



# BELSERÀ

AT TIERRASANTA NORTE

## HANDBOOK

November 2013

# BELSERA

AT TIERRASANTA NORTE

## PREFACE

This handbook has been compiled by your Community Association to outline the operating procedures of the Associations and to provide other important information about your condominium and association common areas. The purpose of your Association is to protect the BELSERA COMMUNITY ASSOCIATION property while making condominium association living a pleasant experience for everyone.

The Association concept is an ingenious device for engaging able people to manage the community assets. The advantage of a planned development is that the authority, as well as the responsibility for maintaining the property, is retained by those with a vested interest in the community's welfare -- the property owners.

Living in a condominium can be a happy and rewarding experience, especially at the beautiful, prestigious and luxurious BELSERA. A planned development helps ensure that the original planning concepts and design that went into creating the community are preserved, protected and enhanced.

### **Everyone benefits from an effective community association!**

All owners should have received copies of the Declaration of Covenants, Conditions and Restrictions and the Bylaws of the **BELSERA COMMUNITY ASSOCIATION**. We urge you to read both sets of these documents since they set forth, in complete detail, the rights, duties and obligations of each homeowner; and they, not this booklet, are the official documents which cover these rights. Please read this manual prior to occupying your condominium.

These Rules and Regulations supplement the CC&R's. Please read this information carefully and be sure your family, guests and tenants understand the rules fully. If there are any questions or if you do not have copies of the Association documents, please contact the management office.

We trust that your knowledge of this information will enhance your daily enjoyment of your new condominium residence at BELSERA.

Thank you for your consideration and cooperation. All owners and tenants are encouraged to participate in directing the affairs of the **BELSERA COMMUNITY ASSOCIATION**.

# BELSERÁ

AT TIERRASANTA NORTE

## TABLE OF CONTENTS

<u>GENERAL INFORMATION</u>	<u>1</u>
BELSERÁ COMMUNITY ASSOCIATION .....	1
ASSOCIATIONS .....	1
ASSOCIATION MEETINGS .....	1-2
FINANCIAL AUDITS .....	2
INSURANCE INFORMATION .....	2-3
COMMON AREA PROBLEMS .....	3
<u>GENERAL RULES AND REGULATIONS</u>	<u>4</u>
INTRODUCTION .....	4
ENFORCEMENT .....	4-5
FINE STRUCTURE .....	5
PROCEDURE .....	6
OWNER RESPONSIBILITIES .....	6-7
TRASH REGULATIONS .....	7
ENVIRONMENTAL CONTROL .....	7-9
RECREATIONAL FACILITIES .....	9-11
VOLLEYBALL COURT .....	11
RESPONSIBILITY FOR PETS .....	12
VEHICLE AND PARKING REGULATION .....	13
RESIDENT & GUEST PARKING .....	13-14
ARCHITECTURAL GUIDELINES .....	14-19
RENTAL REQUIREMENT .....	20
FIRE EMERGENCY PROCEDURE .....	20
<u>EMERGENCY NUMBERS</u>	<u>21</u>

# BELSERA

AT TIERRASANTA NORTE

## GENERAL INFORMATION

### **BELSERA COMMUNITY ASSOCIATION**

The purpose of your Community Association is to operate and maintain the property and assets of BELSERA for the mutual benefit of the owners. Your cooperation is essential in order to accomplish these purposes; and, common sense and consideration for your neighbors are the keys to its success.

Each condominium owner is a member of the Belsera Community Association and owner participation is both necessary and encouraged.

Residential responsibility, cooperation and action have many rewards. One is that the Development continues to be a showcase long after all the homes are sold because the quality of the Community is maintained and enhanced.

### **ASSOCIATIONS**

The Community Association is governed by a Board of Directors which meets regularly to make decisions pertaining to common area and building maintenance matters.

Common Areas and buildings within the Belsera Community Association complex incorporate all space not designated as an individual living unit and include such areas as landscaping, sidewalks, pool/spa, buildings and other recreational facilities, driveways and parking lots. The responsibility of the Board of Directors is to maintain, protect and enhance the Common Area property.

#### **1. Community Association**

The first **Annual Meeting of Members** will be held within 45 days following close of escrow of 51 % of the living units or not later than six months following the close of escrow for the sale of the first unit. Subsequent Annual Meetings will be held on the anniversary of the first meeting.

**Special Meetings of Members** shall be promptly called by the Board upon request by a majority of a quorum of the Board, written request by Members representing 5% of the total voting power of the Association, or by the Delegate representing said voting power.

### **ASSOCIATION MEETINGS**

Unless there is a need for a Special Meeting, meetings of the Board are usually held monthly and normally last approximately one hour.

# BELSERA

AT TIERRASANTA NORTE

Experts have been employed to guide and assist the Board of Directors in fulfilling their responsibilities and in doing an audit each year. Experts are generally employed in the following areas:

**Landscape**  
**Finance**  
**Insurance**  
**Building Maintenance**  
**Legal**

During certain months of the year, each of the experts will meet with the Board for approximately twenty minutes to review a particular topic, to ensure that there is a clear understanding on the part of all Directors as to what needs to be done, and to determine that the Association is operating well.

Notice of the date, time and location of all meetings of the Board of Directors of the Community Association will be posted on the bulletin board on the Association Property and listed on monthly billings. Both Homeowners and Residents are encouraged to attend. With the exception of Executive Sessions, Regular and Special meetings of the Board are open for observation to all Members. Members who are not on the Board, however, may not participate in any discussion unless so authorized by a vote of a majority of a quorum of the Board. The nature of all business to be considered in executive session shall first be announced in open session.

Notices of the date, time and location of **Annual Meetings of Members** will be mailed to all homeowners of record prior to the meeting. In order to establish a quorum so that business can be conducted, it is imperative that owners either attend in person or submit their proxy.

## **FINANCIAL AUDITS**

Financial audits are prepared at the end of each fiscal year and are mailed to homeowners of record upon completion.

## **INSURANCE INFORMATION**

Belsera Community Association has purchased a master policy of property and casualty insurance covering the building, common area contents and equipment, and common area public liability. This coverage will be renewed annually.

Each unit owner or occupant should have his/her own personal insurance which will provide coverage for personal property, and personal liability within and around the unit.

It is highly recommended that each owner or occupant review their particular situation with their own insurance agent or broker so that their individual policy will tie in with the coverages

# BELSERA

AT TIERRASANTA NORTE

provided by the master policy. For further information regarding personal or Community Association insurance, contact your management company.

Belsera Community Association also carries earthquake insurance in the amount of \$10,000,000.00 after a deductible of 5% of the damaged building value. The policy covers property that is commonly owned. It does not cover personal property, loss of use, or loss of assessment coverage. Association members are urged to consult with their individual insurance broker or agent for the appropriate type and amount of additional coverage for property owned individually (not commonly owned).

## **COMMON AREA PROBLEMS**

To report problems related to the Association Common Area (such as landscape, plumbing or electrical problems, etc.) contact:

**(24 hours a day)**  
**(858) 495-0900**  
**WALTERS MANAGEMENT**  
**9665 CHESAPEAKE DRIVE #300**  
**SAN DIEGO, CA 92123-1364**

In the event of an **EMERGENCY**, dial **9-1-1** for immediate assistance.

If the emergency situation is one which involves the building or other residents, please **report the incident, as soon as possible, to the 24-hour number shown above.**

**THANK YOU FOR YOUR COOPERATION**

# BELSERA

AT TIERRASANTA NORTE

## GENERAL RULES AND REGULATIONS

### INTRODUCTION

The Rules and Regulations, as contained herein, are issued by the Board of Directors as authorized by the governing documents of the Community Association. This is a supplement to the BELSERA COMMUNITY ASSOCIATION CC&R's and By-Laws. In the event of any conflict between these Rules and Regulations and the aforementioned documents, the provisions of the CC&R's shall prevail.

The Rules and Regulations are intended as a guide to the conduct and activities of all members, tenants, residents and their guests. Each owner or resident living within the complex and using the facilities is entitled to maximum pleasure without annoyance or interference from others.

The Association falls under the jurisdiction of the City of San Diego and all ordinances and codes apply. Each unit shall be used for single family or residential purposes only. Conducting a business of any kind on the premises is forbidden.

### ENFORCEMENT

1. All homeowners, residents and guests are required to abide by the established rules. Homeowners are held responsible for the actions of their tenants, workmen, maids, contractors, subcontractors, guests and other residents of the unit. Anyone refusing to abide by these rules may face corrective action by the Board of Directors.
2. The property management company acting for the Association has been instructed by the Board of Directors to require the compliance of persons on BELSERA association properties with the provisions of the Rules and Regulations, By-Laws and CC&R's. If there is a violation thereof, the property management company has been instructed to do the following:
  - a. Obtain names and addresses of violators and report to the Board of Directors.
  - b. Call upon a law enforcement agency for assistance.
  - c. In the case of children, make every reasonable effort to contact their parents or host immediately, prior to taking the action called for in (b) above.

# BELSERA

AT TIERRASANTA NORTE

3. Violations of Rules and Regulations:
  - a. It is the right and duty of each resident to report violation in writing to the management company.
  - b. Notice of actual violations will be brought to the attention of the owner and/or resident, in writing, by the property management company carrying out the policies established by the Board of Directors.
  - c. FAILURE TO CORRECT THE VIOLATIONS BY THE RESIDENT MAY RESULT IN LEGAL ACTION, THE COST OF WHICH WILL BE THE OWNER'S RESPONSIBILITY.

## **FINE STRUCTURE**

The Board of Directors of the Belsera Community Association adopted the following fine structure for violations:

1. The first notice will be a courtesy warning.
2. A second notice for the same violation of will bring a \$50.00 fine.
3. \$100.00 will be added to the third notice for the same violation.
4. \$200.00 will be added to the fourth notice for the same violation.
5. Each additional recurrence thereafter, fines will double.
6. The Belsera Community Association Board of Directors has the right to impose increasing fines beyond the \$200.00 or to refer the homeowner to the Belsera Community Association's Attorney and all costs for such services will be charged to the homeowners assessment account.
7. The Board of Directors also has the discretion to levy fines based on the costs incurred by the Belsera Community Association caused by the homeowners or tenants failure to comply.
8. It is the homeowner's responsibility to bring this information to the attention of their tenants. They will be given ten (10) working days to comply for the first notification before the fine is imposed.

# BELSERA

AT TIERRASANTA NORTE

## **PROCEDURE**

1. All violation notices will be in writing with a copy to the homeowner, Board of Directors and tenant (if applicable).
2. A written warning notice will be sent for the first offense.
3. A second written warning notice will be sent for the same violation by Certified Mail inviting the homeowner and tenant (if applicable) inviting them to attend the next regularly scheduled meeting of the Board of Directors.
4. If homeowner/tenant attends the meeting, the Board will determine if a fine will or will not be levied after the homeowner/tenant presents their case. After the meeting, the Managing Agent will send a letter, Certified Mail, that includes the decision of the Board.
5. Homeowner(s)/tenant(s) that do not attend the meeting of the Board of Directors to present their case will be assessed a fine.
6. The Managing Agent will charge the fine (as determined by the Board) to the assessment account of the Homeowner indicating the reason for the fine.
7. In the case of a second violation the Managing Agent will start the procedure with step 3 above and continue from there.

## **OWNER RESPONSIBILITIES**

1. Members are responsible for payment of the costs of repairs for all damage or the insurance deductible to BELSERA association property caused by themselves, members of their families, their guests, tenants or pets.
2. Common area equipment, i.e., time clocks, watering systems, temperature gauges, pool and spa equipment, etc., are to be adjusted and set by authorized personnel only and not by residents.
3. Destruction of Property:

As applied to living units specifically, the owner shall reconstruct it as soon as is reasonably practical, in accordance with the original plans and specifications or approved modifications thereof.

As to the common area, each owner is liable to the Association and shall reimburse it for any expenditures made to repair damage or replace item(s) damaged by the owner or any occupant or guest of the owner's unit not fully covered by insurance .that may be sustained by negligence or willful misconduct.

# BELSERÁ

AT TIERRASANTA NORTE

4. No keys distributed may be duplicated or loaned to friends. There is a \$50.00 fee for key replacement.
5. Keys to individual units are not maintained by the Association, or the Management Company. In case of a "lock out" from your unit, a locksmith should be called.

## **TRASH REGULATIONS**

1. No rubbish, trash or garbage or other waste material shall be kept in or permitted upon any portion of the Common Area or Exclusive Use Common Areas, except in covered and closed sanitary containers located in appropriate areas screened and concealed from view.
2. No odor shall be permitted to arise there from so as to render Property, or any portion thereof, unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to its occupants.
3. Containers shall be exposed to the view of neighboring Residents only when set out for a reasonable period of time (not to exceed twelve (12) hours before and after scheduled trash collection hours) and must be covered. Trash bags must be tightly closed.
4. Residents and tenants are responsible for cleaning up their own trash spilled on common areas and disposing of it in the proper covered receptacles. OWNERS WILL BE ASSESSED FOR ANY CLEAN-UP SERVICES PROVIDED BY THE ASSOCIATION.

## **ENVIRONMENTAL CONTROL**

That portion of the Unit comprising the "residential element" shall be used exclusively for single Family residential purposes.

1. Please be considerate of those living close to you and keep noise and vibration levels as low as possible. Nothing shall be done that disrupts tranquility or interferes with the quiet enjoyment of other occupants.
2. It is the responsibility of parents to see that their children do not unnecessarily disturb other residents. Owners are responsible for any damage caused or incurred by their children and/or guests, workmen, maids, contractors, subcontractors, etc. This includes damage to any of the facilities.
3. Radios, stereos, televisions, musical instruments, party activities, car horns and other noise sources must be restricted at all times to a level that is not disturbing to residents.

# BELSERA

## AT TIERRASANTA NORTE

4. No person shall discharge any matter (toxic or non-toxic) into the air, water, sewer or storm drain systems, or store materials in the storage units, which odor may be readily detectable outside reasonable boundaries or space or which shall cause a nuisance or endanger the public health, safety and welfare.
5. For corrective action, violations may be reported, in writing, to the Board by any Resident through the Managing Agent. Any activity which constitutes disturbing the peace or creating a public nuisance as determined by the Board, is prohibited.
6. No noxious or offensive activities (including, but not limited to the repair of motor vehicles) shall be carried out upon the Property or on any public street abutting or visible from the Property. No horns, whistles, bells or other sound devices, except security devices used exclusively to protect the security of a Residence.
7. No loud noises, noxious odors, noisy or smoking vehicles, large power equipment or large power tools, unlicensed off-road motor vehicles or items which may unreasonably interfere with television or radio reception of any Owner or tenant in the Project, shall be located, used or placed on any portion of the Property or on any public street abutting or visible from the Property, or exposed to the view of other Owners or Tenants without the prior written approval of the Architectural Committee.
8. No Owner or tenant shall permit or cause anything to be done or kept on the Property which may increase the rate of insurance on Units or on the Property, or result in the cancellation of such insurance, or which will obstruct or interfere with the rights of other Owners and tenants.
9. No person shall commit or permit any nuisance on the Property.
10. Each Owner and tenant shall comply with all of the requirements of the local or state health authorities with respect to the occupancy and use of a Residence.
11. Each Owner shall be accountable to the Association and other Owners and tenants for the conduct and behavior of children residing in or visiting his/her Unit and other family members or persons residing in or visiting his/her Unit.
12. Any damage to the Common Property, personal property of the Association, or property of another Owner or tenant, caused by such children residing in or visiting his/her Unit and other family members or persons residing in or visiting his/her Unit, shall be repaired at the sole expense of the Owner of the Unit where such persons are residing or visiting.
13. No sign, poster, display or other advertising device of any character shall be erected or maintained anywhere on the Property or on any public street abutting or visible from the Property or shown or displayed from any Residence, without the prior written consent of the Architectural Committee. **[Except that two (2), and no more, "For Sale" or "For**

# BELSERA

AT TIERRASANTA NORTE

**Rent" signs with dimensions not to exceed 12" x 24" may be displayed on the interior of the Unit but not upon any portion of the Common Property].**

14. No radio station or shortwave operators of any kind shall operate from any Unit or any other portion of the Property unless approved by the Architectural Committee.
15. No exterior radio antenna, "C.B." antenna, television antenna, receiving station, satellite dish or other antenna of any type shall be erected or maintained anywhere on the Property.
16. No business or commercial activity shall be maintained or conducted on the Property except that professional and administrative occupations may be carried on within Units, so long as there exists no external evidence of them, and provided further that all of the applicable requirements of the City are satisfied.

## **RECREATIONAL FACILITIES**

The recreational areas are primarily for the use and enjoyment of the residents. The use of these facilities by a guest is a privilege. Owners are responsible for any damage or misconduct attributable to their tenants and guests, both financially and personally. Owners transfer all rights to use of recreational facilities when their units are occupied by tenants.

1. General rules of good conduct should be observed at all times. Foul or abusive language will not be tolerated. Unsafe or offensive conduct is prohibited. This includes no running, pushing, cannon-balling, splashing or boisterous behavior in the pools or spa areas. Music volume and voices should be kept at a minimum level. This is especially important during late evening and early morning hours. The noise level must be kept to your personal area only, so as not to disturb others.
2. Entering the pool area by jumping or climbing over the fence or by any method other than entering through the gate with an issued key is prohibited.
3. Guests must be accompanied by a resident (21 years of age or older) at all times when using the facilities. Residents are responsible for the conduct of their guests. Maximum of 4 guests per residence at any one time in the pool/spa area, i.e. no large group/parties permitted. A valid pool key and Belsera address identification must be available for presentation upon request.
4. Please dispose of all trash or waste items in the cans provided.
5. No food is permitted in the pool or spa. Consumption of alcoholic beverages in the pool & spa areas is not allowed. No glass of any kind will be permitted within the pool or spa areas. This includes lotion bottles, ash trays, or drinking tumblers. Anyone seen with glass will be asked to remove the glass and/or leave the area. Please be thoughtful and considerate of your neighbors.

# BELSERA

## AT TIERRASANTA NORTE

6. No smoking in the pool or spa areas.
7. Pool and spa hours are: 7:00 AM – 10:00 PM Daily
8. The Association does not provide any type of lifeguard or supervisory service. Anyone using the recreational facilities shall do so at their own risk and responsibility. The Association does not assume liability in this regard.
9. Usual and customary swimming attire is required. Cut-offs or blue jeans do not meet this requirement. Street clothing will not be permitted in the water. Infants and other incontinent persons must wear disposable or rubber swim pants [e.g. Little Swimmers or Drypers]. Persons [residents, guests, owners] observed violating this rule will be assessed the cost of draining, cleaning, refilling and other costs incurred due to pool or spa damage/cleaning.
10. Because of the danger it presents to the equipment, no styrofoam object, hair pins or clips are to be used or worn in the pool or spa. Inner tubes and air mattresses should not restrict nor inconvenience other residents in the pool area. Pool toys, balls, floats must be kept to a minimum and must not inconvenience others. These objects should be rinsed off prior to use in the pool.
11. Individuals or groups must NOT occupy the pool or spa or adjoining areas to the effective exclusion of others.
12. No furniture is to be removed from the pool area.
13. Do not leave personal belongings in the pool/spa area.
14. It is the responsibility of each resident to ensure that children under the age of 14 are at all times, under the direct supervision of a resident adult [21 years of age or older] while in the pool. No person under the age of 14 is permitted in the spa. Children will adhere to the same standard of behavior as an adult. There will be no rowdiness, noise, jumping, or interference with other pool or spa users.
15. Throwing non-floating items, such as rocks, marbles, coins, bikes, furniture and the like into the pool or spa is prohibited.
16. Non-aquatic recreational items such as bicycles, skateboards, skates and the like in the pool/spa area are prohibited.
17. Animals are not allowed in the pool or spa area, with the exception of guide or properly identified companion dogs. Such dogs are allowed on deck, but not in the water at any time. Violations of this rule could result in a clean-up assessment to the owner.

# BELSERA

## AT TIERRASANTA NORTE

18. Persons with open cuts and/or wounds are not permitted in the pool or spa. Anyone having a skin disease, sore-or inflamed eyes, nasal or ear discharges, or any communicable disease may not enter the pool or spa area.
19. Persons using suntan lotion may not enter the pool or spa before showering off the lotion.
20. Adjustment of any control regulating the pool or spa, lights or other common services is PROHIBITED. Upon arrival of the pool or spa maintenance crew, pool or spa users are asked to temporarily vacate the pool or spa area until cleaning is completed.
21. Do not push emergency shut off button for normal operation. Use the blue button only. Pushing the red button shuts down operation totally, including temperature control.
22. Absolutely no foreign substances such as bubble bath, soap, beer, etc. may be added to the pool or spa. Persons observed doing so will be assessed the cost of draining, cleaning, refilling and other costs incurred due to pool or spa damage/cleaning.
23. All posted regulations must be obeyed. The management or their designee may ask anyone not abiding by the above rules to leave the pool or spa area.
24. Please report any equipment malfunctions to the management company.

**For your convenience, additional recreational facilities are provided.**

### **VOLLEYBALL COURT**

This facility is provided for use by residents and their guests **ONLY** on a first-come/first-served basis.

1. The hours of use are: 6:00 a.m. to 10:00 p.m. daily.
2. No radios or cassette players are permitted in the Volleyball court unless headphones are used.
3. Association members and tenants must accompany their guest(s) while using this facility.
4. Children under the age of 16 must be supervised by an adult while using the facility.
5. Please do not misuse/damage equipment or allow anyone to hang on the net.
6. Leave the area clean and tidy when you finish.
7. Be courteous and considerate of others. Please remember: **SMOKING IS NOT ALLOWED IN THE VOLLEYBALL COURT.**

# BELSERA

AT TIERRASANTA NORTE

## RESPONSIBILITY FOR PETS

1. Usual and ordinary small domestic dogs, cats, fish and birds inside bird cages may be kept within any residence provided that they are not kept, bred or raised for commercial purposes or in unreasonable quantities or sizes. "Unreasonable quantities" shall ordinarily mean more than two (2) pets per Residence. Household pets are permitted, providing that they are not raised, bred or kept for commercial purposes, provided that they do not, in the sole determination of the Board, constitute a nuisance or annoyance to residents of the Association.
2. All dogs and cats kept within the complex shall have a current license and name tag. Loose, unattended dogs, cats, or other animals without a license or name tag shall be reported to the San Diego Police Department Animal Control Division for pickup.
3. Any litter deposited by pets on lawns, sidewalks, paths or other common areas must be removed immediately by the owner of the animal involved. Any damage caused by an animal shall be repaired/replaced at the animal owner's expense. This includes, but is not limited to, grass and plant damage, stucco staining, claw mark damages, etc. **Please do not allow animals to urinate or defecate on common area plants and shrubs.**
4. Dogs or other pets shall not be allowed on any Common Area property, except as may be permitted by Rules adopted by the Board. No dogs are to be tied to trees, stakes, or any exterior building structure.  
  
Human-assistance dogs may be considered exempt, i.e. seeing-eye dogs. Animals must be kept within an enclosure or on a leash held by a person capable of controlling the animal at all times.
5. Owners are responsible and liable for any personal injury or property damage caused by their pets. If the pet owner is a tenant, the owner of the unit may be held liable. Dogs must not be left unattended on balconies.
6. Residents who are disturbed by an animal are urged to first contact their neighbor and, if unsuccessful, to report as soon as possible to the Manager, in writing, or to the Animal Control Department any loose, unattended animal providing breed, color, time and location of occurrence and the owner's name and address, if known. Dogs which bark excessively, and any animal which threatens others, or otherwise cause disturbance to residents should also be reported. Legal action may be taken against owners of pets that make excessive noise. It is the right and responsibility of all owners to inform the management company of actions detrimental to the Association property. The Board of Directors reserves the right to expel or control any pet which becomes a nuisance. .
7. No structure for the housing or confinement of any animal or bird shall be maintained so as to be visible from neighboring property. Pet insurance may be required by the Board of any pet owner as a condition to permitting any pet within the complex.

# BELSERÁ

AT TIERRASANTA NORTE

## **VEHICLE AND PARKING REGULATIONS**

1. The parking areas of the Property shall be used for parking authorized vehicles only and shall not be used for storage, living, recreational or business purposes.
2. No Owner or tenant shall park, store or keep anywhere on the Property any large commercial-type vehicle (including, but not limited to, any dump truck, cement mixer, oil or gas truck or delivery truck).
3. No Owner or tenant shall park, store or keep any recreational vehicle (including, but not limited to, any camper unit, house car or motor home), bus trailer, trailer coach, camp trailer, boat, aircraft, mobile home, inoperable vehicle or any other similar vehicle anywhere on the Property or on any public street abutting or visible from the Property except wholly within a garage and only with the garage door closed.
4. No Owner or tenant shall park, store or keep anywhere on the Property or on any public street abutting or visible from the Property any vehicle or vehicular equipment, mobile or otherwise, deemed to be a nuisance by the Board.
5. Only passenger motor vehicles may be parked in the parking spaces which constitute Exclusive Use Common Area. The foregoing shall not restrict camper trucks, pick-up trucks, vans and similar vehicles up to and including three-quarter (3/4) ton in weight when used for daily transportation for Owner and tenants to and from the Project.
6. There shall be no parking in the driveways, if to do so obstructs free traffic flow, constitutes a nuisance, violates any other Rule or Regulation or otherwise creates a safety hazard.
7. Restoring or repairing of vehicles shall not be permitted anywhere on the Property or on any public street abutting or visible from the Property. Repairs will be permitted within the Owner or tenant garage when the garage door is closed, provided such activity is not undertaken as a business and provided further that such activity may be prohibited entirely or in part by the Board if it is determined that such activity constitutes a nuisance.
8. Vehicles owned, operated or within the control of an Owner or Tenant shall be parked in the garage or assigned carport parking space to the extent of the space available therein; provided that each Owner or tenant shall maintain his/her garage in a manner which ensures that it is capable of accommodating at least one (1) such vehicle.

## **RESIDENT PARKING:**

- Resident vehicles may park in uncovered spaces (formerly Guest Parking) marked "Resident". The resident vehicle must display a valid Belsera Parking Permit when parked in a "Resident" parking space or risk being towed.

# BELSERA

AT TIERRASANTA NORTE

- “Resident” parking spaces will operate on a “first-come, first-served” basis. There is no limitation on the number of days that a resident vehicle can utilize a “Resident” parking space.
- Vehicles may remain in the same “Resident” parking space for a maximum of 3 consecutive days [as long as the vehicle is operational.]

## **GUEST PARKING**

- Each unit in good standing\* will be issued one [1] Belsera Parking Permit and will be allowed a MAXIMUM of 7 night uses of the Parking Permit in each calendar month, regardless of the number of days in each month. ANY VEHICLE in Guest Parking beyond the permitted 7 night uses is subject to immediate towing at the owner’s expense.\*\*
- “Guest” parking spaces shall only be used by vehicles displaying a Parking Permit. Vehicles parked in Guest parking without the Belsera-issued Permit are subject to immediate towing at the owner’s expense. Special arrangements for extended parking may be made in advance with the Belsera Management Company.
- Should it be determined that a counterfeit or mis-used Guest Parking Permit is in use, the Belsera Board of Directors will determine the appropriate penalty, including whether the privilege of possessing a Permit will be revoked from the address of the offender.
- Replacement [1:1] Permits may be obtained for a fee.

\* “Good Standing” shall mean that the unit owner is current on assessments and has no unpaid fines.

\*\* Time Periods:

- No permit required: 6:00 AM – 12:00 AM (midnight)
- Permit required: 12:00 AM (midnight) – 6:00 AM

## **ARCHITECTURAL GUIDELINES**

1. No outside installation of any type, including, but not limited to, clotheslines, shall be constructed, erected or maintained on any Residence.
2. No balcony, wiring, or installation of air conditioning, water softeners, or other machines shall be installed on the exterior buildings of the Project or be allowed to protrude through the walls or roofs of the buildings.
3. Outdoor patio or lounge furniture, plants, exposed window coverings and barbecue equipment must be maintained and confined to your private patios and entry ways.

# BELSERA

## AT TIERRASANTA NORTE

4. No exterior addition, change or alteration to any Residence shall be commenced without the prior written approval of the Architectural Committee.
5. Nothing shall be done in any Unit or in, on or to the Common Area which may tend to impair the structural integrity of any building in the Project or which structurally alter any such building.
6. Owners may not paint, decorate, remodel, alter or attach items to any Exclusive Common Area (patio or balcony) or any other part of the common area without prior written consent of the Board.
7. There shall be no interference with the established drainage pattern over the Property, including private patios and common areas.
8. No individual water supply or water softener shall be permitted in any Unit unless such system is designed, located, constructed and equipped in accordance with the requirements, standards, and recommendations of any applicable water district, the City, and all other applicable governmental authorities and with prior written approval of the Architectural Committee.
9. No vegetation or other obstruction shall be planted or maintained upon any patio or deck in such location or of such height as to unreasonably obstruct the view from any other Residence in the vicinity thereof. Residents are required to maintain the health and appearance of vegetation of plants located on patios or decks.
10. Subject to review of the Architectural Committee, each Owner shall have the right to modify his/her Unit and the route over the Common Area leading to the front door of his/her Unit, at his/her sole cost and expense, in order to facilitate access to his/her Unit by Persons who are blind, visually handicapped, deaf or physically disabled, or alter conditions which should be hazardous to such Persons.

The Architectural Committee strives to preserve the highest standard and quality of life for each homeowner within Belsera.

Please note that it may take as long as thirty (30) days for the Architectural Review Committee to complete their review process.

All proposed changes or additions to the interior of units must be submitted to the Architectural Committee, in writing, on forms available from the Association Manager.

To expedite the processing of your request, please submit three (3) complete sets of the application form with three (3) sets of your proposed improvement plans and specifications.

# BELSERA

AT TIERRASANTA NORTE

No interior improvement, modification or alteration may be made without the written approval of the Architectural Committee.

For the purpose of this section, the term "interior improvement" shall include but not be limited to moving of bearing and non-bearing walls or any other improvement which may impair or alter the structural integrity of the building or the unit.

It shall be the responsibility of the applicant to ensure that modifications shall be consistent with applicable building code requirements. No improvements will be permitted that could impair the structural integrity or mechanical systems, or lessen the support of any portion of the complex.

In order to expedite the approval process, each application should contain three (3) sets each of the following:

1. Plans showing the location of all existing and proposed improvements.
2. Floor plans and elevation drawings.
3. Description of exterior materials and colors.
4. Permits and licenses (if applicable).
5. Proposed construction schedule.
6. Application for improvements.
7. Certificates of insurance (if applicable).

The Architectural Committee may, from time-to-time, adopt, amend and repeal, by majority vote, rules and regulations to be known as Architectural Committee Rules and Guidelines.

**NOTE:** If for any reason, the Architectural Committee fails to notify the Owner, In writing, within thirty (30) days from the original date of receipt of the request, the request shall be deemed disapproved.

Please refer to Article X, ARCHITECTURAL CONTROL of the Belsera Master Association, Declaration of Covenants, Conditions and Restrictions for additional information.

# BELSERA

AT TIERRASANTA NORTE

## ARCHITECTURAL APPLICATION

Please complete this request form and attach three (3) copies of your proposed property improvement:

Mail to: Belsera Community Association  
c/o Walters Management  
9665 Chesapeake Drive, Suite 300  
San Diego, CA 92123-1364

From: \_\_\_\_\_ Date: \_\_\_\_\_  
NAME OF OWNER

Address: \_\_\_\_\_  
PROPERTY ADDRESS (& MAILING ADDRESS IF DIFFERENT FROM PROPERTY ADDRESS)

Phone/Email: \_\_\_\_\_  
PLEASE PROVIDE BOTH IF APPLICABLE

Architect, Engineer or Owners Representative information (if applicable):

Name: \_\_\_\_\_  
CONTRACTOR

Address: \_\_\_\_\_  
CONTRACTOR ADDRESS

Phone/Email: \_\_\_\_\_  
PLEASE PROVIDE BOTH IF APPLICABLE

Description of Proposed Changes:

Please provide full details of purpose and/or reason, type and colors of materials to be used and location of changes. Please supply original plans, color samples, etc. if applicable.

---

---

---

---

The acceptance of this improvement is not acceptance of any installation details nor is it acceptance by the Association as an item of future maintenance, which will remain the responsibility of the owner.

# BELSERA

AT TIERRASANTA NORTE

## NEIGHBOR NOTIFICATION

The intent is to advise your neighbors who own property adjacent, facing or impacted by the improvement(s) to your lot (property) line. Neighbors are to sign this form and initial all copies of plans and/or samples. Comments may be written in the area provided. Neighbor approval/disapproval shall only be advisory and shall not be binding in any way on the Architectural Committee's decision.

1. Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Affected Property Owner Neighbor

Address: \_\_\_\_\_ Date: \_\_\_\_\_  
Street Address only

Comments:  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

2. Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Affected Property Owner Neighbor

Address: \_\_\_\_\_ Date: \_\_\_\_\_  
Street Address only

Comments:  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

3. Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Affected Property Owner Neighbor

Address: \_\_\_\_\_ Date: \_\_\_\_\_  
Street Address only

Comments:  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

# BELSERA

AT TIERRASANTA NORTE

**Please include the following information with your request:  
(Attach additional drawings to this form)**

1. Description of Improvement.
2. Location of residence on lot and the dimensions from the lot lines.
3. Complete dimensions of improvement proposed.
4. Measurements of improvements in relation to residence and lot lines.
5. Description of materials and color scheme – MUST PROVIDE SAMPLES AND/OR PICTURES
6. Drawings to show affected elevations.
7. Height of trees at Maturity (If applicable).

**I UNDERSTAND AND AGREE THAT:**

1. No work on this request shall commence until written approval of the Architectural Review Committee has been received.
2. All Improvements approved by the Architectural Review Committee must be completed within one hundred twenty (120) days after approval unless the Committee grants a longer completion period. Failure to complete the work within the prescribed period of time will cause the approval to be rescinded and resubmission will be required. Extenuation circumstances should be brought to the attention of the Architectural Review Committee.
3. Within thirty (30) days of completion of Improvements, I will notify the Architectural Committee in writing of such completion in order for the Committee to make its inspection as to compliance with approved plans and specifications.
4. That the “Conditions of Approval” section of the Architectural standards for my community shall apply to any approval.

Proposed Starting Date: \_\_\_\_\_

Completion Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_

Signature of Authorized Representative: \_\_\_\_\_

Today's Date: \_\_\_\_\_

# BELSERA

AT TIERRASANTA NORTE

## **RENTAL REQUIREMENTS**

1. No short-term rentals of less than thirty (30) days are allowed (City Zoning Dept. and Association document restrictions). The Units are to be used for single-family residential purposes only. Leasing for gainful occupation, profession, trade or other non-residential use is not permitted within the Belsera Community Association.
2. All owners must provide their tenants with a copy of the Rules and Regulations and all tenants must comply with these regulations, the By-Laws and CC&R's. Owners are held responsible for the actions and behavior of their tenants/guests and are financially liable for damage to the common area, equipment, and for violations of the Rules and Regulations.
3. Owners are responsible for the proper repair and maintenance of their units including all electrical appliances and plumbing fixtures.
4. All leases for Units must be in writing and made subject to the CC&R's and other Condominium documents. The lease must comply with these Rules & Regulations and any amendments thereto and with the Conditions, Covenants and Restrictions governing the Association.

## **FIRE EMERGENCY PROCEDURES**

Upon taking occupancy, every homeowner or occupant should set aside time to walk through the building and grounds as you would a house to familiarize oneself with emergency exits and fire-fighting devices, etc.

# BELSERÁ

AT TIERRASANTA NORTE

## EMERGENCY NUMBERS

POLICE/FIRE/PARAMEDICS - <b>EMERGENCY USE ONLY</b> .....	<b>911</b>
POISON INFORMATION CENTER .....	1-800-222-1222
SAN DIEGO POLICE DEPARTMENT .....	(858) 495-7900
NEIGHBORHOOD NUSIANCE PROGRAM.....	(619) 533-6123
NOISE ABATEMENT .....	(619) 236-5500
ANIMAL CONTROL DEPARTMENT .....	(619) 236-4250
SAN DIEGO MEDIATION CENTER .....	(619) 238-2400

### FOR 24-HOUR EMERGENCY SERVICE

WALTERS MANAGEMENT .....	(858) 495-0900
or.....	1-800-227-6225