. Yard dimensions, existing fence and rear portion of unit to be shown on drawings.
2. Landscaping: Irrigation systems and plants (including size and type) to be specified in drawings. Any plant that will grow to be visible over height of the fence requires written approval from each adjacent homeowner accompanying the plans. All raised planter boxes must be enclosed with four sides to eliminate backfill against any surface, guaranteeing the prevention of damage to structure or fences.
3. Drainage: Existing yard elevation must not be altered unless drainage has been accommodated. During and subsequent to construction of any improvements, the drainage pattern of your lot must not divert water in any manner to adjacent property or over any slope in the common area. Drawing to specify:
 - A. Location of existing rear yard drain.
 - B. Direction of drainage flow.
 - C. Drain lines, if installed.
4. Patio Overhangs:
 - A. Drawings to specify material used and finished color. All patio overhangs must be a freestanding structure.
 - B. Submit written approval for improvement from each adjacent neighbor.

THINGS TO CONSIDER

Trees with gregarious root systems can damage foundations. Avoid use of such plants as ficus.

Anything constructed or planted that is visible over the height of the fence requires written approval from the adjacent neighbors.

Providing dimensions, elevations and labeling on drawings creates a clear visualization of your plans that can help prevent delays during the approval process.

IMPORTANT NOTES

These Rules, Regulations and Policies define most, but not all, of the restrictions contained in the recorded CC&R's for the Mission Viejo Mirasol Condominium Association, as interpreted, clarified, and supplemented by the Board of Directors. In the event of material conflict between this document and the recorded CC&R's, the CC&R's shall rule. All Association members and other residents are expected to know the Rules, Regulations and Policies, and to abide by them for their mutual benefit. Absentee owners are responsible for making sure their tenants comply.

ENFORCEMENT OF RULES AND REGULATIONS, CC&RS AND BYLAWS

1. It is the responsibility of all owners and tenants to extend consideration and respect to their neighbors to avoid infractions of these basic Rules and Regulations, the CC&R's and Bylaws.
2. Any person may report violations or maintenance repairs to the Property Management Company. If requested, anonymity will be respected.
3. Any resident notified of a violation, who does not cease such violation, shall be subject to a hearing before the Board of Directors and a fine(s) to be determined by the Board of Directors as provided in section 5 below.
4. Any fines, charges or administrative costs incurred to enforce these Rules and Regulations, the CC&R's and/or the By-Laws shall be the responsibility of the Unit Owner and, as such, should be provided for in any lease agreement entered into. Court costs to collect such sums shall also be the responsibility of the unit owner.
5. Fines for violations are as follows:

First Notice:	If the violation is corrected and the Unit Owner provides a written response, no fine.
Second Notice:	Unit Owner will be called to a hearing before the Board of Directors regarding the violation which may result in a minimum fine of \$50.00 per occurrence.
Third Violation:	Minimum fine of \$75.00 per occurrence per month until corrected. May also result in legal proceedings as prescribed by law.

As determined by the Board, violations may also result in suspension of voting rights and/or use of facilities. Fines are not refundable once the violation is corrected. Fines, charges and legal fees will be added to the monthly statements and are due and payable immediately. Fine(s) and legal fees which are not paid may result in a lien being filed against the property and may result in a foreclosure if the lien is not cleared.

6. Any damage to the common area shall be assessed at cost to repair plus a \$50.00 administrative cost.

MISSION VIEJO MIRASOL

CONDOMINIUM ASSOCIATION

In order for the Association to maintain its high value and to insure the safety of all the homes and Owners, the Board of Directors has created the following Holiday Decorations Policy. The Board sincerely appreciates your continuing efforts in keeping the Association safe and beautiful.

HOLIDAY DECORATIONS POLICY

1. THE WINTER HOLIDAY TIME LIMIT FOR DECORATION INSTALLATION AND REMOVAL WILL BE FROM NOVEMBER 17 UNTIL JANUARY 15. ALL DECORATIONS MUST BE INSTALLED AND REMOVED WITHIN THIS PERIOD OF TIME.
2. ALL LIGHTS MUST HAVE A “UL” (Underwriter’s Laboratory) RATING AND ONLY OUTDOOR DESIGNATED LIGHTING MAY BE USED ON THE EXTERIOR PORTION OF YOUR UNIT.
3. LIGHTS AND DECORATIONS MAY BE DISPLAYED AROUND THE WINDOW AREAS, AND SHOULD BE ATTACHED WITH TAPE OR A “UL” APPROVED PLASTIC GUTTER CLIP.
4. NO PART OF THE STRUCTURE (STUCCO OR WOOD) SHOULD BE PENETRATED OR PUNCTURED IN DISPLAYING OUTDOOR LIGHTS. THIS INCLUDES THE USE OF NAILS OR HOOKS.
5. NO DECORATION MAY BE PLACED ON ANY TREES, BUSH OR PLANTINGS WITHIN THE COMMON AREA.
6. IF ANY OWNER’S HOLIDAY LIGHTS OR DECORATIONS DISTURB ANY OTHER OWNERS OR RESIDENTS, THE DECORATIONS OR LIGHTS MUST BE REMOVED OR ALTERED.
7. IN THE EVENT THAT ANY DAMAGE IS CAUSED, EITHER TO COMMON AREA, OR TO ANY OTHER OWNER’S PROPERTY, THE COST OF REPAIR WILL BE THE SOLE RESPONSIBILITY OF THE OWNER CAUSING THE DAMAGE.

The Holiday Decorations Policy is important due to the potential for serious damage or injury occasioned by fire or weather conditions. For the safety of the entire community, Owners who do not maintain compliance with this policy will be subject to the violation procedure outlined in the governing documents.

Happy Holidays! Thank you for your continued support.