

WHISPERING HILLS
COMMUNITY ASSOCIATION
LAKE FOREST, CALIFORNIA



RULES
&
REGULATIONS
BOOKLET



REVISED DECEMBER 2003
(ADOPTED FEBRUARY 23, 2004)

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Revised 12-31-03

INTRODUCTION

Whispering Hills is a 350 unit residential community located in the City of Lake Forest, California. The community is comprised of condominium and town home units. The common amenities include four tot lots and three pool areas, each containing a spa, showers and rest rooms.

The ongoing operation and management of this community is the responsibility of the Whispering Hills Community Association, a non-profit, mutual benefit California corporation. The Whispering Hills community is supported by two major sources:

- (1) Volunteerism – residents may volunteer to serve on the Board of Directors and/or to serve as members of committees within the Association.
- (2) Assessments – timely payment of monthly assessments by all owners.

The overriding document governing the operation and maintenance of the Whispering Hills Community is our Covenants, Conditions and Restrictions Declaration (“CC&R’s”). In addition, further detail is provided through the Bylaws of the Association. Copies of the CC&R’s and Bylaws are provided to each unit owner during the escrow period of their home purchase.

The Rules and Regulations do not supercede the CC&R’s. Association members and residents are responsible for abiding by these documents as well as the Rules and Regulations set forth herein. In addition, unit owners are responsible for informing their guests and tenants of the use and restriction provisions of these documents and are ultimately responsible for the conduct of their guests and tenants. One responsibility of the Board of Directors is to enforce all rules and regulations. There are some issues, such as noise levels, where individual judgment about the nuisance may vary. The Board requests that residents seek first to work out such problems with the neighbors. Another recourse may be to contact local authorities. The Board will assist in cases where a problem is on-going and corroborated by others.

GENERAL INFORMATION

The Board of Directors is composed of five members elected by the general membership each January. Each term is a two-year term with rotating terms, such that two seats are up for election in even-numbered years (2000, 2002, etc.) and three seats are up for election in odd-numbered years (2001, 2003, etc.). The owner(s) of each unit has (have) one vote to cast per seat up for election. If two seats are up, each unit has two votes. If three seats, three votes.

As of publication of this document, the Board of Directors meets the fourth Monday of the month at 6:00 p.m. After the Board meeting is opened, a "Homeowners' Forum" is held. During this forum, the Board will inform the community members of any new developments. Homeowners are encouraged to attend and to ask questions and provide suggestions and/or possible solutions during this time. This is your best opportunity to voice your thoughts and find out how your Association is being administered. Following the homeowners' forum, the Board will commence its regular business meeting. Homeowners are invited to attend but are asked to hold their questions until after the business portion of the meeting is completed. The executive session, reserved for matters that cannot be discussed publicly (personnel issues, delinquencies, contracts, etc.), begins at about 7:00 p.m.

COMMITTEES

Committees are the way in which homeowners can assist in the business of running the community. You can also express your needs, review suggestions, make recommendations to the Board, and make an important contribution to the decision-making process. Show your support of the Association by joining one of the following committees:

- Architectural: Reviews and makes recommendations to the Board of Directors on Architectural Applications.
- Landscape: Performs monthly "walk throughs" (a visual inspection of the property, landscaping, common areas, etc.) and provides ideas and makes suggestions to the Board regarding the landscaping, pools, and overall maintenance of the Association property.
- Nomination: Recruits candidates for openings on Board of Directors four (4) months prior to the election. This committee will also aid in coordinating the election process, counting the proxies, and announcing the new Board members.
- Welcome: Welcomes new owners and helps answer questions that the new owners might have about the Association or community.
- Newsletter: Coordinates with the management company in the preparation of the newsletter, writing articles, and introducing new residents.

ARCHITECTURAL

As stated in our CC&R's, Article IV Section 4.02:

"No construction, alteration, removal, relocation, repainting, demolishing, addition, modification, decoration, redecoration or reconstruction of an improvement in the property shall be commenced or maintained, until the plans and specifications therefore showing the nature, kind, shape, height, width, color, materials and location of the same shall have been submitted to the Committee and approved in writing by the Committee."

The Board of Directors shall approve plans if it deems the alteration will not be detrimental to the appearance of the surrounding area of the property as a whole, that the appearance of any structure affected will be in harmony with the surrounding structures, that the construction will not detract from the beauty, wholesomeness and attractiveness of the Common Property or the enjoyment by other members, and that the upkeep and maintenance will not become a burden on the Association.

1. The Architectural Committee reserves the right to determine whether removal, replacement or repair is appropriate when correcting unauthorized or improperly completed modifications.
2. Maintenance of doors, screen doors, windows and garage doors is the responsibility of the homeowner. Any changes to doors or windows require prior written approval. Screen doors require approval. Please ask the management company about the pre-approved styles.
3. Any change of a unit layout involving breaking through a wall and/or roof requires prior approval by the Architectural Committee. Altering the attic space is not allowed.
4. Modification of any utility service except for cable TV and telephone requires prior written approval.
5. Changes to cabinets, built-in appliances and fixtures are permitted without approval as long as such changes do not alter the common or load bearing walls.
6. Exterior painting on the inside of the fence or patio cover does not require written approval as long as the color matches the exterior color of the building. Repainting of doors, window frames, or garage doors requires prior approval. Color specifications are on file at the management company.
7. Changing or adding exterior light fixtures, requires prior Architectural Committee approval.
8. No sheets, blankets, paper, foil, cardboard or other such items are to be hung over the windows, unless the Association is notified that it will be a temporary situation during repairs, painting, or cleaning of permanent window coverings.
9. All window coverings must be maintained in good condition.

SATELLITE DISHES AND ANTENNAE

1. Areas Under an Owner's Exclusive Use and Control.

(a) **Dishes.** Satellite dishes and antennae designed to receive video programming services via multi-point distribution services may be installed in an area under an owner's exclusive use or control so long as such antennae and satellite dishes are (i) one meter or less in diameter, (ii) installed in the least visually obtrusive portion of an owner's property where an acceptable quality signal can be received, so long as such installation is not unreasonably expensive, and (iii) either screened from view or painted to match the surrounding area so as to blend in with the surrounding area, long as such screening or painting is not unreasonably expensive.

(b) **Broadcast Antennae.** Antennae designed to receive television broadcast signals may be installed in an area under an owner's exclusive use or control so long as (i) an acceptable quality signal cannot be received via an indoor antenna (e.g., an antenna mounted in an attic, "rabbit ears," etc.), (ii) the antenna used is the smallest size available at a reasonable cost that receives an acceptable quality signal, and (iii) the antenna is installed in the least visually obtrusive portion of an owner's property where an acceptable quality signal can be received, so long as such installation is not unreasonably expensive.

(c) **Notification.** After installing an outdoor antenna or satellite dish pursuant to Paragraph (a) or (b) above, the owner must complete and submit a Notification form to the Association. The Association will inspect the antenna or satellite dish to determine compliance with the above requirements.

2. Areas Not Under an Owner's Exclusive Use or Control.

A satellite dish or television antenna may only be installed in an area that is not under the owner's exclusive use or control if (a) the satellite dish or antenna has a diameter or diagonal measurement of thirty-six inches (36") or less, (b) the satellite dish or antenna is not visible from any street or common area, and (c) the owner has applied for and received Architectural Committee approval for installation of the satellite dish or antenna. Approval for such installation may be conditioned on the owner and/or installer of the satellite dish or antenna entering into an agreement with the Association relating to maintenance, repair or replacement of roofs or other building components, and a requirement that the installer indemnify or reimburse the Association and its members for loss or damage caused by the installation, maintenance or use of the satellite dish or antenna.

Note: The above updated information was added by the Association's legal counsel at the time of this revision.

SIGNS AND COMMON AREAS

The definition of "Common Area" is as follows: All portions of Whispering Hills property not located within the walls of the living areas as originally designed, including but not limited to attics and air spaces between units, pool areas, parking areas, and restricted common areas such as balconies and entry courts. (See CC&R's Article 1 Section 1.15 and 1.16 for legal definitions.)

SIGNS

The following rules and regulations apply to signs within the Whispering Hills Community.

1. No signs shall be posted in the common area. (For Sale or Rent signs may be posted in common areas only from Saturday at 8:00 a.m. to the following Sunday at 6:00 p.m.). Signs left out beyond these times will be removed.
2. One for sale or rent sign is permitted on the interior of one window of the unit for sale/for rent (see Article VIII Section 8.04).
3. No signs, posters or flyers may be posted on the mailboxes or in building windows.

COMMON AREAS

1. No tents, antennae or other structures may be erected anywhere. For satellite dishes, see Page 6.
2. All toys, basketball hoops, games and other personal belongings used in common areas shall be immediately removed from the common area following their use.
3. Bicycles shall be stored inside the unit or garage.
4. No laundry, pool towels, rugs and other such items shall be hung on the fences, patios or balconies. Installation of clotheslines is not permitted on the fences, patios, balconies or common areas. No curtains or drapes may be hung from the patio cover.
5. No storage is allowed in the common areas including balconies and patios. The following items are the only items permitted in upstairs balcony areas:
 - a. Furniture designed primarily for outdoor use.
 - b. Portable barbecues.
 - c. Plants in pots with waterproof trays that must be on footed platforms to allow for drainage.
 - d. Portable toy chests.
 - e. Any damage to the decking from items put on the deck will be the financial responsibility of the owner.

6. Skates, skateboards, bicycles, and other wheeled toys are prohibited in the pool areas and on lawns, slopes and any landscaped areas.
7. Climbing is not permitted on walls, buildings, fences, roofs, or trees.
8. Hiking or playing in the landscape or on the slopes is not permitted.
9. No plants, pots or other personal items may be balanced on the fences or second floor balconies. Plant holders that clip on the fence and are not permanently attached and which allow the plants to hang to the inside of the fence are permitted.
10. No climbing vines may be attached to or touching the fence or walls. Owners will be financially responsible for damages caused by these vines.
11. No personal items, pots, or plants may be placed in the common areas.
12. Any debris that is washed or swept off patios, driveways or decks must be properly disposed of and not left in the common area.

LANDSCAPE

The following rules apply to the landscaped areas of the Whispering Hills Community.

1. Nothing is to be left in the common areas, on steps, sidewalks, landings, or light standards. This includes toys, sculptures, carriages, walkers, bicycles, barbecue equipment, patio furniture, and hoses. In the Greenridge section of the community, potted plants may be placed on steps and landings as long as they do not pose a danger to people using the steps and landings.
2. In the Greenridge sections on the plant shelves on the outside of the living room windows, pots must be uniform in size and have colors in keeping with the color scheme of the buildings. All plants must be on plant saucers with waterproof trays that must be on footed platforms to allow for drainage. Owners will be held financially responsible for any damage to plant shelves.
3. No planting, trimming, pruning, or removal of any plant material in the common area by an owner, tenant, or guest is permitted. Contact the management company for consideration of your request for trimming or removal.
4. Pots, plants, and yard decorations are not permitted in the common areas.

PARKING

The following rules and regulations address the parking of vehicles within the Whispering Hills Community.

All unit occupants must regularly park at least one of their vehicles in their garage. Non-commercial Aircraft, watercraft, trailers, vehicles that are not "street legal" (e.g., dirt bikes, quad runners, dune buggies, motorized scooters) and non-operational vehicles (collectively, "Prohibited Vehicles,") and commercial-type vehicles (see Rule 9) may not be parked in the Common Areas.

1. Unit occupants may only park vehicles that are neither Prohibited Vehicles nor commercial-type vehicles in the Common Area parking spaces.
2. All vehicles parked in designated parking stalls may use only one parking stall at any given time. Vehicles that cannot fit into a single designated parking space may not take up two designated parking spaces, but, instead, must park outside the Association Complex. Vehicles must not extend more than 1 foot into the street or over the curb.
3. No parking is permitted at any time in front of mailboxes, fires hydrants, red-curb areas, or areas designated by "No Parking" signs.
4. Disabled or project vehicles may be parked in a garage provided there is space to park a street-legal, operating vehicle as well. If there is insufficient room, these vehicles must be stored off the Association Complex.
5. No parking is permitted in Upper or Lower Greenridge driveways or any area between buildings.
6. No parking is permitted in Upper or Lower Heatherview driveways or any area between buildings except those driveways that are car length cement drives leading into a garage.
7. Vehicles blocking streets, common area access, and resident garage access are subject to immediate tow at owner's expense.
8. Vehicles abandoned or left unattended for more that 72 hours are subject to immediate tow. (Please notify the Management Company in writing of any extenuating circumstances such as vacation, extended business travel, or illness and on what date you will return and move the vehicle.)

9. Commercial-type vehicles including, but not limited to, panel trucks, flat beds and stake beds may park in designated parking areas only when contracted for service by the Association or a resident. Exceptions will be made only for commercial vehicles such as moving vans, utility trucks, delivery trucks, etc. while performing their service. Commercial type vehicles not providing authorized service must park off the Association Complex at all times.
10. The maximum speed limit on the Association streets is 5 miles per hour.
11. Repairing and restoring vehicles within the Association Complex may only be done in garages provided such repairs and/or restoration does not create a noise/pollution or nuisance problem for the neighbors. It is the owners'/tenants' responsibility to completely remove any oil or stains from their driveway.
12. Vehicles violating any of the above Parking Regulations are subject to immediate tow. All costs incurred in the removal of vehicles, including, but not limited to, towing, storage, impound, and attorney fees will be charged to the owner of the vehicle involved or to the unit owner responsible. The Association is not responsible for any damage incurred to vehicles towed. Unit owners are responsible for their guests' and tenants' vehicle violations within the Association Complex.
13. Garage doors must be kept closed when occupants are not in the garage or transporting items to and from a vehicle.

PERSONAL CONDUCT

The following rules and regulations apply to the personal conduct of owners, tenants and guests within the Whispering Hills Community use period vs. colon to conform to prior text

1. No horns, whistles, bells or other sound producing devices, except security devices with automatic shut-off systems, shall be audible outside the unit in which they are located. Wind chimes are permitted as long as they do not create a nuisance for the neighbors.
2. Littering of the common area with any debris, including cigarette butts, is prohibited.
3. Stereo, television, domestic quarrels, social gatherings, or other potentially loud activities shall not be allowed to reach a noise level that unreasonably interferes with the use and enjoyment of the other residents' property.
4. No business or commercial activity shall be conducted or maintained on the property, except professional and administrative occupations within units provided there exists no external evidence of them, no traffic is generated by the business, and all applicable requirements of the city and county are satisfied (see CC&R's Article VIII Section 8.09).
5. Fireworks, BB guns, paint ball guns and other such items are strictly prohibited.

PETS

The following rules and regulations apply to pets and pet owners within the Whispering Hills Community: ~~use period vs. colon to conform to prior text~~

1. All pets must be licensed in accordance with local laws and display the proper identification tag with a telephone number traceable to the unit address.
2. Pet owners shall be 100% liable for any damage to person or property caused by their pet(s).
3. Pets shall not disturb the peace and quiet of the community. Owners shall not allow their pets to produce a level of noise that is objectionable to other residents.
4. The number of pets is limited to two per unit (CC&R's Article VIII Section 8.07).
5. Pets are not permitted within the pool enclosures.
6. Pet owners are required to pick up their pets' waste and dispose of it in a sanitary manner.
7. All dogs are to be confined to inside the homeowner's residence and patio area and are not permitted outside unless kept on a leash by a person capable of controlling the animal. (Refer to CC&R's Article VIII, Section 8.07.)
8. Animal waste **shall not** be washed off from patios, balconies, or garages onto common areas or restricted common areas.

POOLS AND SPAS

The following rules and regulations apply to the use of pools and spas within the Whispering Hills Community: use period vs. colon to conform to prior text

1. Pools and spas are open 24 hours a day. No excessive noise is permitted after 10 p.m. The pools are not heated during the winter months.
2. Guests must be accompanied by a resident at all times. Residents must use good judgment in the number of guests using the pool/spa area at one time, especially during periods of high use such as weekends.
3. When an owner rents/leases a unit, all rights to the pools, spas and other common areas are transferred to the tenant. The unit owner is still responsible for informing tenants of their rights and obligations under the CC&R's and these Rules & Regulations. The unit owner is also responsible for any violations of these rules by the tenant(s) and the tenants' guests.
4. No animals are allowed in the pool enclosures.
5. No diving is allowed.
6. No throwing or pushing of people or objects is allowed inside the pool enclosure.
7. No running within the pool area is permitted.
8. No climbing on gates, fences, or furniture is permitted.
9. Children under 14 years of age must be accompanied and supervised and supervised by a responsible adult (18 years of age or older).
10. Children under 4 years of age are not allowed in the spa.
11. Appropriate swim attire must be worn at all times when using the pool or spa. Swim diapers, rubber pants or other watertight swimwear must be worn by persons with bladder control or incontinence issues. Excessive noise or water play that disrupts the residents nearby or the swimming pleasure of others is not allowed.
12. Glass containers, bicycles, skateboards, any other wheeled toys, Frisbees, or any other breakable or sharp objects are not allowed in the pool area.
13. Flotation devices are allowed as long as they do not disrupt the swimming pleasure of others.
14. No bubble bath or other substances/additives are allowed in the pools or spas.

15. Pool gates are to be kept closed and locked at all times as required by law.
16. Residents should not unlock the gate for anyone unknown to them.
17. Pool gates may not be propped open.
18. Pools cannot be reserved for private parties.
19. Association furniture must not be removed from the pool/spa areas.
20. Residents who bring their own furniture, towels, or other personal property to the area must remove same upon departure.
21. The Association is not responsible for the loss of any personal property.
22. Alcoholic beverages are not allowed in the pool/spa areas at any time.

OUTDOOR SEASONAL DECORATIONS

1. Permitted outdoor seasonal decorations may be displayed for no more than 60 days total and must be taken down 15 days after the holiday.
2. Outdoor type seasonal lights are permitted in restricted use common areas (i.e., patios, balconies).
3. Sound producing devices are permitted as long as they do not become a nuisance.
4. Rooftop displays of any kind are prohibited, except light strings attached to eaves.
5. The unit owner is responsible for any and all damage to persons, property and/or common areas.
6. Christmas trees are **NOT** to be placed in the trash dumpsters in the Greenridge areas. Put trees inside the trash enclosure not outside of the enclosure. Waste Management will not pick up flocked trees. Residents are required to dispose of them off the property. Waste Management will pick up trees up to 6 feet tall; taller trees must be cut in half. In the Heatherview areas, place trees next to the curbside trash can. Waste Management requests that all trees be put out right after Christmas.

TRASH

1. **Heatherview:** Trash cans are to be put out no more than 12 hours before pickup and must be taken in no more than 12 hours after pickup.
2. **Greenridge:** All trash must be placed inside the dumpster. Cardboard boxes must be broken down. Items too large for the dumpster shall be removed privately at the owner's expense. Trash enclosure Trash enclosure gates are to be kept closed at all times.

NOTE: The disposal company will not pick up any items that are not placed inside the dumpsters so please call them at 949-451-2600 if you have items that won't fit into the dumpsters. Waste Management offers one free pick up per year for large items such as sofas, refrigerators, desks, etc. If the Association must remove large items, there is a substantial charge for this service.

ENFORCEMENT PROCEDURES

For a detailed description of the Whispering Hills Enforcement Procedures, see Article XII of the Association Bylaws.

As residents of Whispering Hills, we share many facilities and services. More importantly, we share responsibilities. One such responsibility is in conforming to our governing documents. The need for enforcement of the provisions defined in these documents arises when homeowners, residents and guests violate these provisions.

It is not the intent of the Association to create a "police state" or to place undue penalties or restrictions on residents. However, it is important that all members of our community work together to keep the Whispering Hills Community a well run and pleasant place to live.

Failure to comply with the CC&R's or Rules & Regulations can result in one or more of the following actions by the Association:

1. The levy of a Special Assessment as provided for in the CC&R's.
2. Suspension or conditional use of the recreational facilities.
3. Suspension of the owner's voting privileges.
4. Entrance into the residence to make necessary repairs, or to perform maintenance, which is the responsibility of the unit owner, but which has not been performed.

Association CC&R's and Rules & Regulations are specifically designed to protect property values as well as the privacy and enjoyment of all homeowners. The following procedures and penalties define the uniform enforcement rules:

If the Board of Directors imposes discipline on the homeowner, the Board of Directors shall provide the homeowner with written notification of the disciplinary action either by personal delivery or first class mail within 15 days following the action.

The Association shall deliver to the homeowner written notice of a hearing on the alleged violation at least 10 days prior to the hearing. The notice must contain at least the following information: date, time and place of the hearing, the nature of the alleged violation, and a statement that the homeowner has a right to attend and may address the Board of Directors at the hearing.

Following the conclusion of the hearing, the Board of Directors may:

1. Dismiss the complaint or
2. Impose one, some, or all of the following:
 - a. Order corrective action to restore damaged property and levy an assessment equal to the repair cost.
 - b. Levy a fine of \$50 for each violation. The fine may be repeated every 14 days for continuing violations without further hearings.
 - c. Any of the other options listed in the prior sections.

If the Board of Directors imposes discipline on the homeowner, the Board of Directors shall provide the homeowner with written notification of the disciplinary action by either personal delivery or first class mail within 15 days following the action.

All sums for restitution of property and/or fines levied that have not been paid within 30 days of the assessment date will be considered delinquent and handled accordingly.

NOTE: An exception to the hearing procedure shall be violations of the parking rules which may be enforced by towing of improperly parked vehicles without prior notice in accordance with applicable law.