ARCHITECTURAL GUIDELINES

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PREFACE

Introduction of the Architectural Guidelines

Welcome to your new home at Piazza Palermo! These Architectural Guidelines are designed with the goal of maintaining the aesthetic beauty of the Piazza Palermo Project.

Prior to making any improvements, you must first submit a complete Architectural Submittal Package to the Board of Directors for review and approval. After receiving written approval from the Board of Directors and complying with applicable city/governmental agencies, you may install your improvements, or undertake your approved action. Please review these "Architectural Guidelines" prior to completing your application form to ensure your submittal is complete. In the event of a conflict between these Architectural Guidelines and the Declaration of Covenants, Conditions and Restrictions of Piazza Palermo **("Declaration")** Declaration shall prevail. All defined terms set forth in the Architectural Guidelines shall have the same meaning as set forth in the Declaration.

It is recommended that you also refer to Article 9 of the Declaration in conjunction with these Architectural Guidelines to insure a complete understanding of the submittal and review process. If at any time you have any questions regarding the review process, please contact your Property Management Company.

Purpose

These Architectural Guidelines are not intended to restrict individual creativity or personal preference, but rather to assure and preserve the value, desirability, attractiveness and architectural integrity of the Piazza Palermo project.

As set forth in the Declaration, the Board of Directors has the power to review and approve all improvements upon or around any Condominium.

SUBMITTAL OF APPLICATION FOR ARCHITECTURAL APPROVAL

Submittal of Application

Prior to the commencement of any addition, alteration, construction work or other improvements of any type on any Condominium, you must first submit a Submittal Package to the Board of Directors for approval of such work. Unless specifically exempted under these Architectural Guidelines, you should submit a package for approval of **all** improvements to the Board of Directors in accordance with the procedures set forth below. The following is intended to describe some of the improvements which require approval by the Board of Directors. However, even though a proposed improvement may not be listed below, unless the Declaration or Architectural Guidelines specifically exempts a particular improvement, you should submit an application for your proposed improvement to the Board of Directors.

Improvements Requiring Approval

Interior Improvements: All Interior improvements to your Condominium (including modifications and alterations), require the approval of the Board of Directors. For the purpose of these Architectural Guidelines, the term "Interior Improvements" shall include, but not be limited to:

- Flooring (tile, marble, granite, wood, etc.)
- Moving of non-bearing walls » Plumbing
- Permanent fixtures
- Ceilings and columns
- Any other Improvement which may impair or alter the structural integrity of the building or the Condominium.

Electrical, HVAC and Plumbing: New installations or changes to any originally installed electrical, HVAC or plumbing of any kind require approval by the Board of Directors.

Exterior Changes or Additions: Unless installed by Declarant, or approved by the Board of Directors, the following items are prohibited: (a) outside installations, including balcony, patio or deck covers, wiring, air conditioning equipment, water softeners, other machines and other improvements, (b) improvements to deck or balcony railings, and (c) other exterior additions or alterations to any Condominium.

Flooring: Any flooring to be installed within the Condominiums requires approval by the Board of Directors. No Owner shall install tiles or any other materials in any Exclusive Use Easement Areas (i.e., Exclusive Use Balcony, Patio or Roof Areas).

Interior Changes or Additions: Any change or modification impacting the structural integrity of walls, ceilings, or columns requires the approval of the Board of Directors.

Improvements in Patios and Balconies Areas: Patio furniture and other similar outdoor furnishings located in the Exclusive Use Patio Area, Exclusive Use Balcony Area or Exclusive Use Roof Area shall be equipped with protective leg caps or other devices to prevent damage to the floor of such areas. Plants kept in these Exclusive Use Areas shall be kept in pots or planters which do not allow water to drain outside of such pot or planter, and must not be allowed to collect

condensates or moisture between the receptacles and the floors, and no vegetation shall be permitted to extend beyond the railings, walls and/or other boundaries of such Exclusive Use Areas, except as approved by the Board of Directors. The Board of Directors may require the approval of any potted plants.

Window Coverings: All window coverings, including temporary window coverings, shall be of a neutral color harmonious with and not conflict with the color scheme of the exterior wall surface of the Condominium.

Entry Door Hardware: Owners shall not remove or replace any hardware on any entry doors without the prior approval of the Board of Directors.

Failure to Obtain Approval

Failure to obtain approval by the Board of Directors **or failure to complete the Improvements in conformity with the plans and specifications and construction schedule, if applicable, approved by the Board of Directors, will** constitute a violation of the Declaration, and may require modification or removal of unauthorized work of **improvements at Residential Owner's expense, in addition to any fines, assessments and/or surcharges against such Owner.** In addition, a building or other permit may be required by the County or City Building Department, or other governmental agencies prior to the commencement of any work. Neither the Board of Directors, nor the Association assumes any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the obligation to obtain Board of Directors approval.

Architectural Review Submittal Requirements

Addresses for submittal requests for Architectural Review:
Piazza Palermo Owners Association
c/o Action Property Management, Inc.
1501 Front Street
San Diego, CA 92101

Architectural Review Process and Procedures

Application for Approval:

An **Architectural Submittal Package must be submitted for all** improvements requiring approval by the Board of Directors

Delivery of Submittal Package:

The **Architectural** Submittal Package and any re-submittals must be delivered in a manner where receipt for delivery can be obtained. This may include personal delivery, overnight courier or any method where Management acknowledges receipt of the **Architectural** Submittal Package in writing.

Submittal Package:

In order to expedite the approval process for any improvement other than patio furnishings and window coverings, **a completed Architectural Submittal Package** must include **each of the** following:

- **Checklist (REQUIRED)**
- **Request for Approval Form (REQUIRED)**
- **Description of Improvement/Modification Form (REQUIRED)**
- **Contractor or Installer Work Plan (REQUIRED)**
- **Contractor's License, Liability Insurance & Workers' Comp. Insurance. Insurance certificates must name Association as additional insured: Piazza Palermo OA, 1501 Front Street, San Diego, CA 92101(REQUIRED)**
- **Homeowner and Contractor signatures on the appropriate installation guideline(s)**
- **General Installation Requirements for All Projects (REQUIRED)**
- **Hardwood Flooring Installation Requirements**
- **Hard Surface Flooring Installation Requirements**
- **Contractor Installation Requirements**
- **Architectural Drawing; Hard Copy. Mechanical and plumbing plans required (if applicable).**
- **Supplemental Drawings and/or product literature regarding materials used**

NO REVIEW WILL OCCUR unless all required plans, forms, and information for your proposed Improvement(s) are included in your Architectural Submittal Package.

Submittal Package for Patio Furnishings and Window Coverings:

For any patio furnishings and window coverings, the Owner shall submit one (1) copy of drawings showing the design, materials and colors of the patio furnishings and window coverings.

Review of Application

Management shall, upon behalf of the Board of Directors, review the **Architectural** Submittal Package to ensure that it contains all of the information required. If the **Architectural** Submittal Package is complete, Management will forward the package to the Chair of the Board of Directors.

The Architectural Submittal Package will not be submitted to the Board of Directors unless it is completed. Failure to submit a complete Architectural Submittal Package will constitute an incomplete application, and the application will be stamped incomplete and returned to the Condominium Owner for completion prior to review by the Board of Directors. The Architectural Submittal Package may be deemed complete by the Owner unless the Owner is informed otherwise by Management within ten (10) days after delivery to Management.

The Board of Directors will review the Architectural Submittal Package and will provide written notification of approval, approval with conditions, or disapproval of the proposed modifications to Management. **Management will then provide written notice of the actions taken by the Board of Directors within forty-five (45) days from the receipt of the Architectural Submittal Package along with one (1) set of the Architectural Submittal Package, appropriately marked with the Board of Directors's action.** If an Owner fails to receive notice of the action by the Board of Directors within such forty-five (45) day period,

then the Owner shall have the right to deliver a reminder notice to the Board of Directors and Management. If the Owner fails to receive a response within fifteen (15) days after delivery of the Owner's reminder notice to the Board of Directors and Management, the Architectural Submittal Package will be deemed approved provided that any Improvements conform to all conditions and restrictions within the Declaration and are in harmony with similar structures erected within the Project.

The Board of Directors shall have the right to hire any architect, engineer or other consultant, the opinion of which the Board of Directors deems necessary in connection with its review of any plans submitted by any Owner and such Owner shall be liable for payment of such architect's, engineer's and/or consultant's fee.

Improvement Plans:
Plans and Specifications for works of Improvement must be prepared in accordance with the applicable building codes, and with sufficient clarity and completeness to enable the Board of Directors to make an informed decision on your request.

General Conditions

Approval by the Piazza Palermo Board of Directors does not constitute waiver of any requirements required by any governmental agencies. Architectural approval of plans does not constitute acceptance of any technical or engineering specifications, and the Piazza Palermo Owners Association assumes no responsibility for such. The function of the Board of Directors is to review submittals for architectural design of Improvements, placement of Improvements, color schemes, exterior finishes and materials and similar features which are recommended for use in the Project. All technical and engineering matters are the responsibility of the Owner. In addition to the restrictions set forth in the Declaration and the Association Rules, each Owner shall also comply with the following restrictions and guidelines.

1. **Building Permits.** Building permits may be required for certain Improvements or changes. The applicant shall obtain Board of Directors approval of any Improvements requiring a building permit prior to requesting such permit from the City.

2. **Damage to Common Area and/or Association Property:** An Owner shall be responsible for any damage to the Common Area and/or Association Property. All applicable charges for restoration will be charged back to the Owner by the Piazza Palermo Owners Association and are due and payable within thirty (30) days from notification to the Owner.

3. **Effect of Approval:** Approval of plans is not authorization to proceed with Improvements on any property other than the Condominium owned by the applicant.

4. **Building Code Requirements:** It shall be the responsibility of the Owner to ensure that proposed modifications shall be consistent with applicable building code requirements. No Improvements will be permitted that could impair the structural integrity or mechanical systems of the Project, or lessen the support of any portion of the Project.

Requirements for Contractors and Subcontractors and Requirements for any Work of Improvement

Insurance and Contractors License:

Each Owner shall ensure that all contractors, subcontractors, or any other person or entity who/which performs work on or within the Project, including the interior of any Condominium, shall provide proof of insurance, proof of valid workers compensation insurance, a California State Contractors License (if applicable) and a San Diego Business License (if applicable) to the Board of Directors. The Association shall be named as an additional insured on the Certificates of Insurance for the period of time the work is in progress.

Registration of Work:

All contractors, subcontractors, or any other persons who perform work on or within the Project including the interior of any Condominium, shall provide prior notice to Management and shall wear an identification badge, and must follow the map provided by Management. Management representatives have the right to accompany the person or persons performing the work and take photographs of the condition of the Common Area or Association Property prior to the commencement of the work and after completion of the work.

Damage:

Any damage caused by contractors or sub-contractors to any Common Areas, Association Property or Condominiums is the Owner's responsibility. Any damage must be reported immediately to the Management office. The Owner will be held liable for the actions of his/her contractors, subcontractors and/or workers and the Owner will be responsible for any costs of repair incurred by the Association.

Protecting Floor Areas and Elevators:

All floor areas are to be protected with carpet runners from the elevator to the Condominium. Similarly, the elevators must be protected with padding. The protective coverings must be removed and the floor cleaned by 4:00 P.M. each day.

Trash and Debris:

All trash and debris must be carried off-site on a daily basis. Neither the trash rooms in the parking garage, nor the trash chutes located on the residential floors may be used for disposing of installation debris.

Working Hours:

Working hours for any Improvements are limited to Monday through Friday, 8:00 am. to 4:00 p.m. No work is allowed on Saturday or Sunday or on the following holidays: New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving, Yom Kippur and Christmas Day.

Parking of Vehicles:

Contractors must park vehicles in accordance with the requirements established by the Association.

Conduct by Workers:

Workers are not allowed to bring their pets within the Project and will be denied entry if they have a pet with them. Workers are prohibited from creating nuisance noise unrelated to the construction work. Workers are also prohibited from eating meals or taking breaks on the grounds in the

Common Areas or Association Property. All workers must wear shoes, pants or shorts and sleeved shirts with sleeves in the building at all times. No workers may use the power from the hallway.

Selection of Contractors:
The Owner may select any general contractor he/she chooses or act as the general contractor and hire subcontractors. All contractors must be licensed in the State of California and must have Workers Compensation Insurance and General Liability in amounts deemed adequate by the Board of Directors.

Property Damage Insurance, Certificates of Insurance:
Certificates of insurance must be presented to the office and no work will be allowed until the certificates are submitted.

Stopping Work:
The Association has the right to stop any work that is in violation of these regulations, creates a fire or safety hazard, or interferes with activities in Common Areas or Association Property.

Equipment:
Contractors must use their own equipment. No equipment or tools which are the property of the Association are to be used at anytime.

Minimizing Dirt, Etc.:
The front door of each Condominium must be kept closed during construction in order to contain dust, dirt, noise, paint fumes, etc. Arrangement with Management need to be made in order to cover and protect smoke detectors located in the Common Area corridors adjacent to the Condominium.

Owner Responsibility:
Each Owner is responsible for any violations by such Owner's contractor or subcontractors of the Architectural Guidelines, the Association Rules and Declaration.

Failure to Comply with Required Procedures

If any architectural change is made without the approval by the Board of Directors or any violation of the Architectural Guidelines occurs, the Board of Directors may deliver written notice of violation to the Owner. The violation notice shall specify a time period for removal of the non-conforming Improvement which the Board of Directors reasonably determines is necessary to remove the non-conforming Improvement. The Condominium Owner shall, upon receipt of the notice remove the non-conforming Improvement within the time period specified in the notice or make an appeal to the Board in writing. If an Owner fails to file an appeal within fifteen (15) days of receipt of the notice of violation, the Owner shall have waived any right to appeal.

Upon receipt of a written appeal, the Board shall, if there is a fine schedule adopted by the Board, stay the enforcement of the fine or imposition of any further fines until an appeal hearing has be concluded. Within thirty (30) days of a request for a hearing, the Board shall schedule an appeal at a time and date to be determined by the Board. The appeal hearing shall be conducted in an informal manner and the Condominium Owner shall have the opportunity to present any information or evidence to have the fine excused or mitigated. The decision of the Board shall be final.

Final Approval by the Board of Directors

As set forth above, the Board of Directors shall give final approval or disapproval of your request within thirty (30) days from submission of a completed application (including all the

required supporting information, and documentation). In the event the Board of Directors fails to approve or disapprove your request within thirty (30) days from receipt of your completed Application, you may submit a written notice to the Board of Directors advising the same of its failure to act.

If the Board of Directors fails to approve or disapprove your Plans and Specifications within fifteen (15) days after the receipt of said notice from such, your Plans and Specifications shall be deemed approved provided that any Improvements conform to all conditions and restrictions within the Declaration and are in harmony with similar structures erected within the Project.

Approved with Conditions

A copy of the executed request form and an approval report or a copy of the plans stamped and signed by the Board of Directors will be returned to the applicant. The plans will contain Board of Directors changes or stipulations that shall become a part of the plans and shall represent the terms and conditions of approval to be satisfied by the Applicant. All use restrictions contained in the Declaration shall be in full force and effect and shall control the construction activities of the Owner.

Disapproval by the Board of Directors

If the Board of Directors disapproves any Submittal Package, the party or parties making such submission may appeal in writing to the Board. The Board must receive the written request for appeal not more than thirty (30) days following the disapproval decision of the Board of Directors.

Within thirty (30) days following receipt of the written request for appeal, the Board shall render its written decision. The failure of the Board to render a decision within the thirty (30) day period shall be deemed a decision against the appellant. The decision of the Board shall be binding and final.

Enforcement Policy

Failure to obtain the necessary approval from the Board of Directors, or failure to complete the Improvements in conformity with the Plans and Specifications approved by the Board of Directors, may constitute a violation of the Declaration and these Architectural Guidelines and may require modifications or removal of any work or Improvement at your expense.

Any violation that is an alleged violation of the Declaration, Architectural Guidelines, or Association Rules of the Piazza Palermo Owners Association will be processed according to the Association's established Enforcement Policy.

Government Regulations and Requirements

Conflicts between the requirements or actions of the Board of Directors and the mandatory regulations or ordinances of any governmental entity will be resolved in accordance with the provisions set forth in the Declaration. As set forth in the Declaration, approval of the Improvements by the Board of Directors does not constitute compliance with applicable governmental regulations and requirements.

Inspection and Correction of Work

Inspection of work and correction of defects therein shall proceed as follows:

Right of Inspection During Course of Construction:

The Board of Directors or its duly authorized representative may enter into any Condominium, from time to time, as provided below during the course of construction or installation of any Improvements for the purpose of inspecting such construction and/or installation. If the Board of Directors determines that such construction and/or installation is not being done in substantial compliance with the approved Plans and Specifications, it shall notify the Owner of the subject Condominium of such non-compliance. The Board of Directors may not enter into a Condominium without obtaining the prior permission of the Owner or occupant of such Condominium; provided, however, that such permission shall not be unreasonably withheld and shall be given for entry by the Board of Directors during the daylight hours within forty-eight (48) hours of the request for entry.

Notice of Completion:
Upon the completion of any construction or reconstruction or the alteration or refinishing of any Improvements, or upon the completion of any other work for which approved Plans and Specifications are required under this Article, the Owner shall give written Notice of Completion thereof to the Board of Directors. **In addition, for hard surface flooring, the homeowner must submit a copy of the receipt for the flooring and underlayment products purchased.**

Inspection:
Within thirty (30) days thereafter the Board of Directors, or its duly authorized representative, shall have the right to enter into Condominium, as provided in Subsection 9.6.1 of the Declaration, to inspect such Improvement to determine whether it was constructed, reconstructed, altered or refinished to substantial compliance with the approved Plans and Specifications.

If the Board of Directors finds that such construction, reconstruction, alteration or refinishing was not done in substantial compliance with the approved Plans and Specifications, it shall notify the Owner in writing of such non-compliance within such thirty (30) day period, specifying particulars of non-compliance, and shall require the Owner to remedy such non-compliance.

Non-Compliance:
If, upon the expiration of thirty (30) days from the date of such notification, the Owner shall have failed to remedy such non-compliance, the Board of Directors shall notify the Board in writing of such failure. After affording such Owner notice and hearing, the Board shall determine whether there is a non-compliance, and if so, the nature thereof and the estimated cost of correcting or removing the same. If non-compliance exists, the Board shall require the Owner to remedy or remove the same within a period of not more than thirty (30) days from the date of the Board ruling.

If the Owner does not comply with the Board ruling within such period or within any extension of such period as the Board, in its discretion, may grant, the Board, at its option, may either remove the non-complying Improvement or remedy the non-compliance and the Owner shall reimburse the Association for all costs and expenses incurred in connection therewith upon demand and release the Association from any claims arising from such work. If such expenses are not promptly repaid by the Owner to the Association, the Board shall levy an enforcement assessment against such Owner for reimbursement.

Failure to Notify:
If for any reason the Board of Directors fails to notify the Owner of any non-compliance within sixty (60) days after receipt of said Notice of Completion from the Owner, the Improvement shall be deemed to be in accordance with said approved Plans and Specifications.

ARCHITECTURAL STANDARDS

The standards set forth below shall apply to the improvements within the Project. These standards are in addition to the standards set forth in the Association Rules and the other Governing Documents.

ANTENNA AND SATELLITE DISH

I. DEFINITIONS

"Antenna" - any device used for the transmission and receipt of video or audio services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS), including antennas that have limited transmission capability which are designed to aid the user in selecting or using video programming. A mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.

"Covered Antenna" - an Antenna covered by the FCC's Over-the-Air Reception Devices (OTARD) Rule.

"Individually Owned Property" - property defined in a recorded deed or other Association Governing Documents as being owned solely by the Resident, regardless of whether the Association has maintenance responsibility for that property.

II. ANTENNAE SIZE AND TYPE

Owners may install the following Covered Antennas in accordance with the architectural review process set forth in the Declaration and these Architectural Guidelines, provided that such rules do not unreasonably delay Covered Antenna installation, maintenance, or use; unreasonably increase the cost of Covered Antenna installation, maintenance, or use; or preclude reception of acceptable-quality signals from Covered Antennas.

1. Antennas designed to receive Direct Broadcast Satellite (DBS) service that are 39.4 inches (1 meter) or less in diameter.

2. Antennas designed to receive Multipoint Distribution Service (MDS) that are 39.4 inches (1 meter) or less in diameter.

3. Antennas designed to receive television broadcast signals, regardless of size.

III. LOCATION

1. Covered Antennas shall be installed solely on Individually Owned Property or Exclusive Use Areas and shall not encroach upon, or overhang into, any Common Area, Association Property or any other Resident's Individually Owned Property or Exclusive Use Area.

2. Covered Antennas shall be located in a place shielded from view from other Condominiums, from streets, or from outside the Project to the maximum extent possible. If Covered Antennas can receive acceptable-quality signals from more than one location, then Covered Antennas must be located in the least visible preferred location.

3. If an installation cannot comply with the previous section because the installation would unreasonably delay, unreasonably increase the cost, or preclude reception of acceptable-quality signals, the Resident must ensure that the installation location is as close to a conforming location as possible. The Association may request an explanation of why the nonconforming location is necessary.

IV. INSTALLATION AND REMOVAL

A. Procedures

Covered Antennas shall be neither larger nor installed higher than is absolutely necessary for reception of an acceptable-quality signal.

1. Unless otherwise prohibited by law, Covered Antennas installed within the Exclusive Use Area must be installed on a stand or tripod only and such stand or tripod may not puncture the floor surface of the Exclusive Use Area or the walls of the building surrounding the Exclusive Use Area.

2. All installations shall be completed so that they do not materially damage any Association Property or Common Area or void any warranties of the Association or other Owners, or in any way impair the integrity of any building in the Association. Owners are liable for any personal injury or damage occurring to Association Property, Common Area or other Owners' Individually Owned Property or Exclusive Use Areas arising from installation, maintenance, or use of a Covered Antenna. Covered Antenna removal requires restoration of the installation location and any other affected locations, if any, to their original condition. Owners shall be responsible for all costs relating to restoration of these areas.

3. Owners are required to hire a professional antenna installer. Any installer shall comply with the requirements for contractors and subcontractors set forth in these Architectural Guidelines. The purpose of this regulation is to ensure that Covered Antennas are installed in a manner that complies with building and safety codes and manufacturer's instructions. Improper installation could cause damage to structures, posing a potential safety hazard to other Owners and personnel.

B. Installation on Exclusive Use Patios and Balconies

The following devices shall be used whenever possible:

1. Devices that permit the transmission of telecommunications signals through a glass pane without cutting or drilling a hole through the glass pane or other Common Property; and

2. Devices such as ribbon cable that permit the transmission of telecommunications signals into a residence through a window or door without penetrating the wall; and

3. Existing wiring for transmitting telecommunications signals and cable services signals.

C. **Covered Antenna Camouflaging**

1. Provided that paint will not degrade the signal, Covered Antennas shall be neutral in color or painted to match the color of the structure (wall, railing) near where they are installed.

2. Covered Antennas installed on the ground and visible from the street or other Owners' Condominiums must be camouflaged. A Covered Antenna preferably should be camouflaged by existing landscaping or screening. If existing landscaping will not adequately camouflage the Covered Antenna, then the Association may require additional camouflage. If the camouflaging will cause an unreasonable cost increase, then the Association has the option to pay for additional camouflaging.

3. Exterior Covered Antenna wiring shall be installed so as to be minimally visible and blend into the material to which it is attached.

V. SAFETY

Because the Association has a legitimate safety interest in preventing personal injury or property damage occurring due to improper or unsafe Covered Antenna installation, Owners must follow the listed safety guidelines:

A. Covered Antennas shall be installed and secured in a manner that complies with all applicable codes, safety ordinances, city and state laws and regulations, and manufacturer's instructions. If an Owner must obtain a permit in compliance with a valid safety law or ordinance, then the Resident shall provide a copy of that permit to the Association before installation. The purpose of this rule is to ensure that covered Antennas are installed safely and securely, and to minimize the possibility of detachment and resulting personal injury or property damage.

B. Covered Antennas shall be installed solely on Individually Owned Property or Exclusive Use Areas and shall not encroach upon, or overhang into, any Common

C. Area, Association Property or any other Resident's Individually Owned Property or Exclusive Use Area.

D. Unless the above-cited codes, safety ordinances, laws, and regulations require a greater separation, Covered Antennas shall not be placed within five (5) feet of electrical power lines (above-ground or buried) and in no event shall Covered Antennas be placed where they may come into contact with electrical power lines. The purpose of this requirement is to prevent injury or damage resulting from Covered Antenna contact with power lines.

E. Covered Antennas shall not obstruct access to or exit from any doorway or window of a Condominium, walkway, ingress or egress, electrical service equipment, water shut-off valves, or any other areas necessary for the safe operation of the Project. The purpose of this requirement is to ensure the safe ingress or egress of Owners and management personnel.

F. To prevent electrical and fire damage, Covered Antennas shall be permanently and effectively grounded.

G. To prevent detachment during a storm, Covered Antennas shall be installed to withstand wind speeds of 70 mph.

VI. ASSOCIATION MAINTENANCE OF LOCATIONS UPON WHICH COVERED ANTENNAS ARE INSTALLED

A. If Covered Antennas are installed on property that is maintained by the Association, the Owners retain responsibility for Covered Antenna maintenance. Covered Antennas must not be installed in a manner that will result in increased maintenance costs for the Association or for other Owners. If increased maintenance or damage occurs, Residents are responsible for all such costs.

B. If maintenance requires the temporary removal of Covered Antennas, the Association shall provide Owners with ten (10) days' written notice. Owners shall be responsible for removing or relocating Covered Antennas before maintenance begins and replacing Covered Antennas afterward. If they are not removed in the required time, then the Association may do so at the Owners' expense. The Association is not liable for any damage to Covered Antennas caused by Association removal. The Association is not responsible for reinstalling Covered Antennas.

BARBEQUES

Submittal Requirements:

Permanent barbeques need to be submitted to the Board of Directors for approval. No charcoal barbeques or chimneas will be permitted. Only electric, gas, butane or propane barbeques will be permitted. See the Association Rules for further restrictions regarding barbeque use.

DRAINAGE

Submittal Requirements:

There shall be no interference with the established drainage patterns, level, or grade over any Condominium or Common Area, unless an adequate alternative provision is made for proper drainage and written approval is obtained from the Board of Directors.

Failure to make adequate provisions for proper drainage in the event it is necessary to change the established drainage over Owner's Residential Unit could cause major problems and result in imminent danger to person(s) or property of other residences.

If you alter drainage, or if you install Improvements in such a way as to alter the drainage, you, not the Piazza Palermo Owners Association, will be responsible for any resulting consequences in any way related to drainage. You are responsible for damage caused by Owner's failure to properly provide for adequate drainage.

EXCLUSIVE USE AREAS

Submittal Requirements:

1. Outdoor furniture: Outdoor furniture must be submitted to the Board of Directors for approval prior to being placed in any Exclusive Use Balcony Area,

   Exclusive Use Patio Area or Exclusive Use Roof Area constructed or installed. Umbrellas must remain closed when not in use.

2 * Plants: All potted plants must have a tray placed underneath the pot to prevent water spillage onto the balcony or patio. Such trays, and any other device designed to hold water, must be raised above the surface of the patio or balcony in order to allow sufficient air flow beneath such tray or device. Potted plants shall not be placed in a position on any deck or patio which will block any drains or obstruct drainage patterns. Hanging plants are not permitted. Plants must be kept in a presentable condition. No items including statuary, potted plants, electrical lighting, etc. shall be placed on or over any patio or balcony railings.

3. Awnings Etc.: Awnings, ornamental screens, and sunshades shall not be permitted on any structure or elsewhere within the Project except those that are originally installed by Declarant.

4. Storage: Patios and balconies are considered an aesthetic addition to the Project and should be utilized in good taste and be generally attractive and inoffensive to other residents. These areas are not to be used for such purposes as drying laundry or miscellaneous storage.

5. Tiling and Carpeting: No Owner may install any tile or carpet or any other materials within any Exclusive Use Balcony Area, Exclusive Use Patio Area or Exclusive Use Roof Area.

FLAGS AND FLAG POLES

Submittal Requirements:
Flags of the United States need not be submitted for Board of Directors approval provided that they conform to the following guidelines. However, the Association reserves its rights set forth in the Declaration to prohibit Improvements that may pose a health or safety risk in the Project.

Guidelines:

1. Owners may display a flag of the United States made of fabric, cloth or paper displayed from a staff or pole within the Residential Unit, including a window, or on a tripod within the Exclusive Use Area. In no event may any Owner install a staff or pole which attaches to the walls of any Exclusive Use Patio Area or Exclusive Use Balcony Area herein.

2. This excludes displaying a depiction or emblem of the United States flag made of lights, paint, roofing, siding, paving materials, flora or balloons or any other similar building, landscaping or decorative component.

3. All other flags must be submitted to the Board of Directors in accordance with the procedures set forth in the Declaration and these Architectural Guidelines.

FLOORING – INTERIOR

Submittal Requirements:

Except for those interior floors installed by Declarant, no Owner shall install flooring (including without limitation tile or hardwood floors) or replace any flooring unless the prior approval of the Board of Directors has been obtained. As a condition to approving the installation or replacement of flooring, the Owner shall submit to the Board of Directors a construction drawing clearly indicating the type of flooring to be installed and the underlayment to be provided to mitigate against impact noises such as footfalls. The drawing must clearly identify all materials, their composition and thickness.

Guidelines:

1. STC and impact insulation class (IIC) will be approximately 57 for carpet and pad.

2. STC and impact insulation class (IIC) will be approximately 65 for wood or tile.

3. All floor areas within a Condominium shall be covered with materials designed to minimize noise transmission. The installation of carpet must include the installation of padding if the Condominium is situated on any floor above any other Condominiums or any Common Areas. **The installation of hard surface flooring must include installation of underlayment material to minimize noise transmission and achieve the STC and IIC level indicated above.**

FLOORING - ADDITIONAL REQUIREMENTS FOR HARD SURFACE

Submittal Requirements:

The Owner of any Condominium wishing to install a hard surface floor must submit to the Board of Directors the following:

(a) **An Architectural Submittal Package with all documents required.**

(b) A construction drawing clearly indicating the type of flooring to be installed and the underlayment to be provided to mitigate against impact noises such as footfalls. The drawing must clearly identify all materials, their composition and thickness.

(c) A plan view drawing of the hard surface flooring area indicating the location of all adjacent partitions, cabinets, etc., with referenced details indicating the method of isolating the hard surface flooring along the entire perimeter.

(d)A copy of the installation instructions from the resilient floor underlayment manufacturer.

(e) The name, qualifications, and experience of the contractor who will install the hard surface flooring and resilient underlayment with a listing of his experience in the

installation of floors utilizing impact insulation materials. **A copy of the contractor's license and certificate of insurance must be submitted.**

(f) The proposed individual (s) who will oversee the installation in order to verify that the installation is in accordance with the manufacturer's requirements.

(g) A Notice of Completion Form must be submitted upon completion of project. In addition, a copy of the receipt for the flooring and underlayment materials purchased must be submitted.

Guidelines:

1. No construction shall be permitted until this information is submitted to and approved in accordance these Architectural Guidelines. Submission of these materials to the Board of Directors shall be for the purpose of documenting the location and design of any hard surface flooring within the Project and to insure that such flooring is installed in a professional manner and with reference to appropriate standards.

2. Installation of any hard surface flooring without compliance with each of the requirements set forth in (a) – (g) above shall constitute a violation of these Architectural Guidelines, and subject the violating Owner to all remedies provided herein or by applicable law for such violation, including, without limitation, the levy of fines by the Association (if the Board has adopted a fine policy) until such violation is corrected.

Hardwood Flooring Installations:

1. If a combo foam product or cork will not be used as an underlayment, it is the homeowner's responsibility to pay a fee for an outside consultant to determine if the installation meets or exceeds the noise requirement of an IIC rating of 65 or higher. The consultant will be selected solely by the Board of Directors.

2. All perimeter areas of the installation (where the floor meets the wall) must allow for an expansion gap of 1/4" to 3/8", width wise, to limit the noise transference and buckling that causes noise transference.

3. A leveling agent will be applied to the concrete surface after jack hammering or grinding is completed to physically level the concrete surface of the floor. Leveling material must be left to dry overnight or until completely dry, or moisture may be trapped resulting in the formation of mold. If deep dips are being filled, these will usually not dry over night without the use of a fan. Subsequent adherent materials will not adhere properly.

Hard Surface Flooring Installation (Marble, Tile, Stone, Etc…):

1. If a hard surface floor already exists and the homeowner wishes to add another hard surface above it, careful inspection by the Board of Directors is required to ensure that proper installation procedures will be followed. A

consultant may be called in at the homeowner's expense to ensure the installation will meet the guidelines regarding noise transference.

2. A hard surface floor will not be permitted over an existing hardwood floor. The hardwood floor (of any kind including laminate and composition) must be removed before the hard surface floor is installed.

3. An underlayment of cork is to be used in all hard surface installations. This cork material may be in sheet or roll form. It must be at least 6mm in thickness in keeping with guidelines established by the sound attenuation analysis conducted for the Association by Hardisty. This will ensure that an IIC rating of at least 65 will be obtained to greatly diminish noise transference to surrounding units.

4. The cork underlayment must be glued down with an organic adhesive to a bare concrete floor that is clean of any dirt, debris, oil or any surface contaminant, which might hinder adhesion.

5. If the concrete surface is uneven it may be made smooth by grinding, jack hammering, or applying filler which is compatible with the adhesive material used.

6. All perimeter areas of the installation (where floor meets the wall) must have either a resilient (or acoustical) caulk applied, or a perimeter isolation barrier installed to limit noise transference. The hard surface material may not abut any moldings, drywall or steel framing members within the wall. A 1/4 inch gap filled with either the acoustical al caulk or perimeter isolation barrier must exist between the hard surface material and any perimeter structures.

7. If drywall is touching the floor, it is recommended that it be undercut.

8. If cork is not to be used as underlayment, it is the homeowner's responsibility to pay for an outside consultant to determine if the installation meets or exceeds the noise requirement of an IIC rating of at least 65. The consultant will be selected solely by the Board of Directors.

9. A latex Portland cement mortar bond coat (e.g. thin-set mortar) is to be applied to the upper surface of the cork underlayment. A proper-sized trowel for the product must be used to insure good bond between the mortar and the hard surface material.

10. The hard surface material is to be applied to the bond coat with at least a 24 hour drying time before any grout is applied.

11. All gaps must have a grout type consistent with flooring applied to create a unified structure. The grout must not abut any perimeter surfaces except for cabinetry.

LIGHTING (EXTERIOR)

Submittal Requirements:

Exterior electrical, gas or other artificial exterior lighting proposed, needs to be submitted for Board of Directors approval and must conform to the following guidelines.

Guidelines:

1. Exterior lighting is to be directed in such a way as to not be an annoyance to neighbors as determined by the Board of Directors. Lighting shall be screened to prevent light from falling onto adjacent properties.
2. Open or uncovered flood lights or other uncovered lights are not permitted.
3. Exterior lights must be housed in fixtures.
4. Exterior lighting fixtures must be in keeping with the established architectural style of the Condominium and Community.

SIGNS

Submittal Requirements:

No sign, advertising device or other display of any kind shall be displayed in the Project by an Owner, except for the following:

Guidelines:

1. Noncommercial signs permitted by Civil Code Section 1353.6
2. For each Condominium, one (1) nameplate or similar Owner name or address identification which complies with the Architectural Guidelines.
3. For each Condominium, one sign advertising the Condominium for sale or lease that complies with the following requirements, subject to Civil Code Sections 712 and 713:
   (a) the sign is not larger than eighteen inches (18") by thirty inches (30") in size; and
   (b) the sign is in compliance with the Architectural Guidelines or is otherwise authorized by the Board of Directors.
4. Such other signs or displays authorized by the Board of Directors.

Noncommercial signs made of lights, rooting, siding, paving materials, flora or balloons or any other similar building, landscaping or decorative component, or painting of architectural surfaces are not permitted.

Signs shall not be attached to the stucco walls of any Exclusive Use Balcony Area or Exclusive Use Patio Area.

In addition to the foregoing, all signs must comply with all applicable laws.

SOUND ATTENUATION

Submittal Requirements:
In any multi-family dwelling, sound may be audible between units, particularly where the sound level of the source is sufficiently high and the background noise in an adjacent Unit is very low. Each Owner shall endeavor to minimize any noise transmission from his or her Condominium, and shall adhere to any of the rules and regulations set forth in the Association Rules which are designed to minimize noise transmission.

Guidelines:

1. No holes or other penetrations shall be made in demising walls (party walls) without the permission of the Board of Directors. No penetrations of any sort shall be made in the ceiling of any Condominium. Acoustical sealant shall be packed around the point of penetration of all pictures and other items hung from the wall that requires nailing or screwing.

2. No modifications shall be made to any Condominium which would result in a reduction in the minimum impact insulation class of the Condominium.

3. Loudspeakers for music reproduction and television shall not be supported from or contact demising walls and shall be elevated from the floor by a proper acoustic platform.

4. Pianos shall have at least *Vt.* inch neoprene pads under the supports to minimize vibration transmission into the structure.

5. All furniture shall contain rubber castors or felt pads.

WATER SUPPLY SYSTEMS

Submittal Requirements:
Water systems must be submitted for Board of Directors approval. Water systems must be professionally installed. An Owner is strictly liable for any damage, including water intrusion and any mold or mildew resulting from the installation of any water supply system. No individual water supply or water softener system shall be permitted in any Condominium unless such system is designed, located, constructed and equipped in accordance with requirements, standards, and recommendations of any applicable water district, the City, applicable governmental authorities and the Maintenance Manual.

WINDOWS AND DOORS

Submittal Requirements:
Windows, window groupings and doorways shall integrate with existing exterior openings in accordance with the architectural review process set forth in the Declaration and these Architectural Guidelines.

WINDOW COVERINGS AND TREATMENTS

Submittal Requirements:

Window shading and blinds must be submitted for Board of Directors approval.

Guidelines:

1. Each. Owner shall, within sixty (60) days after the Close of Escrow for the Owner's Condominium, install window coverings on all windows, which are visible from the exterior of the building within which the Condominium is situated. All window coverings must be of a neutral color harmonious with and not conflict with the color scheme of the exterior wall surface of the Condominium. Window coverings may consist of curtains, draperies, blinds, shades or shutters. Window tinting is not permitted. Aluminum foils or other reflective materials, bed sheets, papers, and the like may not be applied to windows, at any time.

2. Exterior wrought iron or metal bars are prohibited.

3. To enhance the appearance of the building, curtains, drapes, shutters, blinds, and other window materials subject to view from the exterior shall be restricted as to the

4. color of the side exposed to the exterior. Only window coverings and materials, which have a white, off-white or beige color and tone are allowed and approved.

5. Each Owner is responsible for the care and maintenance of the window coverings. Drapes, curtains, shutters, blinds and other window materials must be kept in good condition. The Association can compel an Owner to replace shabby and torn materials exposed to the exterior.

6. No exterior screens are permitted unless installed in connection with the original construction of the Project.