

MANHATTAN VILLAGE ESTATE HOMEOWNER'S ASSOCIATION

RULES, REGULATIONS, AND RESTRICTIONS

Management Office (Avalon):

31608 Railroad Canyon Road

Canyon Lake, CA 92587

(951) 244-0048

E-mail: service3@avalonweb.com

Website: mvestatehomes.com

Board Meeting - Second Monday of Each Month - 7:00 PM

Revised June 2011

**MANHATTAN VILLAGE ESTATE HOMES ASSOCIATION
RULES, REGULATIONS, AND RESTRICTIONS HANDBOOK**

CONTENTS

I.	INTRODUCTION	3
II.	USE RESTRICTIONS AND MAINTENANCE OBLIGATIONS	3
III.	ACCESS CONTROL	5
IV.	ARCHITECTURAL REQUIREMENTS	5
V.	COMMON AREA	5
VI.	KEYS	6
VII.	IDENTIFICATION, PARKING DECALS, AND VISITOR PERMITS	6
VIII.	PARKING, PERMITS, VIOLATIONS	7
IX.	PETS	8
X.	POOL AND SPA	9
XI.	COMMON AREA PARTIES	10

I. INTRODUCTION

Your Board of Directors (Board) has prepared this handbook for the use of Manhattan Village Estate Homes Association (MVEHA) owners and their tenants. It is intended to assist in maintaining property values, safety, community aesthetics, and a desirable quality of life in the Village.

The basis of these Rules, Regulations, and Restrictions come from the Covenants, Conditions, and Restrictions (CC&R's); the Bylaws of MVEHA; and Board actions on behalf of all homeowners. Copies of these documents are available on the website. This document is not intended to summarize, supersede, or replace the other governing documents for the Association, all of which must be adhered to by every Homeowner and tenant.

All Estate Homeowners and their tenants should be aware of and are responsible for complying with the CC&R's. Among other things, the CC&R's provide:

1. CC&R's Section 42, Membership:
Every owner of a Lot is subject to assessment and is automatically a Member of MVEHA.
2. CC&R's Section 5.1, Creation of the Lien and Personal Liability:
Each Lot owner agrees to pay to MVEHA regular, special, or supplemental assessment charges, which, if not paid, become a continuing lien.
3. CC&R's Section 5.8, Effect of Nonpayment of Assessments:
Delinquency and Remedies of the Association: Any regular, special, or reconstruction assessment not paid when due is deemed delinquent. Delinquency, together with interest and costs of collection, including attorney's fees, become a continuing lien on the Lot when Notice of Claim of Lien is recorded. Enforcement of collection of delinquent assessments including lien rights and power of sale are contained in this section.

II. USE RESTRICTIONS AND MAINTENANCE OBLIGATIONS

Residents should be aware of the provisions of Article VIII of the CC&R's "*Use Restrictions and Maintenance Obligations*", which provide, in part:

1. Garage doors must be closed at all times when they are not actually being used for access to or from the garage.
2. Garage sales are prohibited.
3. Overnight parking of vehicles on driveways, aggregate, and designated street areas is allowed only with authorized decals or passes.
4. For the protection of human and animal life, drivers must adhere to the 25 miles per hour speed limit and must obey stop signs.
5. No signs or posters may be displayed by homeowners except:
 - a. One "Property for Sale" sign per residence, not to exceed six square feet of area that must be removed within forty-eight hours of close of escrow.
 - b. Directional Open House signs are permitted but must be removed promptly at the close of the Open House. (The South Bay Board of Realtors has been instructed about MVEHA requirements.)

6. No contractor or painter signs are permitted.
7. No shed, tent, trailer, or temporary building may be erected, maintained, or used on any of the Property. Temporary buildings incidental to construction of improvements are exempt provided they are promptly removed upon completion of construction.
8. No clotheslines or hanging clothes are permitted if visible from other lots or Common Area.
9. Holiday decorations must be removed within three weeks after the holiday.
10. Rubbish, trash, garbage, refuse containers, woodpiles, and storage piles, must be obscured from view of other lots and the Common Area by a fence or appropriate screen.
11. The exterior of homes must be well maintained.
12. No newspaper, cardboard, aluminum foil, or similar material may be used as window coverings.
13. All vegetation, including grass, plants, bushes and trees, must be well maintained in a vigorous growing, trimmed, and weed-free condition.
14. Accumulation of weeds, rubbish, debris, objects, or materials of any kind on the property is prohibited.
15. No professional, commercial, or industrial business may be advertised or operated from any residence.
16. No obnoxious or illegal activities may be carried out on the property.
17. No activity may be carried out and nothing may be maintained on the property that is a nuisance or that interferes with the quiet enjoyment of other residents.
18. Riding bicycles on or through grass or planted areas is prohibited.
19. Overnight parking of boats, motor homes, motorcycles, trailers, or commercial vehicles outside of a garage is prohibited.
20. Fines may be assessed for violations of use restrictions, maintenance obligations, vehicle parking, traffic rules and architectural approval requirements. Fines are only assessed after the Board has issued notice to the Homeowner of the violation and allowed a reasonable period for cure. Typical fines are \$50 per day.

III. ACCESS CONTROL

The MVEHA provides access control but no security services. The gates and access control procedures do not replace security arrangements that may be taken by individual residents. Each resident should assess his or her own security requirements and implement appropriate security measures, including home security services. In addition, for emergencies, residents should dial 911 and should report criminal activity to the Manhattan Beach Police Department. For non-emergency situations, residents should contact the Manhattan Beach Police Department at: 310.545.4566. For all emergency situations, residents should dial 911.

1. Residents

Residents are required to obtain parking decals for their vehicles by filling out a Resident Information Form that is available through the online website. Residents are responsible for submitting changes on a properly completed and signed form.

Additionally, all residents have a remote transmitter that operates the vehicle gates. Residents with remote transmitters can gain access to the community through the Mall, Portsmouth, and Gateway vehicle gates.

Resident pedestrian traffic can gain access to the Village using pedestrian gate keys

2. Visitors

All visitors who enter the Village must do so using the keypad at the Portsmouth Gate. Each resident is given a six-digit code that will allow entry for visitors. Visitors can also access a scrolling alphabetized directory to locate residents and call them from the keypad to gain entry. Residents are encouraged to regularly change their access code by contacting the management company.

3. Real Estate Agents and Open Houses

Residents selling their homes can utilize a temporary pin number for all visitors wishing to enter Manhattan Village for the purpose of property viewing. This temporary pin can be rescinded once the property is no longer on the market.

4. Homeowner Responsibility For Guests

The homeowner who authorizes entry of a guest is responsible for assuring that the guest complies with all Village Rules and Regulations.

IV. ARCHITECTURAL MODIFICATIONS

All Homeowners must receive approval from the Architectural Committee for modifications to the exterior of their homes and property pursuant to the Association's Architectural Rules and Guidelines which can be found on the Association's website.

V. COMMON AREA

The Common Area is all the land and/or improvements external to a homeowner's lot and is designated for common use and enjoyment of all residents. The MVEHA has duties and powers to manage, maintain, and operate all of the Common Area and all facilities.

Removal or alteration of common area landscaping by homeowners is prohibited. Any damage to the Common Area by a homeowner is the responsibility of the homeowner.

A charge for replacement value and labor will be imposed on any homeowner removing or changing Common Area landscape. Furthermore, an assessment may be levied against the homeowner if the Common Area cannot be restored to its original condition.

Homeowners are also liable for damage to the pool area, recreational facilities, structures, or equipment, and any other Common Area property caused by their guests, employees, or contractors.

VI. KEYS

Keys to gates are special, and are marked “Do Not Duplicate” to prevent unauthorized access. Fobs provide access to the pool/spa. Fobs are required to be in your possession when using the pool/spa area. You may be asked by an Access Control Officer or any resident to present your fob when using the pool/spa.

A maximum of three keys and one fob were supplied to each homeowner. If more than three persons live at a given residence and each needs a key, the Association will issue additional keys at a charge of \$100 per key. Additional fobs may be purchased for \$100 per fob.

Giving gate keys or fobs to persons not living in the Village (other than caretakers) is strictly prohibited. The keys and fobs are numbered and are traceable back to the residents.

Lost keys and fobs will be replaced upon the filing of a report describing the circumstances of the loss. There is a charge of \$100 for each replacement.

Upon sale of your residence, the gate keys and fob must be transferred to the new owners.

VII. IDENTIFICATION AND PARKING DECALS

Each resident is issued identification decals for garaged vehicles that permit access to the Village. These MV logo decals contain a registration number at the bottom and are used to identify vehicles owned by residents.

New homeowners are requested to obtain vehicle identification decals within ten days. Upon revocation or termination of a decal or upon the sale of a vehicle, the decal must be removed from the vehicle.

The Application for decals is available from the website and should be submitted to the Management Company. The decal must be permanently affixed on the outside lower left (driver’s side) corner of the windshield to display the registration number to the outside of the windshield. These decals provide access to the Village but do not authorize overnight parking outside of the garage.

If a resident changes vehicles, the old decal must be removed. If the new vehicle has not been issued a license plate, a temporary pass may be issued for a period not to exceed thirty days.

Additional Vehicles and Annual Overnight Parking Decals

Additional vehicles that cannot be parked overnight in the garage may be issued Annual Overnight Parking Decals upon approval by the MVEHA, for residents meeting specific requirements as described below. The decal authorizes overnight parking on driveways, aggregate, street cutouts, and square curbed street areas. All spaces in the garage, however, must be used for parking before an additional decal will be issued.

An acceptable vehicle for permit purposes is a vehicle that is used on a daily basis and is not prohibited by CC&R’s Article VIII, Section 8.4 (boat, motor home, motorcycle commercial vehicle,

or trailer).

To receive an additional decal, the additional vehicle must belong to and be used on a daily basis by an additional licensed driver who is a permanent full-time resident of the household and has a valid driver's license.

All additional decals must be applied for and approved on an annual basis to determine if the requirements for the decal still exist.

Additional decals will not be granted for temporary residents. In these instances, a Temporary Overnight Parking Pass may be issued.

VIII. PARKING AND VEHICLE VIOLATIONS

Homeowners should be aware of Article VIII, Section 8.4 of the CC&R's, "Parking Restrictions".

There are two Homeowners Associations in Manhattan Village. Routine parking of residents' vehicles of either Association in the other's area will subject the vehicle to towing at the owner's expense. Signs have been placed at the entrances to Manhattan Village to provide notice that the MVEHA may tow vehicles that are in violation of parking regulations.

In addition, no portion of the Common Area may be used at any time for parking, unless designated by the Board. Overnight parking of boats, motor homes, motorcycles, trailers, or commercial vehicles outside of a garage is prohibited.

1. Street Parking

Street parking is only permitted on:

- a. The cutouts on Village Circle
- b. The square curb that is on the west side of Village Circle extending from Westport to the mall gate.
- c. On the aggregate so long as all wheels are on the aggregate and the vehicle does not protrude over the sidewalk or curb.

2. Parking Restrictions

No parking is allowed:

- a. Within 15 feet of a fire hydrant
- b. That blocks access to a driveway or pedestrian walkway

3. Other Provisions

1. Permittees and homeowners are responsible for any damage they cause to mailboxes, or other Village property.
2. Any parked vehicle that blocks a driveway, fire hydrant, sidewalk, or impedes an emergency vehicle's access may be towed immediately at the owner's expense.
- c. Use of driveways, aggregate or common area for repair of vehicles is prohibited.

d. Visitors are subject to the rules of the Association.

4. Enforcement Procedures

- a. An owner of a vehicle in violation of the parking or traffic regulations will receive a written warning for each violation.
- b. The Association may fine an owner of a vehicle for violations of the rules and regulations for each day the vehicle is in violation, subject to advance notice from the Board.
- c. Each day a vehicle is parked illegally is considered a separate violation.
- d. If a vehicle is in violation of a parking restriction of the Association, the vehicle may be towed at the owner's expense.
- e. Any violation incurred by a visitor is the responsibility of the homeowner who authorized access for the visitor.
- f. The Association can take appropriate legal action to collect unpaid fines.

IX. PETS

Homeowners should be aware of Limitation of Animals as covered in Article VIII, Section 8.6 of the CC&R's.

1. No animals, fowl, reptiles, or poultry (except usual and ordinary household pets such as domestic dogs, cats, birds, and fish) may be kept, bred, or raised within the Village.
2. A maximum of two pets per household may be kept and County and City ordinances pertaining to pets apply.
3. The animals may not cause a nuisance or interfere with the quiet enjoyment of other residents. This includes barking dogs left outside, especially at night.
4. Residents should take NO action to encourage, attract, or add to the proliferation of wild or stray animals, and should report any evidence of wild or stray animals to the Management Company or Manhattan Beach Animal Control.
5. No animal may be kept, bred, or raised for commercial purposes.
6. Both the CC&R's and the Manhattan Beach City Code require that dogs must be kept on a leash or confined within the owner's property.
7. The CC&R's specify that all animals are the responsibility of the owner and the owner is responsible for the IMMEDIATE cleanup of animal waste. In addition, it is a violation of Manhattan Beach Code Section 5.01.030 for the owner or person having custody of any animal to commit a nuisance by failing to immediately and securely enclose all feces in a bag, wrapper, or other container and dispose of it in a sanitary manner. Also, the failure to have a suitable bag, wrapper, or other container in his or her possession is a code violation.
8. In order to prevent brown spots on lawns or other grass areas, dog owners are encouraged to have their pet urinate in the ground cover or shrubbery areas.

X. POOL AND SPA

Your gate key FOB admits you to the Pool/Spa and is your authorization to use the Pool/Spa area. Upon request, you are required to show your gate key FOB as well as photo ID to any Access Control Officer or resident.

General Rules for convenience of all residents:

1. Pool/Spa Hours: 6:00 a.m. - 11:00 p.m. Sunday through Thursday, 6:00 a.m. - 12:00 a.m. - Friday and Saturday.
1. Parking for the Pool/Spa is in the cutouts along Village Circle. Parking is not permitted on Chatham.
2. The gate to the pool/spa must be closed and latched after entering and exiting. Pool/Spa gate must NOT be propped open.
3. A resident must accompany guests at all times. Residents are responsible for the conduct of their guests as well as any vandalism by their guests.
4. Please be considerate of residents living around the Pool/Spa Area, particularly early in the morning and late in the evening.
5. Use of the Pool/Spa for commercial purposes is prohibited
6. Residents are limited to 7 guests unless a Party Request Application has been approved.
7. Smoking is not permitted in the Pool/Spa and Common Area.
8. Dogs are not permitted in the pool/spa area.
9. Glass containers of any kind are not permitted in the pool/spa area.
10. Tables, chairs, pool furniture, and grills may not be reserved. They are available to all residents on a first come, first served basis and may not be removed from the pool/spa area.
11. Additional Party Rules:
 - a. The Party Request Application must be received at Avalon Management a minimum of one week in advance of the party. First come, first served. Forms are available on MVEHA's website.
 - b. The resident agrees to indemnify and hold harmless Manhattan Village Estate Homes Association and Avalon Management in its entirety from and against any and all claims for damages of any kind including, but not limited to, any injuries, accidents, losses, thefts, personal or property damage, vandalism, liabilities and/or other costs or expenses arising from this event.
 - c. The Pool/Spa may not be reserved by any resident for exclusive use at any time.
 - d. At least one week in advance of a pool party, the resident must post a notice of the party at the pool/spa gate. This will allow other residents to plan for their use of the pool/spa area. Notices are available through Avalon Management.
 - e. Pool and Spa Party Hours: 11:00 am – 8:00 pm daily, not to exceed 4 hours. Parties must end

no later than 8:00 p.m.

- f. There is a \$100 Non-Refundable Use Fee for a Party in the Pool/Spa Area and a \$250 Refundable Compliance Deposit for parties of 8 guests or more. Residents who hold functions of 8 guests or more without prior approval from the Management Office will be charged the party fee and compliance deposit.
- g. Pool/Spa parties are limited to 20 guests in the pool/spa at any given time.
- h. Clean up including, but not limited to, the removal of all decorations and litter is required immediately following the party.

12. Additional Pool Rules

- a. Children under the age of fourteen shall not use the pool without adult supervision in attendance.
- b. No diving in the pool or spa is permitted.
- c. Pool capacity is 53 persons

13. Additional Spa Rules

- a. Elderly persons, pregnant women, infants, and those with health conditions requiring medical care should consult a physician before using the Spa.
- b. Unsupervised use by children under the age of fourteen is prohibited.
- c. Hot water immersion in the Spa while under the influence of alcohol, narcotics, drugs, or medicines may lead to serious consequences and is not recommended.
- d. Long exposure in the Spa may result in nausea, dizziness, fainting or other medical complications.
- e. Spa capacity is 10 persons

XI. COMMON AREA PARTIES

General Rules for convenience of all residents:

- 1. Common Area Hours: 6:00 a.m. - 11:00 p.m. Sunday through Thursday, 6:00 a.m. - 12:00 a.m. Friday and Saturday. Please be considerate of residents living around the Common Area, particularly early in the morning and late in the evening.
- 2. Parking for the Common Area field adjacent to the pool/spa is in the cutouts along Village Circle. Parking is not permitted on Chatham.
- 3. A resident must accompany guests at all times. Residents are responsible for the conduct of their guests as well as any vandalism by their guests.
- 4. Use of the Common Area for commercial purposes is prohibited.
- 5. Residents are limited to 7 guests unless a Party Request Application has been approved.

6. The Party Request Application must be received at Avalon Management a minimum of one week in advance of the party. First come, first served. Liability insurance from the resident and/or vendor naming both Manhattan Village Estate Homes Association and Avalon Management as additionally insured must be submitted in addition to the application form if an inflatable apparatus such as a bounce house is to be used. Applications are available on MVEHA's website.
7. The resident agrees to indemnify and hold harmless Manhattan Village Estate Homes Association and Avalon Management in its entirety from and against any and all claims for damages of any kind including, but not limited to, any injuries, accidents, losses, thefts, personal or property damage, vandalism, liabilities and/or other costs or expenses arising from this event.
8. There is a \$100 Non-Refundable Use Fee and a \$250 Refundable Compliance Deposit required for functions with an inflatable apparatus in the Common Area. Residents who are using an inflatable apparatus on Common Area property without prior approval from the Management Office will be charged a party fee of \$100 and the compliance deposit of \$250.
9. The Common Area may not be reserved by any resident for exclusive use at any time.
10. Party Hours: 11:00 am – 8:00 pm daily, not to exceed 4 hours. Parties must end no later than 8:00 p.m.
11. Clean up including, but not limited to, the removal of all decorations and litter is required immediately following the party.
12. Association's electricity may not be used, thus a generator is required to provide electricity if needed.

*****WARNING*****

USE OF AN INFLATABLE IS AT YOUR OWN RISK