

RULE 6.1 ARCHITECTURAL STANDARDS

1. Policy

It is an objective of the Homeowner Association to guide and oversee owner improvements to the architectural issues outlined in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs), owners shall be subject to Architectural Standards and Restrictions outlined in Association Rules, which supplement the CC&Rs.

- A. It is an owner's sole responsibility to be in compliance with governmental laws, regulations, ordinances including building permits, codes and standards, safety requirements, inspections and approvals.
- B. Capital Improvements to Common Areas may be made only by the Association as set forth in the CC&Rs, Article 5 Paragraph 5.2, and in Rule 3.1, Improvements to Common Areas.

2. Definition of Improvements

The term "improvements" means everything constructed, installed or planted on a Lot subject to the CC&Rs. This includes without limitation, buildings, streets, fences, walls, paving, pipes, wires, grading, landscaping, hardscaping, and any other work determined by the Association to be an Owner modification.

3. Residence and Landscaping Standards

These standards are described in Rule 6.1, Exhibit A.

4. Application for Improvements

- A. An Application package is included (Exhibit C) as guide to the process. Additional packages are available in the Clubhouse near the Activity Director's Office.
- B. Applications for any proposed Improvements must be submitted not less than Forty-Five (45) days prior to the start of the project to the Architectural Committee by depositing them in the designated box called Architectural Committee located in the Clubhouse near the Activity Director's office. The application shall include owner's name, address, telephone number, and a written description of the proposed improvements. Plans and drawings shall include location, dimensions and other pertinent items related to the improvements such as lot lines, existing structures, patios, driveways, fences, etc. Plot plans are available from the Association Manager.

5. Architectural Committee

The Architectural Committee shall review the proposed modification submitted using the standards and restrictions set forth in the CC&Rs and Association Rules. The Committee shall arrive at one of the following decisions by majority vote:

_____ Approved _____ Denied

The Owner shall be notified in writing within Forty-five (45) days (CC&Rs9.11) or sooner of the Committee's decision, and the reason(s) for the decision. If Owner has not been notified within 45 days, contact the Architectural Committee for status. Any partial or total disapproval shall state the reason(s) for the Committee's action.

The Committee's approval of Applications for architectural improvements shall be strictly in accordance with the Architectural Standards spelled out in Exhibit "A." All applications for architectural improvements that are not in compliance with the Standards shall be disapproved by the Committee. If the application is denied by the Architectural Committee, the applicant may submit a request for a variance to the Board for approval. The Committee is not responsible for determining whether plans, specifications, or work comply with governmental or industry laws, codes, ordinances or regulations.

6. The Work Completion and Inspection

After Committee approval, applicant has Ninety (90) days from date of approval to commence work and six (6) months from the date that application was approved to completion (CC&Rs 9.16 & 9.17.) The Committee may grant an extension of up to a maximum of six months for exceptionally complex projects. The Committee shall notify the Board of extensions granted. The Committee shall review and inspect improvements before and during the project as necessary and must conduct a final inspection upon completion of the project. Advanced notice will be given to the Owner prior to entering the property for inspection.

7. Requirements to Submit Application After Work is Completed

If an owner starts and/or completes an Improvement without obtaining prior Architectural Committee review and approval, the owner is still required to submit plans and drawings. If the owner does not comply and the work completed is disapproved, the owner will be issued a Notice of Non-compliance. If the matter is not resolved, the Committee will request the Board of Directors to issue a notice of Hearing. A procedural timeline for Notice of Noncompliance is provided in Exhibit B.

8. Association Enforcement

After issuing the Notice of Hearing, the Board will meet to determine if a violation has occurred and if fines or other actions are required. Removal of the Improvements may be required.

9. General Liability Statement

In the event an improvement or circumstance is not defined or adequately covered in the Project Documents, interpretation will become a matter of judgment on the part of the Board of Directors. The Committee and/or the Board, past or present members, acting in good faith, shall not be liable to any owner or contractor for damages, loss or prejudice suffered or claimed as the result of approval or disapproval of any proposed improvements, performance of the work or whether the contents of the Project Documents are correct.

Any improvement that restricts access to and/or interferes with any required maintenance and/or repair of any facility will be removed. Replacement will be at the homeowner's expense.

This will supersede Rule 6.1 with minor modifications approved by Board of Directors: March 2014.
Reviewed and reissued without content modifications by the Board of Directors August 8, 2018.

RULE 6.1 ARCHITECTURAL STANDARDS - EXHIBIT A

ARCHITECTURAL STANDARDS

1. Drawings, Specifications or Sketches

For all additions and modifications to the Residence, extensive landscaping, or hardscaping construction, the work shall be based on plans and drawings to approximate scale and specifications. Drawings shall be included with the application. The plot plan shall show contours, natural features, setbacks, drainage, driveway and house location. Professional blueprints may be required.

2. Building Type

Each Residence shall retain the characteristics of Declarant's original design and shall retain not less than the minimum number of square feet originally constructed exclusive of porches, patios and garages. All Residences shall remain single story and shall not exceed the height as originally constructed.

3. Setbacks

No structure can be constructed or installed within the setbacks prescribed by the City of Brentwood.

4. Garages

Each Residence shall retain the same number of enclosed garage spaces as Declarant originally designed and constructed for the purpose of parking personal transportation vehicles.

5. Exterior Building and Roof Materials

Additions or modifications to the Residence shall have the same characteristics and appearances as the original Residence with regard to stucco, trim, stone or brick and concrete roof tiles as initially built by Declarant.

6. Exterior Colors and Textures

All exterior paint colors including stucco walls, concrete roof tiles, wood trim, stone masonry, shutters, front doors, garage doors, etc., shall be submitted to the Committee for review. Only exterior colors approved by the Board of Directors shall be approved by the Committee. If Owner is applying to use other than the approved Kelly-Moore colors, Owner/Resident must submit a sample of the colors with the application.

7. Driveway and Walks

Driveway, sidewalk, curb and the concrete apron between the curb and asphalt street shall be repaired with concrete. Use of paint/stain on any concrete surface visible from the street is not permitted. Driveways, entry walks and street sidewalks shall be kept clear of ornamental or garden objects, which would interfere with accessibility of vehicles or persons.

8. Fencing

The only fencing that will be allowed on a Lot within the Community is the type of black wrought iron fencing, which Declarant originally installed.

The following conditions shall be met:

- A. The only fence material shall be black wrought iron. It shall follow the Declarant's original design of vertical pickets finished with fleur-de-lis finial or spear-pointed finials on each picket or every other picket. Porch railings having a height of three feet (3) may be finished with a flat top rail or plain square ends.
- B. Fence height shall not exceed five (5) feet from ground level.

- C. For houses that border the street, rear yard fencing can extend toward the street no closer than two (2) feet.
- D. Backyard fencing on the property line is allowed. For backyard fencing on a corner Lot, see paragraph "E" below.
- E. Fencing on the side yard shall be allowed from the garage main (side) door to the rear property line. The fence on a corner lot or irregular shaped lot shall be installed no closer to the curb or sidewalk than two (2) feet.
 - a. If you plan to keep dogs in your yard, please familiarize yourself with Association Rule 7.3, animal ownership and control. Side yard fencing to the garage main (side) door is not to be installed as a dog run but rather as a convenience, which allows you to bring the dog into the house during inclement weather. Be sensitive to the fact that your neighbor may not share your appreciation of animals. Strict monetary penalties for misuse, i.e., annoyance to the neighbors, barking, offensive odors, etc., of any fenced area will be aggressively imposed.
 - b. If you plan to have a fence, you are encouraged to notify your affected neighbors.
- F. Side yard fencing between two residences to the garage man (side) door shall not be allowed if the space between the residences is so narrow that it impedes the sidewalk or walkway of either owner.
- G. Side yard fencing between two residences shall not be allowed to extend beyond the front of the house. See Article 11.1.3 and 11.1.4 in the CC&R's for information regarding the maintenance of party fences, fences separating the Common Areas and Lots, and Article IV for information on fences adjacent to the golf course.
- H. Perimeter Walls: Specifically, all the solid "walls" surrounding and enclosing Summerset II at Brentwood. Walls may be shared with neighboring properties, Golf Course, City of Brentwood, or Kindred by Shea Homes. Walls are of *prefabricated concrete* (dropped in place), *brown cinder block*, or *wood fencing* materials. Walls are the shared responsibility for maintenance and painting, sealing, or treating as defined below.
 - a. Prefabricated Concrete Walls (dropped in place):
 - i. Walls are to be kept clean of debris.
 - ii. Can only be painted Navajo White (or color match to Navajo white).
 - iii. No murals, graphics or graffiti are allowed
 - iv. Homeowners with the rear/side wall have the responsibility of maintenance to their respective side and the other side of the wall is the responsibility of the designated owner of *that* rear/side property.
 - b. Brown Cinder Block (neighboring Kindred)
 - i. Walls are to be kept clean of debris.
 - ii. Walls are not to be painted or stained as blocks are solid colored material not requiring painting.
 - iii. No murals, graphics or graffiti are allowed.
 - iv. Homeowners with the rear/side wall have the responsibility of maintenance to their respective side and the other side of the wall is the responsibility of the designated owner of *that* rear/side property.
 - c. Wood Fencing (neighboring Kindred)
 - i. Walls (wood fencing) are to be kept clean of debris.
 - ii. Can only be sealed with wood type sealant or preservative, or stained in a Cedar or a natural wood color tone (*subject to approval*).
 - iii. No murals, graphics or graffiti are allowed.
 - iv. Homeowners with the rear/side wall have the responsibility of maintenance to their respective side and the other side of the wall is the responsibility of the designated owner of *that* rear/side property.

- d. Community Walls or common area walls are shared with the neighboring Golf Course, City of Brentwood, or Kindred by Shea Homes. Common area walls are the responsibility of the HOA for maintenance to their respective side and the other side of the wall is the responsibility of the designated owner of *that* rear/side property.

As these walls are contiguous throughout our community, it is important that they retain a cohesive and harmonious look with conjoined and neighboring properties. All improvements or maintenance to these walls require an Architectural Application submittal.

9. Refuse and Site Maintenance

The Lot shall be kept clean and orderly during construction activities. Trash and waste materials shall be kept in containers and periodically removed from the site. If not maintained to Association standards, the Association reserves the right to remove refuse materials and charge the Owner for removal expenses.

10. Dirt Removal

There shall be no operating of grading equipment, earthmoving or transportation of dirt during times when it will be bothersome to other residents such as before 8 a.m. or after 7 p.m. Excess dirt shall not be left piled on the Lot but shall be removed from the site as soon as possible. Dirt and mud in the street shall be removed each day by 7 p.m. Landscape materials shall be removed within 24 hours. No deliveries by suppliers on Sundays.

11. Drainage

No Owner shall impede, alter, or otherwise interfere with the drainage patterns on a Lot or adjacent Lots, which changes the original Lot or Common Area. Surface water and water from the roof shall flow into the system of underground drainage pipes to the street.

12. Exterior Wiring, Lighting and Piping

No lines, wires or other devices for transmission of electric current and power, or piping for water lines, shall be placed or maintained anywhere in or on a Lot unless contained in underground conduits, cables or piping and concealed in and/or under approved structures. Excluded are temporary arrangements made during construction. Lights of either mercury vapor or sodium vapor types are not allowed. Landscaping and driveway lights of low height and low intensity are allowed provided they are not placed in an area that would create a nuisance or hazard.

13. Landscape Structures

Approval is required before construction or installation of the following structures regardless of the materials used:

- A. Wall or retaining wall of any height
- B. Patios, decks, upright posts, flag poles, railings
- C. Swimming pools and spas (either in or above ground)
- D. Fountains, landscape pools, fishponds
- E. Front walk and driveway additions (or widening)
- F. Lawn Ornaments/Decorations/Planter Boxes Lawn ornaments, decorations and/or planter boxes that are visible from street view or adjoining lot may be permitted with prior written approval from Architectural Committee. In order for an ornament to qualify for acceptance, it must blend with the composition and tone of the surrounding area.
 - a. Definition: Ornaments include, but are not limited to, such items as planters, decorations, statues, furniture, birdbaths, lawn ornaments and other decorative items.

- b. Generally, ornamental birdbaths will be approved as long as they do not exceed three (3) feet in height. The test for permissibility for this class of item will be the extent to which it blends into the overall landscape of the surrounding properties. This will require a subjective judgment on the part of the Architectural Committee. However, the Committee should not judge the item on artistic taste, but on the extent to which the item blends or stands out. The Committee will also make a judgment if a specific complaint is received.
- b. Brightly painted items, the color of which makes them sufficiently conspicuous so as not to be compatible with the surrounding properties will not be permitted. Ornaments which exceed three (3) feet in height will not be permitted.

REQUIREMENTS: Ornaments shall be placed in an attractive manner and in a location at least five (5) feet inside the property line. A maximum of ten (10) ornaments will be allowed in the front yard except for a Duet property where a maximum of five (5) for each Duet will be allowed. A maximum ten (10) additional ornaments (duets) will have a maximum of five (5) will be allowed in the combined back and side yards when these yards are visible from the street or visible from back yard neighbors. This means that a total of 20 ornaments will be allowed in any yard – front, back and side. Ornaments shall be well maintained and be in harmony with exterior design of the house. Planter boxes will not border walkways to the front door, driveways, or property lines. Front porch and rear patio ornaments are exempt from the maximum count of ornaments.

Keep these items to a tasteful, attractive minimum. It is up to us as a collective membership to strive for a positive enhancement and beauty of a clean, neat, clutterless neighborhood. The voluntary cooperation of Owners, Residents and their guests is essential in achieving this objective. Participation in the quiet enjoyment of this planned development requires the respect of all its residents for the surrounding environment, each owner's property, and its overall appearance and wellbeing to the community.

14. Street Trees

See Rule 6.2 for the policy on street trees.

15. Front Property

At least 25% of your front property, excluding the driveway, front walkway and street sidewalk, shall include a grass lawn, synthetic turf or live permanent greenery plants no less than one gallon in size.

16. Landscape Maintenance

Lots shall be maintained consistent with design standards established by Declarant, including back wall. Landscaping shall be maintained in a neat and orderly condition. Weeds, disease or dead shrubs and trees shall be promptly removed. Lawns shall be watered, mowed and fertilized as needed. Shrubs and trees shall be trimmed periodically.

17. Tree and Plant Materials

Any plant materials such as annuals, perennials, bushes, shrubs and trees that are noxious, poisonous, harmful, hazardous or as in the case of bamboo, root-invasive, shall not be used in landscaping on an Owner's Lot. Any plant material that unreasonably blocks or obscures views from any part of the development shall be subject to removal or trimming. A Notice of Noncompliance will be issued requiring removal and/or fines will be assessed if compliance is not met.

18. Storage and Garden Sheds, Dog Houses

Storage containers, garden sheds, doghouses, or any similar structures (constructed or prefab) which are in view of the street, adjacent Lot, Common Area, or golf course are prohibited.

19. Utility Connections

Connections for all utilities, including water, electricity, telephone and cable shall run underground from their connecting points to the building structure in a manner acceptable to the Committee and applicable utility authority.

20. Antennae and Satellite Dishes

See Rule 6.3 or information related to this subject.

21. Screen/Trellis

Side/Back Yards:

- Must be at least two feet away from property line.
- Must not exceed the height of (6) six feet.
- Must be constructed in "open style" with at least 50% air such as lattice, louver, posts or appropriate wood or metal.
- Shall be natural, white or match the Residence main body color.
- There shall be no screen parallel to either the rear elevation of the Residence or rear property line. No structure or screen shall enclose a patio.

Front yard:

- Front yard shall mean from the corners of the Residence to both the side and front property lines. Screens in the front yard are prohibited.

Corner Lots:

On corner lots a backyard screen may be no closer to the curbside property line than **on-ha**

Golf Course Lots:

- Screens erected for safety purposes shall be mesh netting, transparent solid acrylic, plastic or shatterproof glass panels.
- The length and height will be determined by safety requirements as necessary to protect Owner/Resident.
- The color of the frame shall be white or match the Residence main body color or patio.

22. Patio Covers

The side yard, backyard and front yard shall be defined in the same manner as for Screens. Covers over a patio, trellis or any part of the yard, either attached to the Residence or freestanding, shall be subject to the following:

- A. Covers shall be allowed only in the backyard
- B. Any part of an open trellis type cover shall be no closer than five (5) feet to the rear property line.
- C. A cover shall not exceed the total width of the Residence, shall not exceed beyond the side elevation of the Residence, and shall be no higher than the level of the residence's rain gutter or contour of the roofline.
- D. All covers, either open or solid, shall be compatible with the architecture, roof pitch and main body color of the Residence.
- E. Solid covers shall have minimum downward pitch of one (1) inch for each ten feet (10) feet and shall have an appropriate number of gutters and downspouts and connected to the surface drain piping system if required by the City of Brentwood.
- F. No enclosed patio structures shall be permitted.

23. Exterior Window Coverings

Awnings and fabric type shades of solid color compatible with the main body color of the Residence and attached to the Residence shall be allowed.

This will supersede Rule 6.1 with minor modifications approved by Board of Directors: March 2014.

Reviewed and reissued without content modifications by the Board of Directors August 8, 2018.

Rules 6.1 Section 8H added by a vote of the Board of Directors on May 10, 2023.

RULE 6.1 ARCHITECTURAL STANDARDS - EXHIBIT B

TIME LINE

Improvements and Noncompliance Procedures

1. Application must be submitted no less than forty-five (45) days prior to start of the project.
2. Committee has forty-five (45) days to render a decision (CC&Rs 9.11)
3. The Committee's decision will be in writing, prepared and delivered to the Owner by the Architectural Committee.
 - A. If approved, Owner has ninety (90) days to commence work and complete all approved work within six (6) months after commencement. (CC&Rs 9.16, 9.17)
4. Owner gives written Notice of Completion of finished work. (CC&Rs 9.18)
5. Committee inspects the work within sixty (60) days after receiving Owner's notice of completion. (CC&Rs 9.18)

In the Event of Noncompliance

1. Committee shall notify the Owner if:
 - A. Work is not compliant. (CC&Rs 9.19)
 - B. Work was performed without Committee approval. (CC&Rs 9.19)
2. Owner has thirty (30) days from date of Noncompliance to remedy the issue. (CC&Rs 9.19)
3. If Owner is not in compliance within the thirty (30) days, the Committee notifies the Board of Directors of noncompliance circumstances and request Board to issue Notice of Hearing. (CC&Rs 9.20)
4. Board issues Notice of Hearing: Hearing date must be set to provide Owner with at least ten (10) days advance notice. (CC&Rs 15.12)
5. Board Hearing Decision: Within fifteen (15) days after a hearing is conducted, the Board shall notify the Owner, in writing, of its decision. If the Board decides to impose sanctions, the notice shall describe the sanctions imposed and, if applicable, their effective dates. (CC&Rs 15.14).
6. Failure to Remedy Nonconformity: If the Board finds, at such hearing, that substantial nonconformity exists, the Board may order the Owner to remedy or remove such nonconformity. If Owner fails to do so within the time specified by the Board, the Board may, in addition to any other Remedy, remove or Remedy the Nonconformity. In that event, all expenses incurred by the Association in connection therewith shall be assessed against the Owner as a Reimbursement Assessment. (CC&Rs 9.20).
7. Enforcement Assessments: The Board may levy an Enforcement Assessment (a fine or monetary penalty) for violation of any of the provisions of the Governing Documents. Any Enforcement Assessment shall be due and payable to the Association when levied. (CC&Rs 10.11)

This will supersede Rule 6.1 with minor modifications approved by Board of Directors: March 2014.
Reviewed and reissued without content modifications by the Board of Directors August 8, 2018.

RULE 6.1 ARCHITECTURAL STANDARDS - EXHIBIT C

PROCEDURE FOR ARCHITECTURAL IMPROVEMENTS

Application Submittals

An application for consideration of an Architectural Improvement of your Lot or Residence shall consist of submittal of the attached application from describing in detail your plan.

1. Include site plans and elevation drawings prepared to scale as necessary to accurately represent the intended work.
2. Details such as the name and size of tree changes, exterior colors diagrams, photos, sample materials, etc. must be provided.
3. Submittals shall be made to the Architectural Committee not less than 45 days prior to the start of project by depositing them in the box designated Architectural Committee located in the Summerset II Clubhouse near the Activity Director's Office.
4. Applications must have all of the above-mentioned items attached when submitted. The committee may request additional information as necessary to clarify your applications. Review by the committee will not occur until all requested information is provided as a complete package. Incomplete applications will be returned.

Review Procedures

The applications will be reviewed at the next Architectural Committee Meeting. The Committee shall review the application for completeness and compliance with the CC&Rs and Association Rules. The Committee will then make its decision based upon these guidelines. If additional information is needed by the Committee to help them make a decision, you will receive a request from the Architectural Committee.

Basis for approval

In addition to the CC&Rs, Architectural and Association Rules, the committee will make their decision based upon maintaining the standards of the community as to quality, workmanship, compatibility with the exterior design of existing structures and landscaping.

1. Following approval by the Committee an approval letter from the Architectural Committee will be delivered to Owner (CC&Rs 9.11). At that time, the homeowner or Homeowner's Representative shall apply to the city for any necessary building or planning permits. A Notice of Completion form will also be included to be filled out by the Owner when work is completed.
2. The Owner has Ninety (90) days from the date of approval to commence work and six (6) months from the date of approval to complete work. (CC&Rs 9.16, 9.17.)

This will supersede Rule 6.1 with minor modifications approved by Board of Directors: March 2014.
Reviewed and reissued without content modifications by the Board of Directors August 8, 2018.

RULE 6.1 ARCHITECTURAL STANDARDS - EXHIBIT D

VARIANCE PROCEDURES

1. Objective of Architectural Standards

It is an objective of the Association to maintain the Architectural Standards established by Declarant and thus preserve the character and aesthetic values of the community.

2. Variations from Architectural Standards

It is recognized that on occasion, Homeowners may have a compelling reason to request a Variance from the Architectural Standards set forth in the rule. This section of the rule is to provide members with a vehicle for demonstrating a need for, and obtaining approval of Applications for improvements that are in variance of the standards.

3. Procedures

Application for Architectural Improvements are to be reviewed and investigated by the Architectural Committee with approved/denied decisions on the basis of a strict adherence to the Architectural Standards set forth in Exhibit "A."

- A. Applications denied due to nonconformance with the Standards shall be returned to the applicant as "Denied."
- B. Applications denied by the Committee due to non-compliance with the Architectural Standards set forth in Exhibit "A" may be appealed to the Board by the Homeowner. Homeowner shall give his/her interpretation of conformity or lack thereof on requested improvements. Where nonconformance is acknowledged, the Homeowner must provide a compelling reason for the need of a variance.
- C. If the Board gives tentative approval of the request for variance, the Homeowner must obtain approval of all residents within a 300-ft. radius of the improvement before the approval is granted.

This will supersede Rule 6.1 with minor modifications approved by Board of Directors: March 2014.

Reviewed and reissued without content modifications by the Board of Directors August 8, 2018.

Rule 6.1

**SUMMERSET AT BRENTWOOD II ASSOCIATION
GUIDELINES AND RULES FOR ARCHITECTURAL CHANGE REQUESTS
CC&Rs and Rule 6.1 shall take precedence in all cases**

1. Any changes and/or additions pertaining to any exterior work, including painting, fences, landscaping, wall or other structures, require prior authorization from the Architectural Control Committee (also referred to herein as "Committee" and Architectural Committee)
2. Homeowners proposing changes and/or additions may secure application forms from the Summerset II Clubhouse.
3. Completed applications are to be sent with the plans to the Architectural Committee at least 45 days prior to the start of the project by depositing them in the designated drawer for the Architectural Committee located in the Summerset II Clubhouse.
4. Approval will be granted provided the Committee Determines:
 - Homeowner has complied with provisions above.
 - Plans and specifications conform to rules and provisions of the CC&Rs and Rule 6.1 of the Association.
 - Proposed changes of additions are consistent with the standards of the development.
 - Workmanship and materials are acceptable.
 - Changes and/or additions harmonize with existing design colors and irrigation systems in the development.
5. A decision of the Architectural Committee will be provided to the Homeowner In writing within 45 days of submission of the application. Please be aware the Architectural Committee meets two times per month. Refer to the monthly calendar for specific dates.
6. Appeal: The Board of Directors, upon receipt of new documentation from the Homeowner, may reconsider the decision of the Architectural Committee.
7. Upon receipt of approval, commencement of work must occur within ninety (90) days of date approved or approval shall be deemed revoked. The Committee may (if it deems appropriate) give a written extension.
8. The Homeowner shall be responsible for having the approved project completed within six (6) months after commencement.
9. Upon project's completion Homeowner shall contact the Architectural Committee for final inspection. If the committee finds that work is not done in compliance with approved plans and specifications, the Homeowner shall be notified, in writing within sixty (60) days, specifying particulars of noncompliance and requesting that the Homeowner remedy same. If the Homeowner does not remedy noncompliance in thirty (30) days, The Board of Directors shall schedule a hearing and apply the provisions of the CC&R's and By-Laws. This may include the filing of appropriate Noncompliance Notice with details of the reasons therefore, costs thereof, including attorney fees, shall be charged to the Homeowner.
10. Any building permits or governmental requirements are the responsibility of the owner.
11. Any additional maintenance, repair and/or replacement costs resulting from: 1) the Architectural changes and/or additions, and/or 2) areas affected thereby, are the responsibility of the homeowner.

**FOR COMPLETE DETAILS, SEE RULE 6.1 "ARCHITECTURAL STANDARDS" PROVISIONS.
RULE 6.1 SHALL BE THE FINAL AUTHORITY.**

RULE 6.2 STREET TREE MAINTENANCE AND REPLACEMENT POLICY

1. General Policy

Declarant is required by the city of Brentwood to install street trees in the front yard of residences in Summerset. A well-planned street tree program beautifies the community, creates aesthetic pleasure, provides shade during the summer season and adds to the property values.

2. Street Tree Definition

The term "Street Tree" refers to trees originally planted by Declarant along all streets in the development, forming a relatively uniform row of trees on both sides of our streets. These trees were generally planted from 6 feet to 10 feet back from the sidewalks (curbing on non-sidewalk side of the streets). Where houses were located close to the street, they were generally planted approximately half the distance between the sidewalk/curb and the house. The spacing of the trees was generally at about 30-foot intervals, modified by the location of streetlights and driveways too close together to allow for a tree. These trees were planted to provide an aesthetically pleasing look to our neighborhood.

3. Street Tree Replacement

In recognition of the fact that an owner may prefer a different street tree, the Association, in accordance with the City of Brentwood, permits removal and replacement of a street tree. The replacement tree, approved on a case-by-case basis, shall be planted in the same location as the tree removed taking care to restore the surrounding area to the previous landscaped condition. The Architectural Committee may approve minor adjustments to the location of the Replacement Trees. Replacement trees shall be planted within 30 days of receipt of written approval.

While replacement trees can be more homeowner friendly and attractive, be of a small size, have deeper root systems, and be more resistant to diseases and insects, periodic maintenance is still required. To help minimize the associated maintenance expenses, a list of suitable trees to use when selecting a replacement tree has been developed. Variances to the following list may be considered (See Architectural Standards Exhibit D.)

<u>Botanical name</u>	<u>Common Name</u>
1. Acer Palraatum	1. Japanese Maple
2. Celtis sinensis	2. Chinese Hackberry
3. Cercis Canadensis	3. Eastern Redbud
4. Lagers troemia	4. Crepe Myrtle
5. Indica Mains floribunda	5. Ornamental Crabapple
6. Pyms Calleryana	6. Ornamental Pear (Bradford & Aristocrat)
7. Pistacia chinensis	7. Chinese Pistache
8. Quercus ruba & coccinea	8. Red and Scarlet Oaks
9. Acer Ginnala	9. Amur Maple
10. Geojera Parviflora	10. Australian Willow
11. Ceratonia Siliqua	11. Carob
12. Sophara Japonica	12. Chinese Scholar
13. Sepium Sebiferum	13. Chinese Tallow (Poisonous Berry/Leaf)
14. Primus Cerasifera	14. Flowering Plum (Except Hollywood)
15. Koeireutema Paniculata	15. Golden Rain Tree
16. Tilia Cordata	16. Little Leaf Linden (Expect Bees)
17. Mayhtenus Boaria	17. Mayten (Evergreen)
18. Augustifolia	18. Raywood Ash (fast growing 25' to 35')
19. Acer Buergerianum	19. Trident Maple
20. Cercis Occidentailis	20. Western Redbud

Replacement trees shall be 15 gallon or larger in size depending upon the size of the tree that is removed to maintain symmetry and proportion to other existing trees. Therefore, the replacement tree size shall be subject to committee approval. All costs that relate to removing and disposing of existing street tree and subsequent planting of a replacement tree shall be at the Owner's expense. Trees are to be planted with appropriate lodge poles or cable supports as needed.

4. Tree Maintenance

Normal and routine maintenance of street trees is the Owner's responsibility. This includes:

- A. Pruning branches for street and street light clearance, driveways, and sidewalks
- B. Cutting and removal of all invasive roots
- C. Leaf removal
- D. Disease and insect control
- E. Fertilization

Anyone climbing into street trees to perform any type of activity does so at their own risk and the Association shall be held harmless, defended and indemnified by the Owner in the event of injury to self or others or damage to any real or personal property.

The Association Management Company will periodically inspect the street trees to determine if any maintenance is required. The results of these inspections shall be report to the Board. Inspection will include root invasions and damage, street, sidewalk, and power pole clearance, and any other maintenance issues that might require professional tree service.

Approved by the Board of Directors: January 10, 2007

Replaces original rule dated March 27, 2002

RULE 6.3 ANTENNA AND SATELLITE DISH SYSTEMS

1. It shall be the policy of the Association to permit an Owner to install and maintain an antenna or satellite dish systems that the owner may receive television broadcasts, entertainment, and other communications, subject to the provisions in federal and state laws (as applicable), Rule 6.1, Architectural Standards, and this Rule 6.3.

Rules 6.1 and 6.3 also shall apply to any system installed, modified and maintained on an Association Common Area.

2. The term "antenna or dish system" shall include any antenna, satellite dish or disc, and any other similar receiving device, including related equipment such as mast, post, supports, cable and wires, installed on the exterior of the Lot or Residence. Regardless of shape, any antenna or dish with a diameter or diagonal measurement of more than one (1) meter (39.37 inches) shall not be permitted.
3. Prior to installation or modification of any system, owner shall request review and advance approval from the Architectural Committee. Drawings with dimensions shall show the proposed location. The Committee shall act promptly to any such request in order to preclude undue delay in Owner's installation schedule. Every effort shall be made by owner to select a location, with Committee concurrence, that minimizes visual exposure of the system to Common Areas including streets, neighboring Residences, the golf course, and public areas. It shall be the objective to select the best-disguised location below the highest part of the roofline provided such location does not reduce the quality of reception or significantly increase Owner costs. For a ground mounted system, landscaping with shrubs shall be required to minimize visual impact Color shall be "neutral" such as flat black or gray, or shall be painted to match roof and Residence colors.
4. A Resident who is a lessee or renter shall obtain Owner's approval before any such installation.
5. Installation shall conform to all building codes and practices. Obtaining any required certification, license or permit shall be the responsibility of the Owner.
6. Once installed the system shall be maintained in first-class condition and up to community wide standards. Installation, modification, operation, and/or removal shall not cause any interference with, or the quiet enjoyment of, other Owners and Residents.
7. In the event the system no longer is in use, the Owner shall remove all parts of the system and restore the Residence to its original condition

Approved by the Board of Directors: January 5, 2000.

Reviewed and reissued without content modification by the Board of Directors;

March, 2014 
Secretary

RULE 6.4 SOLAR ENERGY SYSTEM

1. It shall be the policy of the Association to permit an Owner to install and maintain a "solar energy system" whose primary purpose is to provide for the collection, storage and distribution of solar energy or solar energy for space heating or cooling, electric generation, or water heating. Solar collectors permitted under these standards must be certified by the Solar Rating Certification Corporation (SRCC) or other nationally recognized agencies. The certification must be for the entire solar energy system and installation.
2. Prior to submitting an application to the Architectural Committee, (also referred to herein as "Committee"), owners must receive a City of Brentwood building permit. Building permits require the contractor to furnish drawing for the installation. Owners must submit an application to the Association's Architectural Committee in the same manner and containing the same information as an application for approval of any other architectural modification to a lot as required by the Association's CC&Rs.
3. As part of the application process, the owner shall authorize the Committee and/or the Association's consultant to enter the owner's lot, upon reasonable notice to the owner, to review a proposed location for the solar energy system or to otherwise evaluate the owner's application.
4. As a condition of approval, the owner shall provide the Committee with information justifying the location on the lot where the solar energy system is proposed to be installed. As a further condition, the Committee may require the owner to arrange to have the installer (at the owner's expense) attend a meeting of the Committee to explain the reason for a proposed alteration.
5. The Committee shall approve the owner's request to install a solar energy system within 90 days after receiving a completed application. The Committee may require, as a condition of its approval, that the owner install the system in a different location on the lot and/or in a different manner, as long as the Committee's requirement do not exceed the cost and efficiency parameters specified in Section 6 of these Solar Energy System Standards.
6. Any solar energy system shall be installed in the least obtrusive location possible that does not, in comparison to otherwise acceptable locations on the lot, significantly decrease its efficiency or specified location. "Significantly" shall mean an amount that is more than 20 percent of the cost of the system or that decreases the efficiency of the solar energy system by more than 20 percent, as originally specified and proposed.
7. Depending on the size and configuration of a particular lot, the required location or manner of installation might be ground rack mounting, rear or side yards, flat mounting to surfaces (as opposed to raised or angled mounting) or mounting on portions of roofs or building surfaces that face away from streets, common areas or neighboring lots.

Approved by the Board of Directors:

Helene Woods

April 19, 2014

Date

RULE 6.5 ARTIFICIAL TURF

1. It shall be the policy of the Association to permit an Owner to install and maintain artificial grass in front and/or backyard, subject to the provisions in federal and state laws (as applicable), Rule 6.1, Architectural Standards and this Rule 6.5.
2. As a condition of approval, the owner shall provide the Architectural Committee with a sample of the brand of artificial grass to be installed, along with the manufacture's product description and warranty. The following also will be evaluated — color, color retention, pile and weight, toxic material, permeability, water absorption, infill material, base and drainage, border material, nap/ grain and ground vaults.
3. Backyard lawns may be replaced with artificial grass using the same standards with the exception that an artificial putting green may be added, if approved, by the Architectural Committee.
4. Trees may not be removed to facilitate the installation of artificial grass. See Rule 6.2.
5. Removal of sub soil/dirt is addressed in Rule 6.1 Exhibit A #10.
6. Change of slope, grade or drainage is prohibited by Rule 6.1 Exhibit A #11. The original lawn sprinkler system shall be kept intact - Rule 6.1 Exhibit A #11
7. In addition to the requirements of Rule 6.1 Exhibit A #16, "Landscape Maintenance," artificial grass shall be kept in good repair. Any noticeable defects such as rips, seam separation, tree roots, etc. shall be repaired to its original appearance. In the event of a refusal or delay in repairing any noticeable defect, the homeowner shall be given a notice of noncompliance for failing to maintain the artificial grass in its original appearance Rule 6.1 Exhibit B.

Approved by the Board of Directors

April 19, 2014 *Helene Woods*

Secretary

RULE 7.1 GENERAL ENVIRONMENTAL STANDARDS

It is the Association's objective to direct Owners and the collective membership toward the positive enhancement beauty, and character of the community, and the quiet enjoyment for all Members. It is recognized that the support and voluntary cooperation of Owners, Residents and their Guests shall be essential in achieving this objective. Accordingly, the following general environmental rules shall apply.

1. Emphasis on sound control shall be in effect during the period from 9:00 p.m. to 8:00 a.m.
2. The sound volume from a radio or similar electronic equipment located either inside or outside the residence or in the Common Areas shall be kept to a reasonable level to avoid creating a nuisance to adjacent Owners, Residents and their Guests.
3. Interior window coverings visible from the street shall be neutral in color. No aluminum foil or similar bright coverings shall be installed on windows or applied to any part of the residence. Temporary interior window coverings (paper, sheets, blankets, etc.) shall be limited to sixty (60) days following the date of occupancy.
4. Entryways and backyard patios shall not be used for storage of household cleaning equipment, drying of clothes, ladders, or any such items. Yards shall be kept clear and not used for storage of construction materials and equipment, or as space for storage of any "junk" or "waste." The number of garden objects and displays shall be kept to a minimum.
5. Garbage and recycle containers shall remain behind the container fence until set out at the curb the night before, or morning of, the scheduled day of pick-up. Empty containers shall be returned to their fenced location that same day. Owners absent on garbage day should make arrangements with a neighbor to preclude containers remaining on the street longer than a day.
6. Only one (1) real estate sign for sale or rent that conforms to the specifications established by the Association shall be displayed in the front yard of the Residence and placed halfway between the curb and the front of the residence. No other commercial or political sign, poster, advertisement, notice displayed to public view on or from any Lot, Residence, window or Common Area without the express approval of the Board of Directors.
7. No exterior clothesline shall be erected or maintained for the exterior drying of clothes.
8. No short wave or any other kind of radio station shall be operated from any residence or Common Area.
9. No sports or play equipment shall be attached to any residence or erected on any Lot. Portable play equipment shall not be placed in the street and if placed in the front yard, backyard, or driveway shall be removed daily following play and placed out of sight.
10. A community garage sale may be announced from time to time as authorized by the Board of Directors. No individual Owner garage or yard sales shall be permitted. An estate sale may be held with approval of the Board. The application may be obtained from the Summerset II office or website.
11. No individual or organization shall solicit door to door within the Project including flyers left on driveways and entryways except for announcements prepared by the Activities Director or an authorized

Club of the Association. Individual Owners wishing to establish contact with other Owners shall obtain proper approval of any such activity from the Board.

12. Smoking of tobacco products shall be prohibited in the Recreation Building and on the patio surrounding the swimming pool and spa.
13. There shall be no dumping of household, commercial, or landscaping materials on any Lot or Common Area, including but not limited to garbage, dirt, bark, concrete, rocks, grass clippings, leaves, tree trimmings, bottles, cans, paper, plastic, or refuse of any kind.
14. Exterior holiday decorations and lights shall be removed within fifteen (15) days after the respective holiday.

Approved by the Board of Directors: _____ Date: _____
Secretary: Michael J Quinn