

PARADISE PINES PROPERTY OWNERS' ASSOCIATION, INC.

**ARCHITECTURAL CONTROL COMMITTEE
RULES AND REGULATIONS
PURSUANT TO ARTICLES I, III, & IV OF THE
POA COVENANTS, CONDITIONS AND RESTRICTIONS**

(AS REVISED APRIL 18, 1996 TO INCORPORATE CC&R AMENDMENTS APPROVED 10/4/95,
AND REVISIONS TO RULES & REGULATIONS AS APPROVED BY THE BOARD OF DIRECTORS
5/13/97 MOTION 96/97-042, 8/11/98 MOTION 98/99-011, 10/12/99 MOTION 99/00-023,
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1.0 PREAMBLE

The specific and primary purpose of the Architectural Control Committee Rules and Regulations (ACCRR) is to provide for the management, maintenance, preservation and appearance of the residential lots within Paradise Pines POA.

2.0 ARCHITECTURAL CONTROL COMMITTEE

2.1 MEANING

- a. The term Architectural Control Committee (ACC) shall mean the committee appointed by the Board of Directors ("the Board").
- b. Under its authority to enforce the CC&R's, the Board has established the ACCRR to clarify the sections of the CC&R's which apply to the Architectural Control Committee (ACC).

2.2 AUTHORITY

The Board has established a standing committee called the Architectural Control Committee (ACC) (Article IV, Section 4.01 of the CC&R's) and authorizes the enactment of these ACC Rules and Regulations (ACCRR) according to CC&R Article VIII, Section 8.02.

2.3 IMPLEMENTATION

The Board authorizes the ACC to implement and enforce the ACCRR.

2.4 DESIGNATED REPRESENTATIVES

The Field Inspectors are the designated representatives of the ACC with authority to implement the ACCRR.

- a. Members of the ACC shall be PPPOA members in good standing.
- b. Tenants granted PPPOA privileges are considered to be "members in good standing" and are eligible to become ACC members.

2.5 DUTIES

The duties and responsibilities of the ACC consist of:

- a. Issuance of permits.
- b. Inspection and approval of lot improvements.
- c. Preservation of the high quality and maintenance of the lots within the Properties.
- d. Nuisance Control.

2.6 OWNERS' RESPONSIBILITY

- a. Prior to construction, all Lot Owners are required to obtain plot plan approval from the ACC. Owners are responsible for notifying developers and other workers of these ACCRR. All plans for the construction or installation of any improvement, (see Figure 1, page 12, Permits, for examples) must be approved by the ACC prior to construction.
- b. Owners and Tenants will abide by the ACCRR. Owners are responsible for any noncompliance of their Tenants.
- c. Owners and Tenants are expected to preserve the area as a residential community with amenities desirable for residential living.
- d. Owners will register each new Tenant with the PPPOA by completing a Renter Registration form.

3.0 BASIS FOR APPROVAL OF IMPROVEMENTS

3.1 QUALIFIED PERSONNEL

Only ACC qualified members shall review the plans, specifications and details related to any work or improvement, approve or disapprove such plans and issue permits.

3.2 APPROVALS

Approval of a single family residence, modifications or other structures placed or constructed on any lot will be determined on an individual basis, depending on the topography of the land, placement and appearance on the lot.

3.2.1. METHOD OF APPROVAL

- a. The ACC will approve or disapprove, with comments, the plans within thirty (30) days from receipt of application. Failure of the ACC to act within the specified thirty (30) days will constitute defacto approval. Approval will be in writing. One set of plans, endorsed "POA Permit Approved" will be returned to the Owner/applicant with PERMIT for display. The second set will be retained by the ACC in its permanent files.
- b. Upon disapproval, the Owner/applicant will be notified of the ACC's decision, together with its reason(s).
- c. Once a set of plans has been approved by the ACC, any major changes will require ACC approval of the modified plans.
- d. A new permit from ACC will be required for any replacement or reconstruction of previously built structures or fences on any lot subject to ACC rules. If it is determined that a permit was obtained for the original construction, or that a permit was not required at that time, the replacement will not be subjected to requirements not then in effect. However, any setback violations or encroachments of recreational easements must be corrected, and any construction found to have been done without a required permit will be required to meet any current rules. Replacement or reconstruction for this purpose shall mean that more than half of the existing material is being replaced or torn down and reassembled. Additionally, in the case of a fence, if a substantial portion of an existing fence is completely replaced, the project will be deemed to fall under the permit requirement even though the portion replaced is less than half the total run of fence.

3.2.2. PROFESSIONAL ASSISTANCE

When reviewing plans, the ACC may determine and notify the Owner in writing that it is in the best interest of the Properties for the Owner to employ professional assistance from a licensed building designer, architect or engineer to ensure the structural integrity of the proposed improvement.

3.2.3. RESPONSIBILITY FOR GOVERNMENT APPROVAL

Review and approval by the ACC of submitted plans shall in no way be deemed to replace any requirement of the Lot Owner to comply with any regulations concerning approval and/or permit for the plans by any government agency. ACC inspections shall not include inspections for safety and/or structural sufficiency. Such inspections are the responsibility of the Owner and the appropriate government agents.

4.0 PERMITS

4.1 APPLICATION FOR PLAN APPROVAL

Application for ACC approval of plans must be submitted in writing with one (1) set of plans. Plans shall contain all information necessary for the ACC to reasonably evaluate the nature, design, location and extent of the proposed improvement. All trees to be removed, regardless of diameter, will need prior approval from the Design Review Committee (DRC). (See Figures 2-7, pages 13-18.) Applications not containing all necessary information shall be denied.

4.2 PLANS

Plans should include a Plot Plan, Exterior Elevation and any other information required by "ACC Basic Guidelines/Requirements for New Construction and Lot Development". (See Figure 2, page 13.)

4.2.1. Septic tank or leach fields may NOT occupy the following areas:

- a. Under the proposed structure or mobile home. "Tight" lines may extend under a mobile home.
- b. Under any permanent structure which includes garages, cement pads, carports or decks.
- c. Within five (5') feet of any permanent structure.
- d. Within any setback line, utility easement or side yard setback line.

4.2.2. Propane Gas Tanks: If propane gas will be used, the proposed location must be shown on the plot plan and is subject to the following: (See Figure 6, page 17.)

- a. Tank and service pipe may not be located within the setback areas.
- b. Clearance of ten (10') feet must be maintained from all the structures.
- c. When located at front of property, the tank shall be screened for aesthetic appearance.

4.2.3. Permanent improvements shall cover no more than 35% of the lot surface. Lots larger than 0.30 acre may be limited to a smaller percentage. Permanent improvements include, but are not limited to:

- a. House footprint.
- b. Garage footprint.
- c. Footprint of any auxiliary buildings such as storage shed(s) shop(s) or gazebo(s).
- d. Driveways, walkways, RV pad and patios of concrete, asphalt, or other non permeable material.
- e. Decks, covers swimming pools, and other features which will substantially prevent water and air reaching the ground surface.

4.3 AS BUILT PLANS

Updated Plot Plans showing revisions are helpful to ACC, but will not be required.

4.4 FILING FEE

There are no permit fees. There is a variance fee if applying for a variance. See Figure 1, page 12, or contact ACC office.

4.5 ENFORCEMENT ASSESSMENTS FOR NOT APPLYING FOR PERMIT

- a. Enforcement assessments imposed upon Owners for which a "Notice of Imposed Enforcement Assessment" is issued by the Board of Directors shall be due within thirty (30) days from the date of notification. (See Figure 9, page 20 & 21)
- b. If the Board, upon hearing an appeal from the Owner, approves the imposed enforcement assessment or modifies the amount of the enforcement assessment, payment shall still be due within thirty (30) days from the date of notification.
- c. If the enforcement assessments imposed against an Owner are not paid when due, the Board may proceed in civil court to recover any delinquent enforcement assessments together with any late charges, interest and costs (including reasonable attorney's fees) attributable to or incurred in the collection thereof.

4.6 APPROVAL FORM

Upon determining that the applicant is a member in good standing, approval or disapprovals by the ACC will be transmitted to the applicant in writing in accordance with paragraph 3.2.1. (Page 3)

4.7 ACTIVE PERIOD OF PERMIT

The Lot Owner must complete all work described in the approved documentation within one (1) year from the receipt of the ACC approval. If an extension is needed, please observe the following: 1. An extension must be applied for thirty (30) days before the original permit has expired. 2. Only one (1) permit extension is granted. 3. If an extension is granted, the permit will be extended for one half (½) the amount of time. 4. No extension will be granted for a permit which has expired, in such case, a new permit must be obtained. All construction permits are valid for one year. Tree permits that are not associated with constructions are valid for six months.

4.8 INSPECTIONS/NEW CONSTRUCTION AND LOT DEVELOPMENT

4.8.1. FIRST INSPECTION

- a. To see if lot & plot plan agree.
- b. Check corner stakes and string property lines.
- c. House or mobile to be staked with string lines or chalk marked.
- d. All trees to be removed are marked.

4.8.2. SECOND INSPECTION

- a. To verify that tree removal corresponds to approved plot plan.

4.8.3. FINAL INSPECTION

- a. To see that lot is cleaned of all construction material & garbage, and rough graded, if necessary.
- b. Address number on property, legible from street.
- c. **Any discrepancy will be sent to the Owner in writing, stating details of noncompliance. (See Section 3.2.1.b., page 3)**

5.0 CORRECTION OF DEFICIENCIES

The Owner will complete or correct all items listed under the notice of disapproval within thirty (30) days of such notification and request a re-inspection from the ACC.

5.1 FAILURE TO CORRECT DEFICIENCIES

The ACC will notify the Board of the failure of any Owner to start work within the allotted time and will initiate further action.

6.0 PERMITTED USES AND RESTRICTIONS

6.1 USES

6.1.1. SINGLE FAMILY LOTS

Each lot located within the Single Family Areas will be used and occupied solely for single family residential purposes.

6.1.2. MULTI-FAMILY LOTS

Each lot located within the Multi-Family Areas (Unit 5, Lots 130-134 and 166-182, and Unit 6, Lots 109--116) may be occupied and used for multiple family residential purposes. Under multiple family residential use, each lot may be improved with one building consisting of not more than two (2) family residences, including mobile homes.

6.2 RESTRICTIONS

All structures shall conform with established Paradise Pines POA restrictions and requirements imposed by the applicable zoning laws and other State, County and Municipal rules and regulations, including the provisions of the Butte County Land Management Department, the Butte County Health Department and the Butte County Department of Sanitation. The Paradise Pines restrictions shall include the following:

6.2.1. RESIDENCES

- *a. Building permits for mobile homes shall include provisions to be placed on a perimeter foundation and permanent skirting which shall be installed prior to occupancy of the home. The material selected shall provide an aesthetically pleasing appearance and be durably installed.
Specific requirements for placing a used mobile home on a lot are as follows:
 - Aside from adhering to all pertinent ACC Rules and Regulations concerning permit application and permitted uses and restrictions, owner must attend an ACC meeting to present pictures of the used mobile home (front, back and sides) as well as plans for any other improvements to be made to the property. ACC members will inspect the proposed location to ensure that this new construction of a used mobile home, and improvements, will be in harmony with the neighboring lots. ACC may require specific items be completed in order for the construction to conform to the neighborhood. When all information has been gathered, the ACC will approve/disapprove the plans within the specified thirty (30) days from receipt of complete application.
 - b. No residences, building, or structures, including mobile homes, shall be relocated from one lot to another without the prior approval of the ACC.
 - *c. All single family residences, including mobile homes, constructed or placed on any lot shall have a minimum of twelve hundred (1200) square feet of living area and shall not exceed the height of twenty-four (24') feet taken from the reference point of the lot as determined by the ACC and as described in Figure 7, page 18.
- *Revision to CC&R's 10/4/95**
- d. No residence, mobile home or other approved structure shall be placed within the established setback area as indicated on the recorded map of this subdivision, and not less than five (5') feet to any adjacent lot line.
 - e. All driveways constructed on any lots in this subdivision shall be hard surfaced (asphalt, concrete, chip and seal to the requirements of Butte County), to at least the recorded setback line as indicated on the recorded subdivision map. A POA permit is not required.
 - f. Structures such as garages, decks, deck covers, screened or open porches, and various types of appurtenant structures such as storage sheds, carports, etc. will be built or installed according to County specifications. A POA permit, from the ACC office is required. All permitted structures shall be of a permanent, durable construction. Prefabricated shelters/carports shall be equivalent to or better than figure 8, on page 19. Temporary light duty structures don't require a permit, however, may not remain longer than thirty (30) days on any lot. No Cargo/Shipping containers allowed. (See Figure 8, page 19)

- g. House numbers shall be displayed upon the building or land in such a manner as to be visible from the street or road upon which the land or building fronts. The minimum height of numbers to be used shall be three (3") inches and in a contrasting color from the basic background.

6.3 FENCES

Permits must be obtained from the Architectural Control Committee (ACC) prior to the erection of all fences. The height, location and materials shall be in accordance with the following:

- a. All fences shall be properly constructed of either wood or chain link and shall be properly repaired and maintained. Electric fences are not permitted.
- b. The approved height of all fences shall be measured from the ground to the top level of the fence at the midpoint between the supporting posts.
- c. NO fences shall be allowed in Recreational Easements or within front setback areas without Variance Approval.
- d. Where NO Recreational Easements exist:
 - 1. Fences not to exceed six (6') feet in height may be allowed along property line(s) up to the front setback line. Visibility and aesthetics may require graduating fence height near front setback line. The six (6') foot fence may join the front of the house or other permanent structure next to the house. (See Figure 4, page 15)
 - 2. Fences shall not exceed forty-two (42") inches in height when running parallel to setback line and road in front of the property.
 - 3. **Corner lots** - fence running parallel to road, (leading from front setback line to house, or other permanent structure next to house) must not exceed forty-two (42") inches in height.
 - a. Fence running from the house (or other permanent structure next to house), to back setback line (parallel to road on a corner lot) shall not exceed six (6') feet in height. Visibility needed for driving safety may require graduating the fence height.
- e. Where Recreational Easements exist: (See Figure 4, page 15)
 - 1. Fences not to exceed six (6') feet in height may be allowed between the easement and the residence, and not encroach on another easement.
 - 2. If fence, or other structure, interferes with a commonly used Recreational Easement, a request for Revocable License must be submitted in writing to be reviewed by ACC and would require approval by the Board of Directors. Unused Recreational Easements (those easements that are not an access to common area greenbelt property) require a Revocable License that is approved by the ACC and Management.

6.4 DECORATIVE FENCES IN SETBACK

Decorative fences such as split rail, picket, oriental, etc. not exceeding thirty-six (36") inches in height within the street setback will be considered on a case by case basis. The request must be accompanied by a plot plan. (See figure 5, page 16)

6.5 TEMPORARY RESIDENCES/STRUCTURES

No structure or facility of a temporary character, such as a trailer, mobile home, RV, camper, tent, shack, barn or any other type of outbuilding shall be permitted residential use on any of the lots in this subdivision. However, on written approval of the ACC, and for a period not to exceed one hundred and eighty (180) days, a temporary structure or facility may be maintained on the rear portion of the lot, and provided construction of a permanent approved residence is pursued with obvious and reasonable diligence, and proper provision for the disposal of all construction and sanitary waste materials is maintained.

6.6 REFUSE DISPOSAL

No Owner, Tenant or contractor shall be allowed to accumulate on any of the lots in this subdivision any rubbish, trash, garbage or similar waste material. Any such material of this nature placed by Owners or Tenants on the outside of their residences on any lot shall be stored entirely within appropriate covered disposal containers out of sight of the street and removed to a proper disposal site on a regular schedule.

a. DEFINITION:

Rubbish, junk, trash and garbage means any used, cast off, damaged, discarded, obsolete, salvaged, scrapped, unusable, worn-out, or wrecked object, thing, material, or substance, regardless of whether the same is being held for sale or storage, and having no substantial market value. Examples include, but are not limited to, any old wire, scrap metal or alloys, rags, paper, wood products, bottles, cans, plastic, dismantled or wrecked vehicles or parts thereof, machinery,

appliances or parts thereof, used household furniture or other household personal property or parts or portions thereof.

6.7 SIGNS

Only one (1) sign advertising a lot or home for sale or lease will be permitted within this Association. Such a sign is limited to one of professional appearance, not over three (3') square feet in area, displayed in a dignified manner for the purpose of advertising a lot for sale, for lease, for rent, an open house, and signs used by a builder or contractor to advertise the property during the construction and sales periods. All such professional signs shall be removed within three (3) days following the completion of the construction work or real estate activity. "Open House/- Directional" signs may be displayed at the intersection of street (a maximum of one (1) sign per change in direction) and an added sign on the actual property only during specified open house days and hours. If such signs are placed on private property, written permission must be obtained from the Property Owner. It is the responsibility of the homeowner to assure that signs posted by Realtors meet the Association's specifications. Signs originated by Owners or Tenants to advertise special events, such as yard sales, must be removed immediately following the completion of the advertised event. No other signs, banners or promotional paraphernalia shall be displayed within Association Properties. Political signs, the use of which are protected under the Constitution, shall be limited to one (1) sign per lot per issue/measure or candidate and must be removed immediately following the applicable election date.

6.8 VEHICULAR PARKING AND STORAGE

All operable vehicles shall be stored and maintained on Owner's lots so as to be the least visible to public view.

- a. All driveways, carports and or garages shall be maintained in a neat and orderly condition. The ACC reserves the right to limit the number of vehicles on a property when said number of vehicles creates blight, has a negative impact on the immediate neighborhood, or causes the property to not blend in with the community's standards.
(CC&R, Article III, Section 3.02 j.i)

- b. No dilapidated, inoperable vehicle(s), or yard car(s) including vehicles without wheels or an engine or on jack stands/auto ramps, shall be stored on the Properties for more than three (3) days unless stored in an enclosed structure.
Dilapidated: Fallen into partial ruin through neglect or misuse.
Inoperable: Not capable of being safely and legally operated in its present condition.
Vehicle: A device by which any person or property may be propelled, moved or drawn upon a highway, except a device moved exclusively by human power.
Yard Car: Any motor driven vehicle which is rarely moved or seldom used and may or may not have a current registration of record with a Department of Motor Vehicles.
(CC&R, Article III, Section 3.02 j.ii)

- c. No personal vehicle, including commercial or utility, shall be stored, parked or maintained on any street in the Properties for a period of more than three (3) days. This restriction includes boats, boat trailers, camper trailers and other such RV, standard passenger vehicles, motorcycles, light and heavy equipment, light and heavy construction equipment, or dilapidated vehicles of any kind.
(CC&R, Article III, Section 3.02 j.iv)

6.9 ANTENNA'S & SATELLITE DISHES

No satellite dishes over one (1) meter (39.37 inches) in diameter or antenna will be allowed in any setback. All large dishes will have a stand from ground level, due to weight factor and will be placed behind the residence. Antennas and dishes thirty-six (36") inches or less may be placed on the roof of the residence. Permits are required for dishes over one (1) meter (39.37 inches) in diameter. (See Figure 1, page 12).

7.0 REMOVAL OF TREES

Trees to be removed must be clearly marked for inspections, especially in the absence of the requestor. For the removal of trees on new home construction sites, ALL trees to be removed, regardless of diameter, need prior approval from the Design Review Committee. On developed properties, ACC approval and permit is required before removal of any tree greater than eight (8") inches in diameter, measured at three (3') feet above the ground. A person may have to plant up to three (3) indigenous/native trees per one (1) tree removed. (See Figure 1, page 12.)

7.1. LANDMARK TREE

A tree which is an outstanding specimen of desirable species, the oldest and largest trees in the PPPOA, those of historical interest or those having a diameter of twenty-four (24") inches or more measured at three (3') feet above the natural grade. Trees designated as LANDMARK TREES will be accorded special protection and permits to remove will require approval by vote of the assembled AC Committee unless confirmed dead or obvious hazard to person or property and/or recommended removal by a Certified Arborist or removal is sanctioned by the Design Review Committee in connection with new Construction.

8.0 MAINTENANCE

8.1 MAINTENANCE INSPECTIONS

The ACC may conduct maintenance inspections of all lots in the Properties to ensure a general high quality of value and appearance of the Properties. Any defect and/or infringement will be brought to the attention of the responsible Owner and/or Tenant, in writing.

8.2 OWNER/TENANT RESPONSIBILITY

Owners/Tenants are required to correct any defect and/or infringement within thirty (30) days from receipt of thirty (30) day notice. The ACC must be notified of completion of any corrective action and the ACC will make a final inspection of that correction before removing the notice.

8.3 FAILURE TO CORRECT DEFICIENCIES

Failure of the Owner/Tenant to remedy any and all defects or infringements within the allotted time will initiate further action.

8.4 RECORDS

The ACC will establish and maintain a system of recording defects and infringements.

8.5 CARE, MAINTENANCE AND APPEARANCE OF LOTS

It shall be the Owners responsibility to assure that their lots, developed or not developed, are cared for and maintained so as to present a pleasing appearance to the neighborhood.

8.5.1. DEVELOPED LOTS

All lots, developed with a residence and or other improvements and occupied or unoccupied shall at all times be maintained in such a manner as to prevent their becoming unsightly by reason of accumulations of rubbish, debris, inoperable vehicles or growth thereupon. Owners will be responsible for the maintenance and repair of their lots and improvements with particular emphasis on landscaping and maintenance of existing plants and trees and the exterior of residences and other structures and will avoid creating a public nuisance.

The following minimum standards for fire safety are established under the provisions of the PUBLIC RESOURCES CODE (PRC 4291).

- a. Within thirty (30) feet from each building or structure maintain a firebreak by removing and clearing away all flammable vegetation and other combustible growth. Single specimens of trees or other vegetation may be retained provided they are well-spaced, well-pruned, and create a condition that avoids spread of fire to other vegetation or to a building or structure.
- b. Within the thirty (30) feet to one-hundred (100) feet zone (Reduced Fuel Zone) from each building or structure (or to the property line, whichever is nearer to the structure), provide a fuel break by disrupting the vertical and/or horizontal continuity of flammable and combustible vegetation with the goal of reducing fire intensity, inhibiting fire in the crowns of trees, reducing the rate of fire spread, and providing a safer environment for firefighters to suppress wildfire.
- c. Remove that portion of any tree, which extends within ten (10) feet of a chimney or stovepipe outlet.
- d. Maintain any tree adjacent to or over hanging any building free of dead or dying wood.
- e. Maintain the roof on any structure free of leaves, needles or other dead vegetative growth.
- f. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch.

8.5.2. UNDEVELOPED LOTS

Owners of undeveloped lots shall maintain the existing plants and trees so as to provide a good appearance to the public and to assure fire safety.

8.5.3. UNDEVELOPED LOT ANNUAL WEED ABATEMENT NOTIFICATION AND INSPECTION PROGRAM

The mission of this abatement program is to increase safety through fire prevention practices and the development of sheltered firebreak areas to assist in fire fighting action. The **deadline is June 1** each year for abatement of property within the Paradise Pines Property Owners Association.

a. WEED ABATEMENT GUIDELINES

One hundred percent (100%) of each unimproved lot must be abated to the following standards on June 1 each year.

1. GRASS & WEEDS

All grass and weeds must be cut. Grow-back on June 1 shall be no more than six (6) inches.

2. BRUSH/SEEDLING

All plants which are two (2) feet to fifteen (15) feet tall and are not grass and/or weeds. All tree seedlings (saplings) are considered brush with stem height less than 60 inches. Trees that are taller than 60 inches fall under the TREES category. Each plant or clump of plants are to be trimmed so that the outer dimension of the clump umbrella does not exceed ten (10) feet. Spacing of plants or a clump of plants is to be not less than ten (10) feet apart. The above trimming and spacing of vegetation lends to the lot to minimize soil erosion, reduce the fire ladder fuel, increase fire safe conditions and maintain the forest appearance.

3. TREES

Tree growth, inclusive of branches, are to be trimmed up to at least six (6) feet from the ground or one-third (1/3) of the tree height in a belt approximately ten (10) feet wide on all borders of the lot.

4. MISCELLANEOUS

All vegetation piles need to be removed. Cut vegetation or debris is not to be burned, except during the California Department of Forestry/Butte County Fire designated burn season. A current burning permit is required.

ACC INSPECTIONS for abatement compliance will start June 1 of each year. There will be **NO GRACE PERIOD** granted by the ACC.

OWNERS OF LOTS FAILING THE ABATEMENT STANDARDS WILL BE SUBJECT TO AN ENFORCEMENT ASSESSMENT FOR NONCOMPLIANCE. LOTS FAILING ABATEMENT STANDARDS WILL BE REINSPECTED FOR COMPLIANCE WITH ADDED ENFORCEMENT ASSESSMENTS BEING IMPOSED UNTIL THE PROPERTY IS BROUGHT INTO COMPLIANCE.

9.0 NUISANCE CONTROL

A public nuisance is described in Ordinance No. 3824 of the Butte County Code, (An ordinance providing for summary and administrative abatement of public nuisances, recovery of the costs of nuisance abatement and increasing the maximum fine for misdemeanor county code violations). Chapter 32A: Section 32A-2 identifies nuisance conditions or circumstances as:

- a.** Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public.
- b.** Anything which is indecent or offensive to the senses, or an obstruction to the free use of property so as to unreasonably interfere with the comfortable enjoyment of life or property, unlawfully obstruct the free passage or use of a street or highway and at the same time affect an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and or property may be unequal.

9.1 COMPLAINTS

The ACC is responsible for processing nuisance complaints within the Properties.

- a. The ACC will collect, process, and inspect complaints of nuisances within thirty (30) days of receipt. Reasonable extensions may be allowed at the discretion of the ACC, after review of the circumstances by the Committee.
- b. **No anonymous complaints will be processed. The identity of the reporting party(ies) will be held in strict confidence.**
- c. **Whenever possible, ACC will investigate visible complaints from the street.**
- d. **If a property owner/tenant repeats a violation (such as debris, inoperable/yard cars, operation of business, barking/loose dogs, etc.,) within one (1) year of sign off/completion of their case, said violation will be treated as an ongoing violation, with enforcement actions proceeding as if the case had not been completed.**

9.2 INSPECTIONS

Upon receipt of a nuisance complaint, the ACC will inspect the site of the alleged nuisance complaint, determine corrective action and notify the responsible Owner/Tenant in writing of the details of the complaint and ACC's findings.

9.3 RESPONSIBILITY FOR CORRECTIVE ACTION

Owners/Tenants are required to correct any defect of infringement within thirty (30) days from receipt of said notice. The ACC must be notified of completion of any corrective action and the ACC will make a final inspection of that correction before removing the notice.

9.4 FAILURE TO CORRECT DEFICIENCIES

Failure of the Owner/Tenant to respond adequately to the complaint within the allotted time will be brought to the attention of the Board by the ACC, together with its recommendations for further action by the Board. Any action taken by the Board will be addressed to the Property Owner.

9.5 RECORDS

The ACC will establish and maintain a system of recording complaints.

10.0 NUISANCE TYPES

10.1 NOISE

Noise shall mean any unreasonable and preventable audible or electro-magnetic transmission causing undue disturbance or annoyance to the neighbors.

10.1.1 AUDIBLE TRANSMISSION

Audible transmission shall include air-conditioning, radio, television, reciprocating engines and power equipment.

10.1.2 ELECTRO-MAGNETIC TRANSMISSION

Electro-magnetic transmission shall include shortwave radio and CB's.

10.2 JUNK

Junk shall include any accumulation of unsightly or unusable material or equipment such as construction material, wood, vehicles, rubbish and debris.

10.3 LIGHTING

Floodlights or other lighting which is a nuisance to neighbors shall be relocated or removed to eliminate the nuisance.

10.4 CLOTHES LINES

All clothes lines or any other outside laundry facility shall be maintained on the rear portion of the lot or shall be fenced in such a way as to prevent its being seen from the street.

10.5 ANIMALS

10.5.1. DOGS

- a. No Owner or Tenant shall keep or maintain more than two (2) domesticated dogs, excluding pups up to four (4) months of age on any lot.
- b. Commercial breeding of dogs is not allowed.
- c. Lot Owners and Tenants shall not allow dogs to run unsupervised on their lots. All dogs shall be continuously kept under control of their Owners, including Tenants, contractors, visitors, or any person engaged in the performance of work on any lot.
- d. The Butte County "Leash Law" applies to all Owners, Tenants, visitors, contractors, etc.
- e. All dogs shall bear evidence of current registration by the county in which it resides.
- f. All areas provided by Lot Owners for keeping dogs shall be maintained in a neat and orderly manner so as not to be obnoxious or a nuisance to the neighborhood.
- g. Dogs may not be kept or maintained on the front portion of the lot fronting the street.
- h. No dog shall be kept chained or otherwise tethered on the front portion of any lot. Senate Bill 1578 states tethering a dog to a stationary object is illegal.
- i. Owners of dogs shall prevent their dogs from prolonged barking, baying or in any way causing a disturbance or a nuisance in the neighborhood.
- j. Owners of dogs shall be responsible for prompt disposal of wastes deposited by their dogs.

10.5.2 OTHER HOUSEHOLD PETS

A reasonable number of other household pets may be kept in each lot so long as they are not kept, bred or maintained for commercial purposes and in no way cause a disturbance or nuisance to the neighborhood. The Board has the authority to determine what a "reasonable number" is.

10.5.3 OTHER DOMESTICATED ANIMALS

No other domesticated animals, such as livestock or poultry of any kind, shall be kept, bred or maintained on any lot.

10.6 EXCESSIVE SMOKE

Generation of heavy smoke due to burning of wet, green or contaminated vegetation is a violation of state air quality regulations and is additionally subject to action by the ACC.

10.7 DEAD VEGETATION

Dead shrubbery and trees constitute an eyesore, a fire hazard and, in the case of sizable trees, a safety hazard. Failure to remove same in a timely manner shall be cause for action by ACC.

DEVELOPMENT & CONSTRUCTION THAT REQUIRE A PERMIT

DEVELOPMENT & CONSTRUCTION REQUIRING INSPECTION & PERMIT

Addition
Appurtenant structure
Carport
Deck
Decorative fence
Driveway (additional)
Fence
Garage
Gazebo
New home construction/development
Pad (RV)
Parking (additional)
Patio
Pool
Porch
Radio tower or similar structure
Satellite dish over 1 meter in diameter
Shed
Slab (concrete/asphalt/cement)
Tree removal (greater than eight (8") inches in diameter at the level of three (3') feet above the natural grade)
Variance \$75.00 processing fee

REPLACEMENT OR RECONSTRUCTION

- 3.2.1.d.** A new permit from ACC will be required for any replacement or reconstruction of previously built structures or fences on any lot subject to ACC rules. If it is determined that a permit was obtained for the original construction, or that a permit was not required at that time, the replacement will not be subjected to requirements not then in effect. However, any setback violations or encroachments of recreational easements must be corrected, and any construction found to have been done without a required permit will be required to meet any current rules. Replacement or reconstruction for this purpose shall mean that more than half of the existing material is being replaced or torn down and reassembled. Additionally, in the case of a fence, if a substantial portion of an existing fence is completely replaced, the project will be deemed to fall under the permit requirement even though the portion replaced is less than half the total run of fence.

Development & Construction that require a permit

(FIGURE 1)

**ARCHITECTURAL CONTROL COMMITTEE
BASIC GUIDELINES/REQUIREMENTS FOR
NEW CONSTRUCTION AND LOT DEVELOPMENT**

PRIOR to commencement of lot development, the Revised Covenants, Conditions, and Restrictions (CC&R's) recorded October 4, 1988, in Butte County and governing all Properties located within the confines of the Paradise Pines Property Owners' Association, require the following information:

Submittal in duplicate of plot plan and front elevation showing the information as noted on the attached check list and sample plans.

Review of plans is the only means for maintaining controls which enable the PPPOA to eliminate unnecessary tree removal; guarantee health standards through properly approved septic system; and that the type of home will blend in with the community standards. Copy of Butte County approved plans or proof of application should be submitted with all new construction plans.

Authorization to commence the improvements is indicated by an orange permit authorized by the Architectural Control Committee and must be posted at the building site visible to POA Security.

The ACC Office secretary will accept plans for review Monday through Friday from 7:30 a.m. - 4:30 p.m. If you have any questions or need assistance, please call 873-1114, ext. 12. Plans will be reviewed by the Design Review Committee.

Thank you for your cooperation in following the requirements outlined.

Basic Guidelines/Requirements for New Construction
(FIGURE 2)

CHECKLIST FOR PLOT PLAN PREPARATION FOR NEW DEVELOPMENT(S)

REFERENCES:

CC&R'S Article III, Section 3.01 and 3.02., Article IV, Section 4.04 (a) thru (d)

Permanent improvements shall cover no more than 35% of the lot surface. Lots larger than 0.30 acre may be limited to a smaller percentage. Permanent improvements include, but are not limited to:

- a. House footprint.
- b. Garage footprint.
- c. Footprint of any auxiliary buildings such as storage shed(s) shop(s) or gazebo(s).
- d. Driveways, walkways, RV pad and patios of concrete, asphalt, or other non-permeable material.
- e. Decks, covers swimming pools, and other features which will substantially prevent water and air reaching the ground surface.

Indicate on PLOT PLAN the following information and submit one (1) copy to ACC for approval and building permit:

1. Direction of "north" by North Arrow.
2. Name, address, and phone number of Property Owner.
3. Name, address, and phone of developer and/or contractor.
4. Unit and lot number and address (if known) of proposed construction.
5. All areas of proposed improvements, present and future, giving all elevations, including, but not limited to the following:
 - a. New residence: home or mobile home.
 - b. Garages, porches, decks, carport, fences, and sheds.
 - c. Septic tank and leach lines: One hundred (100') feet minimum (based on two bedroom) with fifty (50') feet additional for each added bedroom and provision for alternate leach line location. Septic approval is required by the County; Owner should note the actual placement of septic/leach field locations on his approved site plan for future reference.
 - d. Driveways and parking areas - (asphalt, concrete, chip & seal); hard surface to the setback line.
6. Setbacks, easements and slope of land.
7. Areas of mobile home service hook-up (electric/water/gas.)
8. One (1) set of foundation plans for modular home permit requests.
9. For new home development, all trees to be removed, regardless of diameter, will need prior approval from the Design Review Committee. All trees to be removed marked on plot plan by an "X" and all trees to remain marked with an "O". For all other constructions, all trees greater than eight (8") inches in diameter (at the level of three (3') feet above the natural grade) that are to be removed marked by an "X":
10. Plot Plans must be drawn to scale using one (1") inch to twenty (20') feet (or larger.)
11. Proposed construction schedule (estimated dates from start and completion of phases.)
12. **PRIOR TO ANY CONSTRUCTION AND APPLYING FOR BUTTE COUNTY PERMIT, A POA PERMIT MUST BE OBTAINED.** If a Butte County permit is also required, submit a copy of the Butte County approved plans or proof of application after issuance of POA permit.

Plot Plan Check List

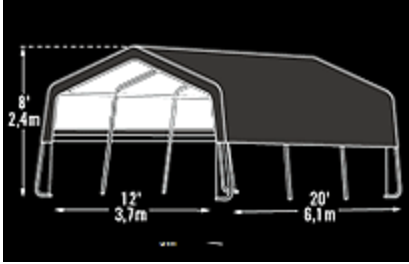
(FIGURE 3)

Sample of Fence Height Requirements
(FIGURE 4)

Sample Plot Plan
(FIGURE 5)

Sample Propane Tank Placement
(FIGURE 6)

Sample Height Requirements
(FIGURE 7)



Diagram

Package Includes

- (1) 12 x 20 x 8 ft. All steel frame
- (1) One-piece, fitted, polyethylene cover or metal

4) Ratchet tie-downs

1(12) Shelterlock™ stabilizing blocks

(4) 15" / 38,1 cm Auger anchors

Steel foot plates

Frame

- Heavy-duty all steel frame is bonded with Dupont™ thermoset powdercoat process prevents chipping, peeling, rust and corrosion. Sturdy 2 in. / 51 cm diameter all steel leg frame.
- Foot Plates on every leg ensure a rock solid base and easy access secure anchor points. (carports must be anchored to the ground)

Cover

- Fitted, fully valanced polyethylene cover.
- Advanced engineered, triple layer chemically heat bonded enhanced weave produces 100% waterproof and rip stop fabric. UV treated inside and out with added fade blockers, anti-aging, and anti-fungal agents resulting in a fabric cover that withstands the elements.

Sample of Carport Requirements

(FIGURE 8)

ENFORCEMENT ASSESSMENTS

- A. All Owners and developers are deemed to be aware of the Association's Documents. All enforcement assessments imposed as listed herein are predicated on violations to those documents.

- B. All Residential and/or Lot Development work performed without an ACC Permit, other than for tree removal (See D below), or not in full accordance with an approved Plot Plan, shall be considered a violation for which an enforcement assessment shall be imposed.
 - 1. Building commenced or finished without a PPPOA permit \$1.00 - \$5.00 per square foot.
(Fences will be measured by linear foot)

- C. Enforcement Assessments for the Unimproved Lot Weed Abatement Inspections Program; Eyesores, (Debris, Skirting Missing, etc.) Vehicles, (Dilapidated, Inoperable, Too Many, Stored on Street, Unregistered, etc.) Pet Issues, (Barking Dogs, Loose Dogs, Too Many Dogs, etc.) Nuisance Control, (Noise Disturbance, Flood Light Disturbance, etc.) and Business Activities, (Operating a business that is a nuisance to the community).

1. Unimproved Lot Weed Abatement Inspection Program:

a. First Violation	\$ 150.00
b. Second Violation	\$ 350.00
c. Third Violation	\$ 500.00
d. Fourth Violation and Subsequent Violation	\$1,000.00

2. Eyesore: (Debris, Junk, Skirting Missing, etc.):

a. First Violation	\$ 150.00
b. Second Violation	\$ 350.00
c. Third Violation	\$ 500.00
d. Fourth Violation and Subsequent Violation	\$1,000.00

3. Vehicles: (Dilapidated, Inoperable, Stored on Street, Too Many, Unregistered, etc.):

a. First Violation	\$ 150.00
b. Second Violation	\$ 350.00
c. Third Violation	\$ 500.00
d. Fourth Violation and Subsequent Violation	\$1,000.00

4. Pet Issues: (Barking Dogs, Loose Dogs, Too Many Dogs, etc.):

a. First Violation	\$ 150.00
b. Second Violation	\$ 350.00
c. Third Violation	\$ 500.00
d. Fourth Violation and Subsequent Violation	\$1,000.00

5. Nuisance Control: (Noise Disturbance, Flood Light Disturbance, etc.):

a. First Violation	\$ 150.00
b. Second Violation	\$ 350.00
c. Third Violation	\$ 500.00
d. Fourth Violation and Subsequent Violation	\$1,000.00

6. Business Activities: (Operating a business that is a nuisance to the community):

a. First Violation	\$ 1,000.00
b. Second Violation	\$ 2,000.00
c. Third Violation	\$ 4,000.00
d. Fourth Violation and Subsequent Violation	\$ 8,000.00

- D. Each tree measuring over eight (8") inches in diameter, three (3') feet above the ground, removed for any reason without ACC approval/permit. The Enforcement Assessment will be set by a majority vote of the AC Committee volunteers and rulings will be made by a case by case scenario.
\$ 100.00 - \$ 1,000.00
- E. Any other non-compliance with the ACC Rules and Regulations, other Association Documents, or decisions of the Board of Directors concerning variances may be considered a violation for which an enforcement assessment may be imposed.
\$ 25.00 - \$ 1,000.00

Enforcement Assessment
(FIGURE 9)

HEARINGS AND APPEALS

The ACC shall notify the Owner (and Tenant) of the violation(s) in writing and offer the Owner (and Tenant) the opportunity to be heard at the next monthly ACC meeting. At that meeting, the ACC will conduct a hearing with the Owner (and Tenant) after which the ACC will determine if an enforcement assessment should be recommended to the Board of Directors to impose and for what amount. If an enforcement assessment is recommended, the Owner (and Tenant) will be notified in writing and given the opportunity to appeal the recommendation to the Board of Directors at their next scheduled meeting. If the Board of Directors approves the enforcement assessment, a 'Notice of Imposed Enforcement Assessment' letter is sent to the Owner by way of Certified mail and first class mail. Such notice shall include the opportunity for the Owner to appeal to the Board of Directors.

NOTICE OF IMPOSED ENFORCEMENT ASSESSMENT

To:

RE: Paradise Pines Property

Please be advised that it has come to the attention of the Board of Directors of the Paradise Pines Property Owners Association that your property at ___ which is owned by you, is in violation of Article ___ Section ___ of the Revised Declaration of Covenants, Conditions and Restrictions of the Association and Section ___ of the ACC Rules and Regulations for noncompliance of ___.

Because of the foregoing violation, the Board of Directors imposes an enforcement assessment of \$___ in accordance with the established Enforcement Assessment Schedule ___ in the ACC Rules and Regulations. This enforcement assessment shall be due within thirty (30) days from the date of this notice. If you wish to contest this enforcement assessment, you must notify the Board of Directors in writing at 14211 Wycliff Way, Magalia, California, 95954, within twenty-five (25) days of the date of this notice. Upon receipt of your request, the Board will place you on the agenda for the next scheduled meeting of the Board of Directors and you will be given notice of the time and place of such meeting by first-class mail at the address set forth above or at any other address that you include in your written request.

If you request a hearing, the enforcement assessment set forth above need not be paid until five (5) days after the completion of the hearing on your protest and decision by the Board and then only if the Board does not reverse or modify its previous action. At the hearing, you should be ready to present any documentary evidence and testimony of witnesses that you believe would be helpful to your position. Although you need not do so, it may be helpful for the Board's deliberations if you present any testimony you may have from witnesses in writing. The PPPOA offers Alternative Dispute Resolution ("ADR") in accordance with Civil Code Section §5925, and Internal Dispute Resolution ("IDR") in accordance with the Civil Code Section §5900, provided that it is requested within thirty (30) days.

If you fail to pay any enforcement assessment imposed against you, the Board may proceed to seek legal or collection action to recover any amounts due, together with late charges, interest and costs including reasonable attorney's fees attributable to or incurred in the collection thereof. If you fail to correct said problem within thirty (30) days, your property will remain on the inspection list and the Board may proceed to impose additional enforcement assessments.

President, Board of Directors

Dated:

Notice of Imposed Enforcement Assessment
(FIGURE10)