

# Trimble Creek Homeowner’s Association

General Rules, Regulations, Guidelines and Information as of July 2017

## Table of Contents

INTRODUCTION .....	2
GENERAL ITEMS .....	2
COMMON AND OTHER ASSESSMENTS.....	4
NON-OWNER-OCCUPIED UNITS .....	4
INSURANCE .....	5
REPAIR AND MAINTENANCE .....	5
DRIVING AND VEHICLES.....	6
PARKING.....	6
PETS AND ANIMALS.....	7
PENALTIES .....	7
STORM DOORS.....	8
SATELLITE DISHES AND ANTENNAS.....	8
Notes to Addendums .....	10
Addendato GeneralRules, Regulations, Guidelines and Information .....	11
Addendum 1 - Landscaping.....	11
Addendum 2 – Moveable Decorations .....	11
Addendum 3 - Stream.....	11
Addendum 4 – Bird seed .....	11
OUTDOOR LIGHTING POLICY ADDENDUM .....	12
AWNINGS ADDENDUM .....	13
Addendum to Article VIII Section 2: Architectural Control Committee - Proposed Construction .....	14
CLARIFICATION OF NON-OWNER OCCUPIED UNITS.....	15
FOR THE GENERAL RULES, REGULATIONS, GUIDELINES, AND INFORMATION.....	15
SATELLITE DISHES ADDENDUM .....	17

## INTRODUCTION

This document provides a current collection of the rules, regulations, guidelines, decisions and information related to Renaissance at Trimble Creek (Trimble Creek) from 2001 to the summer 2017, as best as can be compiled from association records. These rules and regulations have been established for Trimble Creek for the benefit of the property owners and for the protection of our community property and property values. The rules and regulations governing the use of the common areas and the personal conduct of the property owners, tenants, and their guests, including penalties for violating the rules, are established by the Board of Trustees as provided for in Article VII, Section 1(a) of the Trimble Creek By-Laws and Article II, Section 1(c) of the Amended Declaration of Covenants, Conditions and Restrictions (CC&R's) and Reservation of Easement (Declaration).

Suggestions for changes and improvements to these rules, may be submitted to a Trustee for consideration by the Board of Trustees.

Property owners, are responsible for compliance with these rules and regulations, including compliance by the property owner, their tenants and guests. Residents are encouraged to assist in the protection of the property and property values by becoming familiar with Trimble Creek Homeowners Association Rules and Regulations and by encouraging compliance by all residents, tenants, and guests.

Penalties for violation of Trimble Creek Homeowners Association Rules and Regulations have been and will be established by the Board of Trustees as provided in the By-Laws. Property owners are also responsible for payment of any fines assessed that are the result of their tenants, and guests' actions.

Trimble Creek is a community of neighbors and friends. We want it to continue as such.

## GENERAL ITEMS

1. Garbage is picked up once a week, presently on Thursday. Resident garbage cans need to be out of sight on the other days. (See Article X, Section 8 of the CC&R's)
2. No building, fence, wall, deck, patio cover, or other structure shall be commenced, painted, erected, or maintained upon the property, nor shall any exterior addition to or change or alteration therein be made without the prior approval of the Architectural Control Committee. Damage to, removal of, or modification of property owned or under the jurisdiction of the Association is prohibited. The property owner will be charged for repair of any damage to, removal of, or modification of property by the property owner, tenants, or guests, when done without the approval of the Architectural Control Committee, whether accidental or intentional. Repairs will be made to the satisfaction of the Association and within the time frame specified by the Association (see Article VI, Section 3, Article VIII, Sections 2 and 6 of the CC&R's).
3. Landscape changes to property must be approved by the Architectural Control Committee by submitting a change request and obtaining approval before work is begun. (Approved July 7, 2004). Form included on this disk
4. No approval by the Architectural Control Committee is required for temporary or moveable

decorations or plants that are under 3 feet tall when placed within the patio, porch or existing flower beds. (Approved July 7, 2004)

5. Homeowners along the streams agree to be responsible for thinning the watercress in accordance with these approved guidelines in order to keep approximately 1/3 to 1/2 of the stream with watercress to maintain the ecological balance of the stream. (Approved July 7, 2004)
6. All forms of bird seed or animal feed are strictly prohibited in order to minimize the risk of any potential nuisance birds or animals. (Approved July 7, 2004)
7. Climbing on roofs, fences, walls and gates is prohibited. If you need access to your roof, contact an insured professional and notify a Trustee.
8. Any activity in violation of any government law, statute, and/or ordinance is prohibited at Trimble Creek.
9. Any activity by any owner, resident, or guest that may be or become an unreasonable annoyance or nuisance to any other owner is prohibited. (See Article X, Section 2 of the CC&R's.)
10. Toys should not be left in common areas, around the front of homes, or in locations where they could pose a safety hazard.
11. Garage and yard sales are prohibited unless organized for and available to the entire Trimble Creek community and approved by the Association Trustees.
12. Residents are requested to use "good judgment" when playing stereos, CD players, tape players, radios, musical instruments, running cars, appliances, etc., or entertaining outside and inside their home at all times. (See Article X, Section 2 of the CC&R's.)
13. Blinds, draperies, or other window coverings or treatments with respect to dwelling unit front windows which face any road, whether public or private, should be conservative in style and neutral (white or off-white) in color or otherwise approved by the Architectural Control Committee. (See Article X, Section 10 of the CC&R's.)
14. All awnings must be approved by the Architectural Control Committee prior to installation. The awnings must be of good quality and appearance and not distract from the general look and feel of the community. Neighbors who will have direct view of the awning will also be consulted as part of the approval process. If necessary, West Jordan City approval will be obtained by the owner. The owner will be responsible for maintaining the awning in good condition consistent with Article IX of the General Rules and Regulations. (Approved June, 2005)
15. All changes regarding any construction or remodel, including landscaping, must have approval of the Architectural Control Committee prior to commencement. Refer to Architectural Control Committee Policy and Guidelines. (Approved June, 2005) See Addendum.

## COMMON AND OTHER ASSESSMENTS

1. The Common or monthly assessment is used to pay Association costs and expenses, on behalf of all property owners. Following are the items that are paid for by this monthly fee: (1) building fire and liability insurance; (2) operation and maintenance of security gates; (3) property management as and when required; (4) water for irrigation use; (5) common area electricity; (6) street and common sidewalk maintenance; (7) yard maintenance; (8) repairs and maintenance of common areas; (9) street, driveway & walkway snow removal; (10) signs, (11) fences; (12) weekly garbage service; (13) sprinkling system maintenance; (14) landscaping maintenance, (15) misc. office supplies; (16) Reserve Fund Account; (See Article VI of the CC&R's). For a complete definition of landscape maintenance items covered by the Association, see Article IX, Section 2 of the CC&R's.
2. Special Assessments, Reconstruction Assessments, and Capital Improvement Assessments may be levied to finance unplanned repairs or modifications that are required to maintain the property and protect property values as provided by Article VI, Sections 3 and 5 of the CC&R's.
3. The Common or monthly assessment is due on the first of each month and is past due after 10 days. Any installment of a Common Assessment, Capital Improvement Assessment, Special Assessment, or Reconstruction Assessment not paid within 30 days after the due date shall bear interest from the due date of such installment at the rate of 18% per annum. The property owner will be required to pay a late charge, and may be subject to further actions as described in Article VII of the Declaration. If any property owner is experiencing financial hardship, contact a Trustee to make arrangements for payment and possibly avoid the late charge and other remedies. All such arrangements must be approved by the Board of Trustees. (See Article VII of the CC&R's.)
4. Operating and Reserve Accounts. Consistent with Utah law (Title 57, Chapter 8a, Section 211), the association will divide, maintain and account for two separate fund accounts. These will be managed, reported and reviewed as stated in Article IX, Section 2 of the CC&R's.
  - a. The first will be for operating expense as listed in section 1 of this section.
  - b. The second will be a reserve account for emergency repairs and for long term maintenance and repair, replacing and restoring items as specified in the law. A "Reserve Analysis" shall be performed at least every 6 years and an annual update will be provided to the owners.

## NON-OWNER-OCCUPIED UNITS

The CC&R's address various matters related to Non-Owner Occupied units. A summary of that information with clarification and definitions is included as an addendum to these Rules, Regulations, and Guidelines. Some of the key points of that addendum are:

- a. The 25% provision for non-owner occupied dwellings is a maximum of six homes. This provision applies to any resident, other than the owner(s) of record, in a non-owner residence and includes family members who may or may not pay rent for such occupancy.
- b. Short-term recreational rentals are viewed as a business or commercial purpose and as such will not be allowed due to the conflict with Article X, Section 1 of the CC&R's.
- c. Any owner giving consideration to renting property must FIRST obtain the prior written

approval of the Board of Trustees by submitting an Application for Non-Owner Occupied Residence to a Trustee or the HOA President. The Trustees will timely review the application and deliver a written decision to the owner making the request.

- d. Property owner landlords must submit to the Board of Trustees or President the contact information of their tenants (names, telephone numbers and/or email addresses) and term of occupancy within 30 days of tenancy and must certify they have reviewed with the renters the applicable parts of the General Rules, Regulations, Guidelines, and Information, including parking restrictions and nuisances.
- e. Property owners, including absentee owners, are responsible for compliance with all General Rules, Regulations, Guidelines and Information by the property owners, tenants, and guests.
- f. A homeowner may petition the Board through the process established herein for a temporary exception for not more than 24 months if the 25 percent maximum allowance (six homes) has been reached.

## INSURANCE

1. The Association purchases fire and casualty insurance for all residences on behalf of all unit owners and will pay from Association funds \$120,000 for each property. Each property owner is responsible to pay for the cost of insuring his/her dwelling above \$120,000. Each property owner is to declare the replacement value of the dwelling to the Association Treasurer. If not declared, the tax assessment amount or other calculations used by the insurance company to establish the value of the property will be used. The replacement value is considered to be the purchase price plus the value of improvements to the dwelling plus the escalated value of the dwelling. Each property owner will be charged for the additional insurance coverage above the \$120,000 base amount in a yearly assessment.
2. The Association does not provide insurance for the contents of the dwellings. Each unit resident is encouraged to purchase their own contents insurance, at their own expense, sometimes referred to as an "H06 Policy."
3. Insurance deductibles on the Association policy for losses are as follows: the first \$10,000 is the individual owner's responsibility or such other amounts as noted in the insurance.
4. The Association board maintains records of all insurance coverage carried by the Association.
5. The Association board will work with the Insurance Agent in the preparation of any claim.
6. The Association President is to be notified of any event that may lead to an insurance claim.

## REPAIR AND MAINTENANCE

1. The Association is responsible for maintenance of the following:
  - a. Common areas.
  - b. Community perimeter fences
  - c. Outside street lighting, including exterior garage light bulbs and light sensors.
  - d. Lawns, trees, and bushes in common areas.
  - e. Watering systems.
  - f. Weeding front, side, and rear yards where not overplanted by the owner. Additionally, all common areas.

- g. Replacement and maintenance of paved surfaces in the common areas.
  - h. Snow removal from roads, front and common sidewalks, and driveways when accumulated snowfall is 2 inches or more.
2. The Association may determine with approval of the Finance Committee, and the Board of Trustees, to take responsibility for repair or replacement of certain outside items. If this is done, the Association will properly budget for these items in advance or approve a special assessment.
  3. The property owner is responsible for maintenance of the following:
    - a. The structure of the property owner's dwelling unit and all exterior and interior portions of the dwelling unit. (See Article IX, Section I of the CC&R's.)
    - b. Windows and window screens.
    - c. Air conditioners.
    - d. Any privately owned property/item of residents, family members, tenants, or guests.
    - e. Any other item external to the unit installed by the unit owner, which must be approved in advance of installation by the Architectural Control Committee.
    - f. Painting of any exterior door frames, decks, stucco, porch, or railings.
    - g. Storm doors, screen doors, and window coverings.
    - h. Optional planting and upkeep of supplemental flowers, supplemental bushes, and vegetables in the residence landscape area.
    - i. Any ornamental cement work or other exterior improvements installed by the property owner.
    - j. Concrete driveways, porches, garages, steps, and concrete walks that are not part of the common areas.
    - k. Sprinkler system if it has been modified by or at the request of the property owner. (see Article IX, Section 2 of the CC&R's)

## DRIVING AND VEHICLES

1. Driving or parking motor-powered vehicles, including mini-bikes, motorcycles, go-carts, cars, etc., on sidewalks or landscaped areas is prohibited. All drivers of motorized vehicles must have a valid driver's license.
2. Driving within Trimble Creek recklessly or at speeds in excess of 15 mph is prohibited.
3. Draining car fluids on common area property, in front yards and driveways is not allowed. Do not dump vehicle fluids in the storm drains. If antifreeze is spilled, it should be immediately cleaned up. Any hazardous waste must be disposed of according to State hazardous chemical requirements.
4. Repair and Maintenance of motor vehicles shall be confined to the property owner's garage. (See Article X, Section 2 of the CC&R's.)
5. Car painting on the property is prohibited.

## PARKING

1. No long-term parking (over 48 continuous hours) of any vehicle shall be permitted on the Common

Area or on any location, except in a garage. (See Article X Section 7 of the CC&R's.)

2. No overnight curbside parking is permitted and parking on sidewalks is prohibited. Additionally, no curbside parking is permitted within 10 feet of a fire hydrant. (See Article II, Section 3 of the CC&R's.)
3. Vehicles "for sale" shall not be parked near or in front of entrance gates.
4. Parked vehicles must be in working order and have current registration.

## PETS AND ANIMALS

1. Two (2) common household pets may be kept and maintained in the dwelling. No household is allowed more than two (2) pets or animals except as provided for in Article X, Section 6 of the CC&R's.
2. No pet may be kept that poses, threatens to pose, or in the reasonable judgment of the Association Trustees may pose or create any unreasonable risk of harm to the Community, or any pet which is dangerous or known to have dangerous propensities.
3. All pets and animals are to be kept on a leash when in Trimble Creek common areas.
4. Any owner or person having charge, care, custody, or control of an animal or animals shall take action to prevent the animal(s) from causing a nuisance. Any animal which does any of the following shall be deemed to be causing a nuisance:
  - a. Causes damage to the property of anyone other than its owner.
  - b. Causes unreasonable fouling of the air by odors.
  - c. Causes unsanitary conditions in enclosures or surroundings.
  - d. Defecates on any common area, yard, building, walkway, or street, unless the person having control of such animal shall remove immediately any such defecation.
  - e. Makes disturbing noises in an excessive, continuous, or untimely fashion.
  - f. Attacks people or other domestic animals.

## PENALTIES

1. Enforcement of the CC&R's, the By-Laws, and the Articles of Incorporation are described in Article XV, Section 1 of the CC&R's. Penalties for violation of Association rules have been established and will be enforced by the Board of Trustees per the association By-Laws. For non-payment of the monthly assessment or other assessments:
  - a. Installments of a Common Assessment, Capital Improvement Assessment, Special Assessment, or Reconstruction Assessment not paid within 30 days after the due date shall bear interest from the due date of such installment at the rate of 18% per annum. If any installment of an assessment is not paid within 30 days after it is due, the owner responsible will be required to pay a late charge of 5% of the amount of the delinquent installment.
  - b. Trimble Creek Association may bring legal action against the property owner personally obligated to pay the assessment. (See Article VII, Section 1 of the CC&R's, and Articles VII.2.

- (c). 2 and X of the By-Laws)
- c. Property owners who contest an assessment or penalty may request a hearing before the Board of Trustees as provided by Article VTI, Section I of the CC&R's.
- d. Violations of other Association rules are to be brought to the attention of the Association's Board of Trustees who will attempt to obtain resolution of the alleged violation in an amicable manner. (See Article XV- General Provisions-Section I of the CC&R's)

## STORM DOORS

(Addendum Approved 8/2003)

An Architectural Change Request form (included in this package) must be approved by the Architectural Control committee prior to installation of any storm door on the front or the rear of the home. Submit the manufacturer and model number with a photo with the request.

Storm doors should be of good quality and pleasing appearance. They should be mostly clear glass that does not hide significant areas of the home's front door, nor should they have excessive decoration in the glass. The color of the door should either match the color of the home's front door, or the color of the trim around the door.

Failure to submit this request to the Architectural Control Committee for review may, upon notice by the Association Board, result in removal of the door at the owner's expense.

## SATELLITE DISHES AND ANTENNAS

(Addendum Approved 10/2003)

An Architectural Change Request form must be filled out prior to the installation of an antenna or dish to allow for a review by the Architectural Control Committee of the location of the device on the property, and, if necessary, to determine appropriate alternative locations.

The erection of antennas and satellite dishes to receive direct broadcast signals of video programming, television and internet service must be one meter or less in diameter. Only legal devices are allowed provided such devices are:

- a. Located in the attic, crawl space, garage, or other interior spaces of the Dwelling or another approved structure on the Lot so as not to be visible from outside the Dwelling, or
- b. Located in the rear yard of the Dwelling (the area formed between the plane formed by the front facade of the Dwelling and the rear lot line) and setback from all lot lines at least eight feet and within 2 feet of Dwelling and mounted on a ground level one foot square concrete base, or
- c. Attached to or mounted on a deck or patio in the rear yard and extending no higher than the eaves of the portion of the roof of the Dwelling directly in front of such antenna, or
- d. Attached to or mounted on the rear wall of the Dwelling so as to extend no higher than the eaves of the Dwelling at a point directly above the position where attached or

mounted to the wall.

Should an owner determine that a permitted device cannot be located in compliance in the above guidelines without compromising an acceptable quality signal, the owner may, with approval of the Architectural Control Committee, install the device in the least conspicuous alternative location on the Dwelling or the Lot where acceptable quality signal can be achieved.

Failure to submit an Architectural Change Request form to the Architectural Control Committee for review may be reason for removal of the device at owner's expense.

## Notes to Addendums

THE FOLLOWING PAGES ARE COPIES OF DOCUMENTS WHICH WERE APPROVED BY THE TRUSTEES AND BOARD AND/OR ASSOCIATION AND ARE REFERRED TO IN THE PRIOR DOCUMENT.

- Addenda to General Rules, Regulations, Guidelines and Information      7/7/04      Page 9  
    Landscape
- The Renaissance at Trimble Creek Outdoor Lighting Policy 11/11/04      Page 10
- General Rules and Regulations of Trimble Creek Homeowners Association      Page 11  
    Addendum - Awnings      6/05
- General Rules and Regulations of Trimble Creek HOA, Article VIII, Section 2;      Page 12  
    Addendum to Architectural Control Committee. Policy and Guidelines  
    Regarding Proposed Construction      6/04
- Clarification of Non-Owner Occupied Units .      May 2017      Page 13
- General Rules and Regulations of Trimble Creek HOA – Addendum March 2001      Page 15  
    Antennas and Satellite Dish

# Addenda to General Rules, Regulations, Guidelines and Information

As discussed in the meeting of the general membership on July 7, 2004, the following rules were agreed upon and have become an official part of the General Rules, Regulations, Guidelines, and Information of the Renaissance at Trimble Creek Homeowners Association for the benefit of the property owners and for the protection of their property and property values:

## Addendum 1 - Landscaping

In addition to obtaining approval for landscaping modifications in the front area of all homes, any modification in the rear yard shall also be submitted to the Architectural Control Committee for approval prior to the work being performed in accordance with CCR's Article VIII, Section 2 (except as noted in Addendum 2 below).

## Addendum 2 – Moveable Decorations

Approval does not need to be obtained for any temporary or moveable decoration or plant that is less than 3 feet in height and is placed within the patio, porch, or existing flower beds. Any modification to a flower bed that requires removal of existing grass must be approved in accordance with Addendum 1 above and CCR's Article VIII, Section 2.

## Addendum 3 - Stream

Homeowners along the Le Rosier stream agreed to be responsible for thinning out the watercress in accordance with the guidelines to keep approximately 1/3 to 1/2 of the stream with watercress in order to maintain its balance and integrity.

## Addendum 4 – Bird seed

All forms of bird seed or animal feed are strictly prohibited in order to minimize the risk of any potential nuisance birds or animals.

## OUTDOOR LIGHTING POLICY ADDENDUM

11/11/2004

The purpose of this policy is to provide a uniform outdoor lighting policy to enhance the look and value of the property as well as minimize landscaping costs.

Lighting around the homes and in flower beds shall be white or amber light. No other colored, flickering or strobe lights will be allowed. All lights shall be solar, and rated for outdoor use. Lights shall be low wattage (25 watts or less).

Lighting shall not be placed in the grass so it interferes with lawn maintenance or edging. The exception is temporary lighting placed during Christmas or special one-time functions such as wedding receptions or parties. Special lighting at the gate and Welcome Home sign may be placed during the Christmas season.

Lighting along Le Rosier creek bank shall be placed in the boulders next to the creek bank to reflect along the water. Lights shall not be placed in the grass or in the water. Lights shall be spaced evenly along the creek bank with a minimum distance of five (5) feet.

Lighting may be placed at the base of the rock wall but not along the white vinyl fence. Lights shall not be placed between the rock wall and the grass unless there is an existing border.

Lights shall not be placed along the Avignon Creek bank.

All lights along creek bank and the rock walls shall be uniform using amber bulbs or white bulbs with amber housing. All future lighting shall be amber in color.

## AWNINGS ADDENDUM

The Architectural Control Committee has determined that the following policy regarding awnings be adopted to prevent problems when installing such devices.

An Architectural Change Request form must be approved by the Architectural Control Committee prior to installation of any awnings. All such awnings shall be of good quality and appearance such that they will not detract from the general look and feel of the community. The Architectural Control Committee will review each request individually, and approval will be based largely on the approval of neighbors who will have direct view of said awnings, and upon the approval, if necessary, by the city of West Jordan.

The homeowner will be responsible to maintain such awnings in good condition as set forth in Article IX of the General Rules and Regulations

Failure to submit an Architectural Change Request form prior to installation of any awnings could result in the homeowner being required to remove, or modify such awnings, at the owner's expense, to meet the requirement of the Architectural Control Committee.

6/2005

## Addendum to Article VIII Section 2: Architectural Control Committee - Proposed Construction

The Architectural Control Committee (ACC) has determined that the following guidelines be adopted to prevent problems when submitting proposed permanent construction. ·

An Architectural Change Request form must be approved by the ACC prior to any construction, including any landscaping changes. All plans submitted to the ACC must take into account the moving, rerouting of any common area installation such as sprinkler lines, electrical, gas and cable at the owner's expense. It is the owner's responsibility to have Blue Stakes come in and find the appropriate locations of the aforementioned items if digging is required.

All plans must be submitted with the proper site plans, elevation drawings and drainage plans. All owners must apply for appropriate building permits with the City of West Jordan where applicable. It is the owner's responsibility to research and apply for such permits.

All plans must allow for three feet (3ft.) of clearance for lawn maintenance equipment from fences, walls and homes.

Any Alteration must get approval of immediate neighbors that may be impacted by such construction.

The homeowner will be responsible to maintain any addition in good condition as set forth in Article IX of the General Rules and Regulations.

Failure to submit an Architectural Change Request Form prior to installation or construction could result in the homeowner being required to remove, modify, or resubmit plans at the owner's expense to meet the guidelines of the ACC.

6/2004

# CLARIFICATION OF NON-OWNER OCCUPIED UNITS

## FOR THE GENERAL RULES, REGULATIONS, GUIDELINES, AND INFORMATION

The purpose of this document is to provide clarification and definition of the rules governing non-owner occupied dwellings for the benefit of the property owners and for the protection of our community property and values. This document is not intended to change or alter the recorded documents (CC&R's, CC&R's Amendment, and Bylaws). Changes to these recorded documents may only be made with the approval of 100 percent of the owners AND 100 percent of mortgage holders on all homes and organizations that may insure those mortgages (such as FHA, VA, FNMA, etc. See Article XIII, Section 14 of the CC&R's. "Neither this Article XIII nor Section 6 of Article VII of this Declaration shall be amended without the approval of one hundred percent (100%) of the First Mortgagees".

Article X, Section 1 of the CC&R's reads: "Each lot shall be strictly used as a residence for a single family. No part of a property shall ever be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending, or other such non-residential purpose, other than a home office permitted under applicable zoning ordinances, without the vote of seventy-five percent (75%) of the votes eligible to be cast by Members of the Association or the approval of the Architectural Control Committee. **Provided further, however, the Association shall never be permitted to allow more than twenty-five percent (25%) of the lots to be used as a non-owner occupied residence.**" (Emphasis added.)

Article I, Section 17 of the CC&R's defines a single family as: "(1) a group of natural persons related to each other by blood or legally related to each other by marriage or adoption, or (2) a group of not more than three persons not so related, inclusive of their domestic servants, who maintain a common household in a residence on a Lot."

Article XIII, Section 13 of the CC&R's reads: "No owner may sell any Dwelling Unit. . . to a third party on a non-owner occupied basis without the **prior written approval of the Board**, which approval shall not be unreasonably withheld (provided that such approval shall not be given if granting such approval would result in more than twenty-five percent of the Dwelling Units being classified as non-owner occupied)." (Emphasis added.)

The trustees have reviewed and approved the following clarifications for the community to be added to the Association Rules, Regulations, Clarifications, and Guidelines and will enforce the following:

- The 25 percent provision for non-owner occupied dwellings (Art X, Sect. 1 and Article XIII, Sec. 13) is a maximum of six homes. This provision applies to any resident, other than the owner(s) of record, in a non-owner occupied residence and includes family members who may or may not pay rent for such occupancy.
- Short-term recreational rentals are viewed as a business or commercial purpose and as such will not be allowed due to the conflict with Article X, Section 1 quoted above.
- As stated in Article XIII, Section 13 of the CC&R's, any owner giving consideration to renting property must **FIRST** obtain the **prior written approval** of the Board by submitting an Application for Non-Owner Occupied Residence to a trustee or the HOA President. The Trustees will timely review the application and deliver a written decision to the owner making the request.
- Property owner landlords must submit to the Board (Trustees or President) the contact information of their tenants (names, telephone numbers and/or email addresses and term of occupancy within 30 days of tenancy and must certify they have reviewed with the renters the applicable parts of the General Rules, Regulations, Guidelines, and Information, including parking restrictions and nuisances.
- Property owners, including absentee owners, are responsible for compliance with all General Rules,

Regulations, Guidelines, and Information by the property owner, tenants, and guests.

- A homeowner may petition the Board through the process established herein for a **temporary** exception for not more than 24 months if the 25% maximum allowance (six homes) has been reached.

# SATELLITE DISHES ADDENDUM

March 2001

The Architectural Control Committee has determined that the following Policy regarding the placement of Satellite Dishes and Antennas be adopted to prevent any problems from occurring when erecting such devices.

An Architectural Change Request form must be filled out prior to the installation to allow for a review by the Architectural Control Committee to verify the location of the permitted device on the property, and to determine appropriate alternative locations.

The erection of Antennas and Satellite Dishes to receive direct broadcast signals of video programming, television and internet service must be one meter or less in diameter. Only permitted devices (legal) allowed provided such devices are:

- a. Located in the attic, crawl space, garage, or other interior spaces of the Dwelling or another approved structure on the lot so as not to be visible from outside the Dwelling; or
- b. Located in the rear yard of the Dwelling (the area formed between the plane formed by the front facade of the Dwelling and the rear lot line) and setback from all lot lines at least eight feet and within 2 feet of Dwelling and mounted on a ground level one foot square concrete base; or
- c. Attached to or mounted on a deck or patio in the rear yard and extending no higher than the eaves of the portion of the roof of the Dwelling directly in front of such antenna; or
- d. Attached to or mounted on the rear roof or wall of the Dwelling so as to not be visible from front of home.
- e. When Owner disconnects service, the Owner shall have 30 days to remove unused device.

Should an Owner determine that a permitted device cannot be located in compliance in the above guidelines without compromising an acceptable quality signal, the Owner may, with approval of the Architectural Control Committee, install the device in the least conspicuous alternative location on the Dwelling or the Lot where acceptable quality signal can be achieved with approval of neighbors.

Failure to submit an Architectural Change Request form to the Architectural Control Committee for review may entail removal of the device at owner's expense. Revised

**ACCEPTED AND APPROVED BY THE BOARD OF TRUSTEES OF TRIMBLE CREEK HOMEOWNERS ASSOCIATION, March, 2001.**