

ACC RELATED RULES

The Shadow Brook Swim Club and Homeowners Association Covenants, Conditions, and Restrictions (CC&Rs) are mutually beneficial restrictions which are designated to protect the Owners of Shadow Brook. The enforcement of these CC&R's ensures the most appropriate development and maintenance of all properties and enhances the value of all homes within Shadow Brook. In conjunction with the CC&R's and Bylaws, the rules, policies and procedures stated below are part of the governing documents of the Shadow Brook Swim Club and Homeowners Association. These Rules are Board approved in accordance with Davis-Stirling Act and Shadow Brook's existing CC&R's.

Architectural Control Committee ("ACC") Approval for New Construction: Any ACC approval (for exterior remodeling, new construction, landscaping, etc.) is effective for six (6) months from approval date. After that time approval is considered expired and you must resubmit your plans.

Antennas:

Only antennas for the reception of broadcast TV, FM, and Satellite broadcast antennas (i.e., "dish" antennas 39.31 inches or less in diameter) are permitted. All other types of antennas are not allowed. It is requested that the antennas for broadcast reception not be attached to the front walls of the residence or near the front roof eave of the residence. If you have any questions, please contact the ACC who may be able to advise as to placement.

Home Maintenance:

Because Shadow Brook homes were built around 1970, some components of the original construction have been routinely replaced throughout the properties in the process of maintaining the residences and the desirable appearance of Shadow Brook. Replacement of the following components with materials equal to or better than the original material are part of normal maintenance and do not require ACC approval.

1. Replacement of exterior windows with equal or better windows. Double pane windows are commonly installed as replacements.
2. Replacement of concrete driveways with equal or better concrete driveways. Any change to the features of the driveway, including size, color, shape or materials, must be approved by the ACC.
3. Replacement of exterior doors or garage doors with equal or better garage doors. Garage doors are to be painted to match the existing color of the residence unless otherwise approved by the ACC.
4. Replacement of rain gutters and down drains with equal or better material. The replacement gutters and down drains are to be painted to match the existing color of the residence unless otherwise approved by the ACC.
5. Replacement of entry walks with equal or better materials. However, any change to the features of the walkway, including color, size, shape or materials, must be approved by the ACC.
6. Replacement of existing siding with equal or better siding. However, any change to the features of the siding, including color, material, size, positioning or general aesthetic must be approved by the ACC.

7. Replacement of existing fencing with equal or better materials. However, any change to the features of the fencing, including material, color, size, positioning or general aesthetic must be approved by the ACC.

Painting:

Prior to painting, the Owner must receive approval from the ACC on any color and/or finish (flat or matte) by completing and submitting an ACC Request Form. In the event a color is not approved, the Owner may petition the Shadow Brook Board.

The Owner of any home deemed by the ACC to be in need of repainting shall be notified in writing of such need. The Owner shall have 30 days from the date of the letter to respond in writing with a plan outlining the work timeline and what color scheme (ACC approved) shall be used. All painting work must be completed within 90 days of receiving the initial notice from the ACC. The following criteria shall be used to evaluate the paint conditions of the home (as seen from the street or from a neighboring home) in the Shadow Brook subdivision:

1. Areas of cracked or peeling paint;
2. Large areas of mold or mildew;
3. Large cracks or holes in the exterior stucco;
4. Areas of rust on any rain gutter or wrought iron;
5. Paint condition that has degraded or oxidized.

Failure to gain ACC approval prior to painting your home may result in the need to repaint at the Owner's expense.

Landscaping:

Each Owner shall have the obligation to maintain in sound and attractive condition the parking strip (area between sidewalk and street that borders the property) in the front and on the side of their Lot, their driveways and walkways, and their landscaping and fencing that is visible from the street. Prior to commencing any landscaping project, including changes to fencing, driveways and walkways, the Owner must receive approval from the ACC after completing and submitting an ACC Request Form. Failure to gain approval prior to any landscaping project may result in the need to re-landscape at the Owner's expense.

The ACC shall periodically review landscaping and fencing within Shadow Brook and may require Owners to make improvements. The ACC will notify the Owner in writing if any improvement work is necessary. The Owner shall have 30 days from the date of the ACC's notification to respond in writing with a plan to complete the work within 90 days of receiving the initial notice from the ACC. The items below identify the responsibilities of the Owner with regard to landscaping.

1. No completely bare soil or dirt.
2. No substantial areas of dead grass or weed patches.
3. No bare soil or dirt shall be evident where decorative rock or bark is being used.
4. Landscaping should not obstruct the sidewalk, or street, either vertically or horizontally.

5. All fencing shall be maintained in a structurally sound condition and the color, style and material must be approved by the ACC.
6. No driveway or entry walkway may be surface-painted any color. Integrated color concrete driveways and entry walkways may be allowed if approved by the ACC.
7. Any landscape lighting other than traditional low voltage landscape lighting must be approved by the ACC.
8. Weed block material must be covered completely such that it does not show through the landscape material (e.g. decorative bark, mulch, rocks or grass).

Roofing:

General Guidelines - The roofing rule purpose is to preserve the aesthetic quality of the neighborhood based on the original plan of the development. In particular, approved materials will be based on the standard of maintaining a "shake" or "tile-like" appearance. Prior to installing a new roof, the Owner must achieve approval from the ACC after completing and submitting an ACC Request Form. Approval by the ACC will require a majority vote and is based on the roofing material and color's ability to enhance and beautify the existing neighborhood, as well as its consistency with the general guideline. In the event a roof is not approved, the Owner may petition the Shadow Brook Board.

Specific Decisions:

1. Replacing a roof with heavy or medium wood shake is automatically approved.
2. The ACC will not maintain a list of manufacturers, colors and styles. Instead, the ACC will consider the widest possible selection based on the general guideline. This allows the ACC to consider new materials as they are brought to the marketplace.
3. Roofing color will be approved based on the current process and criteria for exterior color schemes.
4. Heavy weight fiberglass asphalt shingle roofing material of a three layer type fiberglass construction (e.g., "Tri-Laminate"), weighing 450 or more pounds per square, having or simulating a "shake like look," and having available a 50 year warranty (or a lifetime warranty equivalent to or prorated over 50 years) qualifies for approval by the ACC. Lower weights of this material do not qualify.

Failure to gain ACC approval prior to installing your roof may result in the need to remove and replace the roofing material at the Owner's expense.

Siding and Exterior:

1. Prior to installing new siding that changes the exterior appearance of the home, the Owner must receive approval from the ACC after completing and submitting an ACC Request Form. Siding will only replace existing horizontal siding.
2. Color of the siding must be approved by the ACC consistent with the existing paint rules.
3. Siding must be of cement or wood material.
4. Siding must be "beaded" or "Dutch lap" style.

Other Miscellaneous Items:

1. All garbage, green waste and recycling bins are to be stored in a location that is not visible from the street.
2. Only outdoor or patio furniture may be placed outdoors if it is visible from the street.
3. Window shades, blinds, or curtains visible from the street must be maintained in good condition. Materials not designed for window treatments (e.g. newspaper or aluminum foil) may not be used to cover windows visible from the street.
4. Temporary storage units (e.g. storage pods) visible from the street or from a neighbor's Lot are permitted for no longer than 30 days within a 365 day period.
5. Backyard sheds/storage containers visible from the street must be maintained in good condition and must conceal the contents therein such that the stored contents are not visible from the street.
6. Dumpsters are not permitted on the street, front yard, or driveway for longer than 1 week. Longer durations related to home remodels or new construction will be taken into consideration by the ACC during the related approval process.
7. All Lots shall have ACC approved fencing along the back and side yards such that the backyard is not visible from the street.
8. Vehicles that are not legally operable on the public streets or that appear to be inoperable due to vehicle condition may not be parked or stored on any Lot (including the driveway) in the setback area, or on a public street within the boundaries of Shadow Brook.
9. Any vehicle, camper, boat, aircraft or trailer that is parked or stored on any Lot behind the setback area shall be in an area that provides for a five-foot setback from any property line and is not visible from the street.
10. Vehicles parked on a Lot must be parked on a paved surface, and vehicles parked on a Lot must be parked on a driveway and not on walkways adjacent to the driveway. A well-maintained planting area must exist between driveways that are next to each other.
11. All Owners must immediately notify the Shadow Brook HOA when they rent their homes, and must provide the appropriate contact information to the relevant HOA representative so the HOA can communicate effectively with the renter.