

POINSETTIA COVE MAINTENANCE CORPORATION**ARCHITECTURAL RULES & GUIDELINES****Adopted December, 1999****INTRODUCTION**

One of the most important functions of Poinsettia Cove Maintenance Corporation is the preservation of the architectural character of the planned community of Poinsettia Cove in order to enhance the desirability and attractiveness of the entire community. Poinsettia Cove Maintenance Corporation has been charged with the administration and enforcement of architectural control within the community by the authority given to it in Article III of the Covenants, Conditions and Restrictions (hereinafter referred to as the CC&R's) of Poinsettia Cove Maintenance Corporation. The CC&R's provide for an Architectural Review Committee (ARC) to be appointed by the Board of Directors. This Committee has the authority to review and approve or disapprove all plans and specifications submitted to it for any proposed "improvement" as defined in Article X, Section 1 of the CC&R's.

INTENT OF THE GUIDELINES

These guidelines are primarily concerned with the physical appearance of the community environment. It is the intent of these guidelines to direct design efforts toward a homogeneous and quality response to the natural and built environments. Please note that although the guidelines support the CC&R's, they do not cover the entire document. For more information, please refer to the CCC&R's which are binding on all owners and should be fully understood.

Amendments: These guidelines may be amended from time to time by the ARC subject to Board concurrence. It is anticipated that any changes will be primarily additive in nature and will involve substitutive changes to existing guidelines. However, the existing guidelines may be amended to reflect changed conditions or technology.

Approval: The ARC may condition its approval of plans and specifications with such changes it deems appropriate and may require submission of additional plans and specifications or other information or materials prior to approving or disapproving plans and specifications. In the event ARC fails to approve or disapprove plans and specification within thirty (30) days after receipt by the committee of all materials requested, such plans and specifications will be deemed approved. (See Article X, Section 2). The owner requesting approval of plans and specifications may be asked to make contact with impacted lot owners, for comment, prior to the final decision for approval/denial being made by the Architectural Committee and/or Board of Directors.

Decisions: In rendering its decisions, the ARC may consider aesthetics, function, drainage, the effect on the Common Area or Common Maintenance Area, the interests of the owner requesting the proposed improvements, as well as the interest of other owners and other related matters which the Committee deems relevant. It is

expressly recognized that the interests and considerations may at times be in conflict, and it will be within the ARC's jurisdiction to resolve such conflicts in the manner it deems appropriate. Any appeals to decisions of the ARC will be governed by Article X, Section 10 of the CC&R's.

GENERAL CONSTRUCTION GUIDELINES

It will be the responsibility of the owner of the residence on which an approval was granted to ensure that the conditions set forth below are enforced upon all persons or firms used, engaged or employed in carrying out any operation or trade in conjunction with the construction of the improvement.

Construction Completion: Please note that all alterations, improvements and/or conditions must be completed within a period of ninety (90) days of approval of the plans, unless otherwise requested and approved by the Board of Directors and/or Architectural Committee.

Signs: No signs will be displayed on any residence without prior ARC approval other than a sign advertising the property for sale as permitted by the CC&R's. This included tradesman's contractors', and installers' signs of any type, including the signs identifying the residence as the site of their activities or operations.

Hours of Operations: All operations will be carried on between 7:00 a.m. and Dusk on Monday through Friday and 8:00 a.m. and Dusk on Saturdays, Sundays and holidays. In the event City ordinances are more restrictive, the city ordinance will prevail.

Temporary Structure: No structure of a temporary character, will be permitted to remain on any lot without the written approval of the ARC.

Unightly Items: All rubbish, debris and unsightly material or objects of any kind will be regularly removed from the lot and will not be allowed to accumulate thereon. Removal will be made weekly, no later than Friday and will not be allowed to accumulate on the street right-of-ways or common areas.

Streets and Walkways: No construction debris or materials are permitted to remain on the streets and walkways. All items of such nature must be stored on the owner's lot.

MECHANICAL & SOLAR DEVICES

Mechanical and Solar Energy Plans: Include all mechanical devices exposed to the exterior and all solar collectors, racks, storage facilities, and distribution components.

All mechanical equipment exposed to the exterior, including pumps, heaters and air-conditioning compressors, and solar devices including collectors, racks, storage facilities and distribution components will be subject to review and approval of the ARC.

WINDOW & DOOR OPENINGS

Window openings within exterior wall surfaces will be located in a manner consistent with the existing treatment.

Glazing, Tinting and Shading: Glass tinting or shading must be compatible with the existing treatment. Reflective glass film will not be permitted. Exterior awnings are subject to approval by the ARC for continuity and compatibility with the development and the home.

ROOFING

All roofing materials will be consistent with the original treatment. Built-up roofing material in flat areas will be colored to match the sloped material.

Roof Vents: All roof vents to be colored to match the dominant roofing material.

Sheet Metal: All exposed sheet metal to be colored to match related material or surface being flashed.

FENCE WALLS & HEDGES

Plot Plan: Show all existing buildings, structures, fences, walls, sidewalks and other improvements. Show all dimensions on work to be considered. Note all finish materials, colors and textures of proposed work. For alterations or additions note if finish is to match existing finish.

Fence, Wall and Hedge Improvements: Fences, walls and hedges will not exceed six (6) feet in height. Fences, walls and hedges which will abut any existing wall or fence will not exceed the established height of the existing wall or fence, except heights required by building codes for protection of swimming pools or spas.

The height of all fences, walls and hedges will be measured vertically from the average finished grade at the base of the fence or wall. Tops of all fencing, walls or hedges installed on level ground will be level. Tops of fencing, walls or hedges installed on slopes, where permitted, may be parallel with the slope or stepped.

Structural framing and/or unfinished sides of fences or walls will not be exposed to any public right-of-way, common area or other lot.

Acceptable Materials: Materials utilized for perimeter walls and fences will be consistent with or an improvement upon the perimeter walls, fences and gates originally installed by Declarant.

Acceptable Color Finishes: The ARC may approve the addition of wrought iron fencing of black or white color; wood fencing of a complimentary stained finish; white or house stucco color; black wall of house stucco color; or stucco wall of house stucco color, color of house siding.

Maintenance: Please understand that the Board of Directors and/or ARC has a duty to ensure that fences which have an aesthetic impact on the community are maintained on a regular basis. Should you receive notice that your fence is in need of maintenance and neglect to make the repairs in a timely fashion, the Board may opt to perform the maintenance and bill the homeowner for all costs incurred, including but not limited to, administrative fees, materials and labor.

PATIO STRUCTURES - SUN SHADES & GAZEBOS

Side elevations of structures will not be enclosed except in the case where a wall of a dwelling forms a natural enclosure to some or all portions of a side elevation.

No objects such as urns, pots, planters, etc. will be placed on top of structures in this section.

Acceptable Materials: Structure of frame work, including any overhead portions, to be of wood construction only with the exception of vertical support members. Vertical support members may be clad with stucco or brick to relate to existing structures.

POOLS - SPAS - HOT TUBS - PONDS & FOUNTAINS

Plot Plan: Show all existing building, structures, fences, walls, sidewalks and other improvements. Show all dimensions on work to be considered.

Note all finish materials, colors and textures of proposed work. For alterations or additions, note if finish is to match existing finish.

Pool Plan: Include pools, spas, hot tubs, heating and filtering equipment and enclosures or screening and drainage. All accessory equipment, except solar collector panels, will be located, screened, or recessed in such a manner so as not to be viewed from any lot or street right of way. Solar collector panels will be located in a manner to minimize visual impacts. Heaters will be stackless or low-profile in configuration. Solar collector panels including racks and distribution components will be subject to ARC review and approval as to materials, method of installation and exposure of any portion thereof.

LANDSCAPING & RECREATIONAL STANDARDS

Landscape Plans: Include drainage systems, walks and hardscape, planting area, planters, decks, fences and walls, stairs, trellises, arbors, gazebos, ponds, fountains, ground covers, shrubs, trees, ornamental rocks and courtyard lighting. The installation of Eucalyptus trees are prohibited within the community. No trees, bushes, shrubs or other plants which would exceed the permitted height of the dwelling on any lot shall be planted or installed until the plans and specifications for the placement of such trees, bushes, shrubs or plants have been submitted to and approved by the ARC.

Lots have been engineered and graded to allow for proper drainage. Retain a civil engineer to review any significant modification of established grading or drainage.

MISCELLANEOUS IMPROVEMENTS & ALTERATIONS

Recreational: The ARC may consider the possible impact to other lots when reviewing proposed outside recreational use or activity areas. Such review will include, but not be limited to, noise and light intrusion.

Mailboxes: There will be no exterior newspaper tubes or free standing mailboxes except as may have been initially installed by the Developer.

Flagpoles: The design, material and installation of flagpoles will be subject to the review and approval of the ARC.

Basketball Backboards: Backboards may not be permanently erected or attached to the dwelling or garage.

Clotheslines: Clotheslines must be interior and out of view.

Dog Houses: Dog houses are to be located in the rear yard and only in areas which are not centrally visible from the front of the property.

Antennas: No exterior radio and television antennas may be erected without ARC's approval. However, a small satellite dish 36" diameter or smaller, installed on the roof below the height of the chimney(s) will be permitted with prior approval of the ARC. We respectfully request that the satellite dish be painted to match existing colors in the vicinity so as to present a more aesthetically pleasing view.

Barbecues: Barbecue fires must be located in rear yards only and must be contained within receptacles designed for that purpose, which do not create a fire hazard are allowed. Location of a barbecue should take into consideration relation to house and neighboring properties.

Driveways: All landscape planters will not exceed a maximum of 6" beyond the width of the column separators and under no circumstances extend beyond the garage door entrance(s).

Exterior Lighting: Acceptable exterior lighting will be directed or screened from being visible from adjacent streets or homes such that it is not intrusive to adjacent streets and homes.