



CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
11/01/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

If this certificate is being prepared for a party who has an insurable interest in the property, do not use this form. Use ACORD 27 or ACORD 28.

| | | |
|---|---------------------------------------|-----------------------------|
| PRODUCER LIC #0B29370 1-925-244-7700 Edgewood Partners Insurance Centers (EPIC) [San Mateo - Branch ID 14605] P.O. BOX 5003 San Ramon, CA 94583 | CONTACT NAME: Certificates Department | |
| | PHONE (A/C. No. Ext): | FAX (A/C. No): 415-369-9605 |
| E-MAIL ADDRESS: manorcerts@epicbrokers.com | | |
| PRODUCER CUSTOMER ID: MANOASSN | | |
| INSURER(S) AFFORDING COVERAGE | | NAIC # |
| INSURER A: Allied Ins Co | | 36528 |
| INSURER B: TRAVELERS CAS & SURETY CO | | 19038 |
| INSURER C: | | |
| INSURER D: | | |
| INSURER E: | | |
| INSURER F: | | |

COVERAGES CERTIFICATE NUMBER: 48399379 REVISION NUMBER:


LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Location Description: 800 North 8th Street, San Jose, CA 95112

* NOTE: HO6 Not Included*

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YYYY) | POLICY EXPIRATION DATE (MM/DD/YYYY) | COVERED PROPERTY | LIMITS | |
|----------|-------------------|--|------------------|------------------------------------|-------------------------------------|------------------|-------------------|---------------|
| A | X | PROPERTY | BPHACP3007953147 | 10/25/16 | 10/25/17 | BUILDING | \$ | |
| | | CAUSES OF LOSS | | | | DEDUCTIBLES | PERSONAL PROPERTY | \$ |
| | BASIC | BUILDING 5,000 | | | | BUSINESS INCOME | \$ | |
| | BROAD | CONTENTS | | | | EXTRA EXPENSE | \$ | |
| | X | SPECIAL | | | | RENTAL VALUE | \$ | |
| | | EARTHQUAKE | | | | X | BLANKET BUILDING | \$ 18,254,000 |
| | X | WIND | | | | INCLUDED | BLANKET PERS PROP | \$ |
| | | FLOOD | | | | | BLANKET BLDG & PP | \$ |
| X | REPL COST | INCLUDED | X | BUILD ORDINANCE | \$ 1,000,000 | | | |
| | | | | | \$ | | | |
| | INLAND MARINE | TYPE OF POLICY | | | | \$ | | |
| | CAUSES OF LOSS | | | | | \$ | | |
| | NAMED PERILS | POLICY NUMBER | | | | \$ | | |
| | | | | | | \$ | | |
| B | X | CRIME | 106619939 | 10/25/16 | 10/25/17 | X | FIDELITY | \$ 1,350,000 |
| | | TYPE OF POLICY | | | | | | \$ |
| | | Commercial Crime | | | | | \$ | |
| A | X | BOILER & MACHINERY / EQUIPMENT BREAKDOWN | BPHACP3007953147 | 10/25/16 | 10/25/17 | X | INCLUDED | \$ |
| | | | | | | | | \$ |
| | | # OF UNITS = 66 | | | | | \$ | |
| | | # OF BUILDINGS = 4 | | | | | \$ | |

SPECIAL CONDITIONS / OTHER COVERAGES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

| | |
|--|--|
| CERTIFICATE HOLDER *Evidence of Coverage* | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE  |



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/01/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|--|------------------------------------|
| PRODUCER Edgewood Partners Insurance Centers (EPIC) [San Mateo - Branch ID 14605] P.O. BOX 5003 San Ramon, CA 94583 | CONTACT NAME: Certificates Department | |
| | PHONE (A/C, No, Ext): | FAX (A/C, No): 415-369-9605 |
| E-MAIL ADDRESS: manorcerts@epicbrokers.com | | |
| INSURED 800 North 8th Street HOA c/o The Manor Association, Inc. 353 Main Street Redwood City, CA 94063 | INSURER(S) AFFORDING COVERAGE | |
| | INSURER A: Allied Ins Co | |
| | INSURER B: Federal Insurance Company | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| INSURER F: | | |
| | | NAIC # |
| | | 36528 |
| | | 20281 |

COVERAGES

CERTIFICATE NUMBER: 48399380

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YY) | POLICY EXP (MM/DD/YY) | LIMITS | |
|--|--|-----------|----------|--------------------|-----------------------|-----------------------|---|-------------|
| A | GENERAL LIABILITY | | | BPHACP3007953147 | 10/25/16 | 10/25/17 | EACH OCCURRENCE | \$1,000,000 |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$300,000 |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | | | MED EXP (Any one person) | \$5,000 |
| | <input checked="" type="checkbox"/> Separ of Instds. | | | | | | PERSONAL & ADV INJURY | \$1,000,000 |
| GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | | GENERAL AGGREGATE | \$2,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | EXCLUDED |
| AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | | | | COMBINED SINGLE LIMIT (Ea accident) | |
| | | | | | | | BODILY INJURY (Per person) | |
| | | | | | | | BODILY INJURY (Per accident) | |
| | | | | | | | PROPERTY DAMAGE (Per accident) | |
| B | UMBRELLA LIAB | | | CAAACP3007953147 | 10/25/16 | 10/25/17 | EACH OCCURRENCE | \$5,000,000 |
| | <input checked="" type="checkbox"/> EXCESS LIAB | | | | | | AGGREGATE | \$5,000,000 |
| WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | | WC STATUTORY LIMITS | OTHER |
| | | | | | | | E.L. EACH ACCIDENT | |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE | |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | |
| | | | | # OF UNITS = 66 | | | | |
| | | | | # OF BUILDINGS = 4 | | | | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

Evidence of Coverage

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



INSURANCE DISCLOSURE
800 North 8th Street HOA
October 2016

Property Insurance

Carrier: Allied Mutual Insurance Company
Policy: #BPHACP3007953147
Policy Term: October 25, 2016 to October 25, 2017
LIMIT: Special Form, Replacement Cost,
Building Limit \$18,250,000
Deductible: \$5,000

General Liability Insurance

Carrier: Allied Mutual Insurance Company
Policy: #BPHACP3007953147
Policy Term: October 25, 2016 to October 25, 2017
LIMIT: \$1,000,000 Per Occurrence
\$2,000,000 Aggregate
Deductible: None

Directors and Officers Insurance

Carrier: Allied Mutual Insurance Company
Policy: #BPHACP3007953147
Policy Term: October 25, 2016 to October 25, 2017
LIMIT: \$1,000,000
Deductible: \$1,000

Excess Liability Insurance

Carrier: Allied Mutual Insurance Company
Policy: #CAAACP3007953147
Policy Term: October 25, 2016 to October 25, 2017
LIMIT: \$5,000,000 Per Occurrence
\$5,000,000 Annual Aggregate

Fidelity Insurance

Carrier: Travelers Casualty & Surety Co.
Policy: #106619939
Policy Term: October 25, 2016 to October 1, 2019
LIMIT: \$1,350,000
Deductible: \$10,000

Workers' Compensation

Carrier: Republic Indemnity Co of America
Policy: 25134401
Policy Term: October 25, 2016 to October 25, 2017
LIMIT: Statutory

****IMPORTANT NOTICE****

Your personal property and personal liability are NOT COVERED under the Homeowners' Association Master Insurance Policy! An HO6 Policy may be required.

"This summary of the association's policies of insurance provides only certain information, as required by subdivision (f) of Section 1365 of the Civil Code, and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of insurance. Any association member may, upon request and provision of reasonable notice, review the association's insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the association maintains the policies of insurance specified in this summary, the association's policies of insurance may not cover your property, including personal property or, real property improvements to or around your dwelling, or personal injuries or other losses that occur within or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance broker or agent for appropriate additional coverage"

800 NORTH 8TH HOMEOWNERS ASSOCIATION

Board of Directors Meeting
Yu Ai Kai Community Center
588 N. Fourth St. Room 100

MEETING MINUTES

February 16, 2016 at 7:00PM
Thomas Rousseau, President
Lisa Sharma, Treasurer
Mark Nguyen, Director
Tomomi Glover, Director

**denotes absence*

Also in attendance was Jason Smith, Community Manager, Associa Northern California.

- I. **Homeowners Forum:** This time was designated for homeowners to express concerns to the Board and management.
- II. **Call to Order:** The meeting of the 800 North 8th Street Homeowners Association Board of Directors was called to order at 7:00p.m.
- III. **Secretary's Items:**
 - A. **Minutes:** The minutes from the meeting on November 23, 2015 were reviewed. Upon motion duly made, seconded and unanimously carried the minutes.
- IV. **Treasurer's Items:**
 - A. **Financial Statement:** The Financial Statement for January 2016 was reviewed by the Board. After a short discussion and upon motion duly made, seconded and unanimously carried the Financial Statement for the period ending January 2016 was accepted as presented.
- V. **Topics of Business:**
 - A. **Landscaping:** The Board was presented a quote from Biota Tech Services to perform tree trimming for specific trees onsite. After review of the proposal, a motion was made, seconded, and unanimously carried to accept Biota Tech's Proposal with the contingency that the vendor lower their price so that tree trimming does not exceed \$1,600.00. The board also revisited the action item of adding soil to the planters in the community. A motion was made, seconded, and unanimously carried to accept the proposal from Petalon Landscaping in the amount of \$4,400.00.
 - B. **Plumbing:** The Board reviewed a quote from New Pipes Inc. to hydro jet the accessible cleanouts inside the parking garage and hydro flush the lines all the way to the city connection. After brief discussion, the Board decided to table this proposal. Management was instructed to invite a representative from New Pipes to the next meeting to discuss this proposal.

- C. **Lighting:** The Board and management discussed the current state of the lighting throughout the community. Associa on Call is in the process of making sure all light bulbs are changed on a regular basis. Management will continue to provide the board with updates on this matter. No further action needed at this time.
- D. **Pest Control:** The Board was presented a quote from Coastal Termite and Pest Control for the control and prevention of rodent populations in and around the community. A motion was made, seconded, and carried to accept Coastal Termite and Pest Control's proposal for an initial service fee of \$160.00 and a monthly service fee of \$60.00.

VI. Management Report:

- A. The Board was provided with an action item list, annual calendar for 2016, and work order detail report for review.

VII. Adjournment: The Board meeting was adjourned at 9:00pm.

800 NORTH 8TH HOMEOWNERS ASSOCIATION

Board of Directors Meeting
Yu Ai Kai Community Center
588 N. Fourth St. Room 300

MEETING MINUTES

May 19, 2016 at Following the Annual Meeting
Thomas Rousseau, President (via cell phone)
Lisa Sharma, Treasurer
Mark Nguyen, Director
Tomomi Glover, Director

**denotes absence*

Also in attendance were Jason Smith, Community Manager, Associa Northern California and Greg Vinyard, Service Manager, New Pipes Inc.

- I. **Homeowners Forum:** This time was designated for homeowners to express concerns to the Board and management.
- II. **Call to Order:** The meeting of the 800 North 8th Street Homeowners Association Board of Directors was called to order at 6:30p.m.
- III. **Secretary's Report:**
 - A. **Minutes:** The minutes from the meeting on February 16, 2016 were reviewed. Upon motion duly made, seconded and unanimously carried the minutes.
- IV. **Treasurer's Report:**
 - A. **Financial Statement:** The Financial Statement for April 2016 was reviewed by the Board. After a short discussion and upon motion duly made, seconded and unanimously carried the Financial Statement for the period ending April 2016 was accepted as presented.
- V. **Management Report:**
 - A. The Board of Directors was provided several informational items for review. Items included were an action item list, annual calendar, site inspection, work order detail report and architectural control comprehensive.
- VI. **Topics of Business:**
 - A. **Landscaping:** This item was tabled. The new management company will follow up on all issues related to this action item.
 - B. **Plumbing:** This item was tabled. The new management company will follow up on all issues related to this action item.
 - C. **Landscaping:** This item was tabled. The new management company will follow up on all issues related to this action item.

- D. **Pest Control:** This item was tabled. The new management company will follow up on all issues related to this action item.
 - E. **Trash Chutes:** This item was tabled. The new management company will follow up on all issues related to this action item.
 - F. **Window Washing:** This item was tabled. The new management company will follow up on all issues related to this action item.
 - G. **Handicap Amenities:** This item was tabled. The new management company will follow up on all issues related to this action item.
- VII. **Adjournment:** The Board meeting was adjourned at 7:00pm.

800 North 8th Street Homeowners Association
Annual Meeting Minutes
For the meeting held June 15, 2016 at 6:00 PM
At Yu Ai Kai Community Center, 588 N. Fourth Street
Page 1 of 1

MSC = Motion made, seconded, and carried

1. Call to Order

1.1. The reconvened annual meeting was called to order at 6 PM.

2. Notice of meeting and confirmation of quorum: The annual meeting notice was confirmed to have been distributed, and a quorum of the membership represented by secret ballots was established.

3. Results of vote by secret ballot: Jason Smith was confirmed as the Inspector of Election. The secret ballots were opened and the votes were tabulated on the following matters:

3.1. Election of directors: The membership voted on an election of directors for two open seats on the board of directors. The candidates received the following number of votes:

Lisa Sharma – 35

Anita Chen – 13

Alex Vuel – 12

Lisa and Anita were each elected to two-year terms on the board. It was noted that fellow board members Thomas Rousseau and Mark Nguyen each have one year remaining on their terms. It was also noted that there is one vacant seat on the board, which was not included in this meeting's election, which also has one year remaining on its term.

3.2. Annual IRS Excess Income Resolution: The membership voted to either approve or not approve the following Resolution: That any excess of membership income over membership expenses as defined in IRS Regulation 1.277-1 for the fiscal year ending December 31, 2016 shall be applied against the subsequent tax year's membership assessments as provided by IRS Revenue Ruling 70-604. The votes were as follows:

For Approval: 19

Against Approval: 0

The resolution carried.

4. Adjournment: The meeting was adjourned at 6:30PM.

Note: Minutes are considered "Draft" until they are approved by the Board at a subsequent Meeting.

800 North 8th Street Homeowners Association

Board of Directors Meeting

Minutes

Held September 7, 2016 at 6:30 PM

At 588 N. Fourth Street in San Jose

Page 1 of 2 (MSC = Motion made, seconded, and carried)

Board of Directors Roll Call (* denotes absent): President Thomas Rousseau, Secretary/Treasurer Lisa Sharma, Director Mark Nguyen, and Director Anita Chen. Note: The fifth board seat is currently vacant.

1. **Summary of Executive Session:** The board addressed the following topics in executive session:
 - 1.1. Prior contracts and invoicing
 - 1.2. Legal matters
2. **Open Meeting of the Board of Directors Call to Order:** The board called the meeting to order at 6:30PM.
3. **Management Report:** The manager provided the board an informational update on ongoing management items and projects in progress.
4. **Items of Business**
 - 4.1. Management transition; Review of previously pending items and future planning: The board generally discussed the management transition process.
 - 4.2. Open seat on the board: The board discussed options for filling the open seat on the board. No confirmed volunteers at this time. Tabled.
 - 4.3. Window washing: The board decided to remove this item from the agenda for 2016 and to revisit in 2017.
 - 4.4. Rules and regulations review and potential updates and edits: The board tabled action on this pending further review.
 - 4.5. Landscaping; replacement plantings and enhancements: The board reviewed proposals for new plantings from Bayland Landscaping. The board voted to approve proceeding with installation of plantings in the highest priority bare areas in the community at this time, and to request more information from Bayland about what they are recommending in other locations, MSC.
 - 4.6. Pest control: The board discussed ongoing pest control services and voted to ratify approval of two months of daily rodent control services by Coastal Pest Control, MSC.
 - 4.7. Plumbing services; Drain PM, Water softener PM, Boiler PM: The board voted to approve Pacific Water's quote for ongoing quarterly preventative maintenance of the water softeners systems, MSC. Other items tabled to next meeting.
 - 4.8. Reserve study: The board reviewed the recent update to the reserve study from Associa Reserves.
 - 4.9. Association annual budget: Tabled to next meeting.
 - 4.10. Common area security: The board discussed recent concerns with a small number of reports of suspected trespassers in the community and packages stolen from front doors. It was noted that the gates and locked doors in the community are not security devices, they are access control devices only, and that residents will be reminded of this in the next newsletter and the need to take precautions.
 - 4.11. Neighborhood watch program: The board discussed the possibility of scheduling another neighborhood watch meeting. If a volunteer in the community steps forward to organize such an event the HOA will support it.
 - 4.12. Weekend use of 8th Street and Bernal Park: Concerns with occasional issues with the use of Bernal park were discussed. Contact information for the park department will be included in the next newsletter.

800 North 8th Street Homeowners Association

Board of Directors Meeting

Minutes

Held September 7, 2016 at 6:30 PM

At 588 N. Fourth Street in San Jose

Page 2 of 2 (MSC = Motion made, seconded, and carried)

5. Secretary's Report

5.1. Review and approve prior board meeting minutes: The board reviewed and approved the regular meeting minutes for May 19, 2016, the executive session minutes for the May 15, 2016 meeting, and the annual meeting minutes for June 15, 2016, MSC.

6. Treasurer's Report

6.1. Review reconciled, unaudited financial reports: The board reviewed the financial reports for the period ending June 2016.

6.2. Review of aged receivables and action items for delinquencies: The board reviewed aged receivables and approved collection actions in accordance with the association's collection procedures.

7. **Homeowner's Open Forum – Open to all homeowners:** Time was provided for homeowner members of the association to address the board of directors.

8. **Newsletter planning:** The board and manager discussed and noted several items for the newsletter.

9. **Adjournment and scheduling next meetings:** The board adjourned the meeting at 8 PM. Next board meeting to be Nov 3.

Note: Minutes are considered "Draft" until they are approved by the Board at a subsequent meeting.

800 North 8th Street Homeowners Association

Board of Directors Meeting

Minutes

Held November 3, 2016 at 6:30 PM

At 588 N. Fourth Street in San Jose

Page 1 of 1 (MSC = Motion made, seconded, and carried)

Board of Directors Roll Call (* denotes absent): President Thomas Rousseau, Secretary/Treasurer Lisa Sharma*, Director Mark Nguyen, and Director Anita Chen. Note: The fifth board seat is currently vacant.

1. **Open Meeting of the Board of Directors Call to Order:** The board called the meeting to order at 6:30PM.
2. **Management Report:** The manager provided the board an informational update on ongoing management items and projects in progress.
3. **Items of Business**
 - 3.1. Insurance renewal: The board voted to ratify the change in association insurance policies from Socher Insurance to EPIC Brokers, MSC.
 - 3.2. 2017 budget, assessments and reserve contribution: The board voted to approve a draft budget with an increase of regular assessments to \$399 per unit, per month, MSC.
 - 3.3. Open seat on the board: The board noted that a seat is currently open on the board, but no volunteer has stepped forward yet at this time. Tabled.
 - 3.4. Rules and regulations review and potential updates and edits: This item was tabled.
 - 3.5. Landscaping; Replacement plantings and enhancements: The board reviewed recent planting enhancement work and tabled additional work pending further recommendations from the gardener.
 - 3.6. Pest control: The board discussed and reviewed recent efforts by Coastal Pest Control to eliminate the rodent infestation issue. It was noted that Coastal is continuing to work on this issue.
 - 3.7. Plumbing preventative maintenance; Drains, Boiler – Review with vendor: The board reviewed preventative maintenance and service recommendations from New Pipes Inc. and voted to approve a comprehensive sewer hydro jetting service as recommended by New Pipes, to be performed once, MSC.
4. **Review and approve prior board meeting minutes:** The board reviewed and approved the regular meeting minutes for the September 7, 2016 regular and executive meetings, and for the October 24, 2016 executive session, MSC.
5. **Financial reports**
 - 5.1. Review reconciled, unaudited financial reports: The board reviewed the financial reports for the period ending July 2016. The board also reviewed the draft FYE 2015 review from Levy & Co. The board also voted to approve a proposal from Levy & Co to perform an audit and tax services for FYE 2016, MSC.
 - 5.2. Review of aged receivables and action items for delinquencies: The board reviewed aged receivables and approved collection efforts in accordance with the association's collection procedures.
6. **Homeowner's Open Forum – Open to all homeowners:** Time was provided for homeowner members of the association to address the board of directors.
7. **Newsletter planning:** The board and manager discussed and noted several items for the newsletter.
8. **Adjournment and scheduling next meetings:** The board adjourned the meeting at 7:33 PM. Next board meeting to be Dec 8.

Note: Minutes are considered "Draft" until they are approved by the Board at a subsequent meeting.

800 North 8th Street Homeowners Association

Board of Directors Meeting

Minutes

Held December 8, 2016 at 6:30 PM

At 588 N. Fourth Street in San Jose

Page 1 of 1 (MSC = Motion made, seconded, and carried)

Board of Directors Roll Call (* denotes absent): President Thomas Rousseau, Secretary/Treasurer Lisa Sharma*, Director Mark Nguyen, and Director Anita Chen. Note: The fifth board seat is currently vacant.

1. **Open Meeting of the Board of Directors Call to Order:** The board called the meeting to order at 6:30PM.
2. **Management Report:** The manager provided the board an informational update on ongoing management items and projects in progress.
3. **Items of Business**
 - 3.1. Open seat on the board: The board voted to appoint Jeff Ishimura to fill the open board seat, MSC.
 - 3.2. Rules and regulations review and potential updates and edits: Tabled.
 - 3.3. Landscaping; Replacement plantings and enhancements: The board voted to approve \$6500 in landscaping enhancements to be installed at the appropriate time over the winter/spring months, with the locations and plants to be negotiated and chosen by the landscaper and manager, MSC.
 - 3.4. Fire system and sprinklers: The board reviewed and approved a proposal from Statcomm for repairs and corrections, MSC.
 - 3.5. Gates/Doors: The board voted to approve Statcomm's proposal for replacement of gate support hardware on the vehicle entry gates, MSC
 - 3.6. Podium drainage leak: The board tabled a proposal from Recon 360 for this, and requested clarification and more information.
 - 3.7. Lighting: The board voted to approve installation of replacement bollard lights in the south courtyard, MSC.
4. **Review and approve prior board meeting minutes:** The board reviewed and approved the regular meeting minutes for the November 3, 2016 board meeting, MSC.
5. **Financial reports**
 - 5.1. Review reconciled, unaudited financial reports: The board reviewed the financial reports for the period ending September 2016.
 - 5.2. Review of aged receivables and action items for delinquencies: The board reviewed aged receivables and approved collection efforts by ATC in accordance with the association's collection procedures.
6. **Homeowner's Open Forum – Open to all homeowners:** Time was provided for homeowner members of the association to address the board of directors.
7. **Newsletter planning:** The board and manager discussed and noted several items for the newsletter.
8. **Adjournment and scheduling next meetings:** The board adjourned the meeting at 7:45 PM. Next board meeting to be Feb 9.
9. **Executive Session Summary**
 - 9.1. Contracts: The board reviewed current contracts for services.

Note: Minutes are considered "Draft" until they are approved by the Board at a subsequent meeting.

800 North 8th Street

Homeowners Association Community Newsletter – October 2016

New HOA community management

As you hopefully already know, as of July we have a new management company serving the 800 North community: The Manor Association. Please reach out to Manor for anything you need related to the 800 North community or any property maintenance issues.

HOA insurance renewal

The HOA's insurance broker has changed from Socher Insurance to EPIC Brokers, and the insurance policy package has been updated. If you or your mortgage company need updated insurance information, please email manorcerts@epicbrokers.com and reference "800 North 8th Street HOA".

Building access control and reminders

The 800 North building is equipped with access control features such as locked perimeter doors and gates, automatic vehicle gates, and code-required access to use the elevator to go to the garage. However, it is important to remember that these features do not provide "high security" for the community, all they do is mitigate and limit the amount of foot traffic in the community. For this reason, all homeowners and residents are encouraged to:

- Get to know your neighbors and share contact information so you have a better idea of who should be in the community and who should not, and so you can help each other maintain a strong community.
- Report any suspicious activity or persons to the police.
- Don't prop open locked doors or gates.
- Be careful about receiving package deliveries at your home unit, and either be home to receive your deliveries or consider having deliveries sent to a neighbor who can be home to receive them.
- Keep your car locked and do not leave valuables in your car. Although the garage is gated and locked, thieves can still get in if they are determined to do so.

Reminder about architectural modifications

Please remember that any changes to the structure of the building or common areas need to be reviewed and approved by the HOA per the CC&Rs. Before commencing any significant construction or remodeling work, please review the CC&Rs and Rules and consider whether you need HOA approval. If there are any questions, please contact the HOA manager.

Pets clean up

Although pets are welcome in the community, pet owners need to be responsible for their pets. Please take care to: Keep your pets on leash in the common area, take your pets out to the park so they do not urinate/defecate on the walkways in the community, and (most importantly) if they

do urinate or defecate in the community then please clean up after them. This has been a problem with a small number of pet owners who leave a mess behind for the community janitors to clean up, which leaves a mess on the walkways for several days or more and it is not fair to your neighbors. Thank you in advance for your help.

Garbage chute use, bag and break down items

All garbage should be tightly bagged and all recycling broken down, and either placed in the chutes or carried down to the dumpster rooms.

Landscaping improvements

Now that the exterior repair and maintenance projects have been completed, we are currently in process of installing some new plants and mulch to beautify the landscaping. Please keep an eye out for these improvements and let us know if you have any feedback or requests.

Bicycles and other items in common areas

Balconies and patios should not be used for storage of personal belongings other than typical patio items, and no personal items should be left in any of the common areas.

Quiet hours reminder

Quiet hours are between 10:00 p.m. and 7:00 a.m. on Sunday through Thursday and 11:00 p.m. and 7:00 a.m. on Friday through Saturday.

Bernal park

The adjacent city park is a wonderful amenity for the 800 North community. However, if there are ever any issues, questions or concerns about the park you can contact the city at park.concerns@sanjoseca.gov or 1-408-793-5510.

800 North HOA Contact and Reference Info

If you wish to send written correspondence for review by your board of directors, you may do so by emailing the manager and requesting that your email be forwarded to the board.

Board of Directors

Thomas Rousseau, President
Lisa Sharma, Treasurer/Secretary
Mark Nguyen
Anita Chen

800 North HOA Management

Manor – www.manorinc.com
353 Main Street, Redwood City, CA 94063
Normal office hours: Mon – Fri, 9AM to 5PM
Phone: 650-637-1616 – Email: cs@manorinc.com
24-hour phone service is available for emergencies

800 North 8th Street

Homeowners Association Community Newsletter – December 2016

Holiday tree removal

Green Waste company will be removing and disposing of holiday trees on the mornings of January 2 and January 9. Please remove all decorations and place your tree on the street curb in front of the building, near the driveway entrance. Look for other trees and pile them together. Natural trees only, no artificial trees.

Be careful with what you put down the drain

Please take care to not wash grease, oil, rice, and other foods down the sink drain. This leads to clogs and backups and additional maintenance costs for the drain lines in the building. Please dispose of food waste, oils, etc. into the garbage as much as possible. Thank you for your help!

Heating and cooling equipment maintenance reminder

Your heating and cooling equipment for your unit is not maintained by the HOA. It is the responsibility of each unit owner to check and maintain your equipment periodically. As the equipment ages, it may become necessary to replace some of the equipment. If you need to change the equipment on the outside of the building, such as the condenser located outside, you must get HOA approval for the new equipment you plan to install before you install it. New equipment should be as close as possible in design, size, and appearance as the originally installed equipment. We recommend that you speak with an HVAC (Heating Ventilation and Cooling) professional to evaluate your equipment and provide you recommendations.

Windows

Please periodically check your windows for proper operation and performance. If you observe any problems, please report them to the HOA management so that the window company or maintenance contractor can be contacted. If there is a problem with a window, please try opening a service request at www.milgard.com. If Milgard does not resolve the issue, please notify the HOA manager.

Pets – Keep on leash and clean up after them

Please keep your pets on leash in the common area and clean up after them.

Garbage chute use; Bag and break down items

All garbage and recycling should be tightly bagged and all recycling broken down, and either placed in the chutes or carried down to the dumpster room on the ground floor in the back of the building and the items must be placed into the dumpsters. The code to access the dumpster room is 2541.

Large item disposal

Our garbage service will remove large items such as couches, mattresses, and appliances. However, you must bring the items down to the dumpster room and place them inside the dumpster room. Please don't leave large items in the chute rooms on the first, second, or third floors, or anywhere else in the common areas. The code to access the dumpster room is 2541.

Quiet hours reminder

Community quiet hours are between 10:00 p.m. and 7:00 a.m. on Sunday through Thursday and 11:00 p.m. and 7:00 a.m. on Friday through Saturday.

Bernal park

The adjacent city park is a wonderful amenity for the 800 North community. If there are ever any questions or concerns about the park you can contact the city at park.concerns@sanjoseca.gov or 1-408-793-5510.

Requirement to cover hard flooring with rugs

To reduce sound transmission between units, please remember that the CC&Rs require that at least 70% of all hard surface flooring in units must be covered with rugs or similar floor coverings. This means that most of your flooring needs to be covered with either carpet or rugs. Thank you for your understanding.

Welcome new board member

Welcome and thank you to Jeff Ishimura, who has been appointed to fill the remainder of time on the open board seat. Thank you to Jeff for volunteering!

800 North HOA Contact and Reference Info

You can send written correspondence for review by your Board of Directors by emailing the manager and requesting that your email be forwarded to the Board.

Board of Directors

Thomas Rousseau, President
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Anita Chen
Jeff Ishimura

800 North HOA Management

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Normal office hours: Mon to Fri, 9AM to 5PM
Phone: 650-637-1616 – Email: cs@manorinc.com
24-hour phone service is available for emergencies

Community Web Portal: app.pilera.com

The HOA has a community web portal operated by Manor and hosted by Pilera. Go to the website app.pilera.com and click “request login” to create a user account. You will need to type in the name of the community, 800 North 8th Street HOA, and follow the instructions.

800 NORTH 8TH STREET HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

Use of Common Area Use Restrictions

Interiors, entrances, stairways, and sidewalks may not be obstructed.

Children may not play in interiors, elevators, stairways, garages, storage areas, etc.

Nothing may be stored, grown, or displayed in the common area, including decks, balconies, patios, and stoops that is not approved in advance by the Board of Directors or Architectural Control Committee except as permitted by these rules.

No power equipment or hobby shops may be permitted except with the prior written approval of the Board.

No basketball apparatus may be attached to the building exterior, or affixed to any portion of the common area nor may any portable apparatus be used for playing basketball in the community.

Propping exterior doors open or displaying any locks is prohibited.

Use Restrictions

No unit may be occupied and used except for residential purposes by the owner, their tenants, and social guest, and no trade or business may be conducted in any unit. A unit may be used as a combined residents and/or executive or professional office by the owner or occupant of the unit, so long as such use does not interfere with the quiet enjoyment by other owners of their units and does not include visiting clients and complies with all city regulations and is permitted accordingly.

No more than two (2) persons per bedroom in any unit may be permitted as permanent residents. (A "permanent resident" means any person residing in a unit more than sixty (60) days out of any twelve consecutive month period).

No waterbeds are permitted.

No noxious, illegal, or seriously offensive activities may be carried on in any unit or in any part of the community, nor may anything be done that may be or may become a serious annoyance or a nuisance to or which may in any way interfere with the quiet enjoyment of each of the owners' units or which may in any way increase the rate of insurance for the development, or cause any insurance policy to be cancelled or to cause a refusal to renew the same, or which will impair the structural integrity of any building.

Quiet hours are between 10:00 p.m. and 7:00 a.m. on Sunday through Thursday and 11:00 p.m. and 7:00 a.m. on Friday through Saturday.

There may be no outside laundering or drying of clothes. No draping of towels, carpets, or laundry over exterior railings may be allowed.

Approved November 2, 2005

Common area keys and garage openers may not be distributed to persons that do not permanently reside in the community.

Access to the roof (other than for emergency repairs) must be approved in advance by the Board of Directors.

Outside speakers are not permitted.

Outdoor barbecuing is permitted so long as it does not create a nuisance for other residents. Owners or residents barbecuing outside are responsible for any property damage or personal injury resulting from the use, maintenance, and storage of their barbecues. Owners and residents further agree to indemnify the Association and its members, directors, manager, officers, employees and other agents (collectively referred to as the "Indemnified Party") for, and hold harmless and defend each Indemnified Party from any damages, liabilities, claims, demands, expenses and/or causes of action incurred by or asserted against the Indemnified Party arising from or in any way connected with outdoor barbecuing.

Parking and Vehicle Restrictions

Resident vehicles are only to be parked in the assigned parking spaces for their respective units and are not to be parked in spaces assigned to other units or in other common area parking spaces designated for guests.

Handicapped parking spaces may only be used by vehicles with proper authority.

No trailer, camper, mobile home, commercial vehicle, recreational vehicle, or truck having a carrying capacity of greater than ½ ton, or van having seating capacity of an excess of eight (8) persons or which is too large to fit within the owner's garage, boat, inoperable vehicle, or similar equipment may be permitted to be parked or remain upon any area inside the community. Permitted vehicles which are used both for business and personal use are not prohibited, provided that any signs or markings of a commercial nature on such vehicles may be unobtrusive and inoffensive as determined by the Board.

No noisy or smoky vehicles may be operated in the garage.

No unregistered or unlicensed motor vehicles may be operated or parked in the garage.

No vehicle maintenance (other than emergency work) is permitted in the garage.

No assigned parking space or other common area parking space may be converted into (such as a storage area) any use that would prevent its use as a parking space for the number of vehicles the space was designed to contain.

Guests may not park their vehicles in common area parking spaces designated for guests in the community for more than two (2) days in any seven-day period, regardless of the time that the vehicle is parked in the space.

Guests visiting in excess of two (2) days within a seven-day period must display a permit in the rear window of their vehicles. This permit must be requested from the management company at least a week prior to the timeframe for which the permit is requested. Otherwise, guests must abide by rules concerning the use of common area parking spaces as stated above.

Guests who are going to stay for two (2) weeks or less will be issued a permit with a limit of one (1) permit per guest being issued within any six-month period.

Oil or other stains to assigned or common area parking spaces must be promptly removed by the applicable resident.

Shopping carts may not be abandoned or stored in the garage or common areas.

Towing

The Board of Directors, Parking Committee, or management company will arrange for **immediate** towing of vehicles **at the vehicle owner's expense** under the following circumstances:

- Any vehicle parked in a marked fire lane or within fifteen (15) feet of a fire hydrant.
- Any unauthorized vehicles parked in handicapped parking spaces.
- Any vehicle parked in a manner, which interferes with entry or exit from the community, any parking space, or the garage.
- Any resident vehicle parked in a common area parking space designated for guests.
- Any unauthorized vehicle parked in another owner's assigned parking space.

The Board of Directors, Parking Committee, or management company will arrange for towing of vehicles **at the vehicle owner's expense** under the following circumstances:

- Guest vehicles parking in common area parking spaces that are in violation of the above-stated rules.

Notification – After a guest vehicle has been parking in common area parking spaces for more than two (2) days within any seven-day period, a towing notice will be placed on the vehicle, notifying the owner of that vehicle that it will be towed if it continues to park in common area parking spaces for more than two (2) days within any seven-day period

Towing – After the initial towing notice has been placed on the vehicle, any guest vehicle that continues to utilize common area parking spaces for more than two (2) days in any seven-day period will be towed **immediately at the vehicle owner's expense**.

In addition to the above towing policy for dealing with parking violations, the Board may choose to enforce the governing documents in regard to parking violations with the use of hearings and fines.

Animals

Each unit is permitted to have two (2) usual and ordinary household pets such as a dog or cat provided that it is not kept, bred, or maintained for commercial purposes. Pets normally kept in cages or aquariums, such as small birds and fish, and trained dogs assisting the visually impaired, hearing impaired, or physically handicapped persons are also permitted.

All animals must be under the reasonable control of the owner at all times in the community. No owner may allow his or her dog to enter the common area except on a leash.

Owners must prevent their pets from soiling any portion of the common area and must promptly clean up any waste left by the pet. Further, owners are responsible for any damage caused by their pets.

Owners shall use reasonable efforts to prevent any animal within their units from making disturbing noises that can be heard from any other unit between the hours of 10:00 p.m. and 7:00 a.m.

Garbage and Refuse Disposal

All rubbish, trash, and garbage (collectively referred to as "garbage") may be placed in the garbage chutes or the dumpsters and recycling bins located in the garbage room. At no time may

garbage be placed in the common areas or be allowed to accumulate in restricted common areas, including assigned parking spaces, hallways, balconies, patios, decks, and stoops.

All garbage placed in the garbage chutes must be placed in appropriate containers or packaging to prevent spillage or leakage. Any spills, including those on walkways, must be promptly cleaned up.

No toxic or hazardous materials may be disposed of in the garbage chutes, dumpsters, recycling containers, or common areas. Further, toxic or hazardous materials may not be disposed of in the drains in units or those located in the common areas.

Items that are too large to fit in the chutes, including boxes and oversized garbage bags, must be taken directly to the garbage room, so they do not clog the chutes.

Garbage, telephone books, boxes, loose newspaper, and other items may not be left in the garbage rooms. These items should be taken directly to the garbage room.

Large or oversize items, such as furniture, appliances, and construction materials may not be disposed of in the common areas or placed outside of the dumpsters. These items should be taken to an offsite disposal facility.

Architectural Control

No building, fence, wall, pool, spa, obstruction, outside or exterior wiring, balcony, screen, patio, patio cover, tent awning, carport, carport cover, improvement, structure or exterior revision of any kind may be commenced installed, erected, painted, or repainted or maintained upon the project, nor may any alteration or improvement of any kind be made thereto until the same has been approved in writing by the Board, or by an Architectural Control Committee appointed by the Board.

Owners may improve or alter any improvements within the interior boundaries of their units, provided that such improvement or alteration does not impair the structural, acoustical integrity or waterproofing of any common area, the utility or other systems servicing the common area or other units, and does not involve altering any common area (including bearing walls).

Plans and specifications showing the nature, kind, shape, color, size, materials and location of any proposed improvements or alterations, may be submitted to the Board or to the Architectural Control Committee for approval as to quality of workmanship and design and harmony or external design with existing structure. Proposed improvements or alterations may not commence until such time as the Board or Architectural Control Committee has approved them.

No landscaping or other physical improvements or additions may be made to any decks, balconies, patios, or stoops which are visible from the street or from the common area, by any owner until plans and specifications showing the nature, kind, shape, and location of the materials may have been submitted to and approved in writing by the Board of Architectural Control Committee or as expressly permitted under these rules.

Please refer to Article VII, Section 7.9 of the Enabling Declaration (CC&Rs) for additional restrictions concerning architectural control. Owners are also advised to contact the City to determine if contemplated improvements require the City's approval as well.

Radio and Television Antennas

No outside television antenna, microwave or satellite dish, aerial, or other such device (collectively "Antennas") with a diameter or diagonal measurement in excess of one (1) meter shall be erected, constructed or placed on any Common Area or Unit. Antennas with a diameter or a diagonal measurement of one (1) meter or less may be installed only if they conform to Rules and any Architectural Committee Standards and, if then required by the Architectural Committee

Standards, any necessary approval is obtained in accordance with the provisions of section 7.9 of the CC&Rs. Reasonable restrictions which do not significantly increase the cost of the Antenna system or significantly decrease its efficiency or performance may be imposed. Antennas may not be attached to the exterior surface of any building or to any fence. The Architectural Review Committee shall, in acting upon requests for approval of a satellite dish or other signal reception or transmission devices comply with California Civil Code 1376 and FCC regulations.

Window Coverings

All drapes, curtains, shutters, blinds or other window coverings visible from the street or common area may be natural wood or black, beige, white, or off-white in color or lined in black, beige, white, or off-white, or as the case may be, of colors, materials, and patterns which are approved by the Board or Architectural Control Committee.

Leasing

Any owner who wishes to lease his unit must meet each of the following requirement, and the lease will be subject to these requirements whether they are included within the lease or not:

- All leases must be in writing.
- The lease must be for the entire unit and not merely parts of the unit, unless the owner remains in occupancy.
- All leases must be subject in all respects to the provisions of the Declaration, the Bylaws, and all rules adopted by the Board.
- All owners who lease their units must promptly notify the management company in writing of the names of all tenants and members of tenants' family occupying such unit and must provide the management company with a complete copy of the lease
- All owners leasing their unit must promptly notify the management company in writing of the address and telephone number where such owner can be reached

Owners may not lease their units for transient or hotel purposes or for a period of less than thirty (30) days.

No unit may be leased, subleased, occupied, rented, let, sublet, or used for or in connect with any time sharing agreement, plan, program, or arrangement, including, without limitation, any so-called "vacation license," "travel club," "extended vacation," or other membership or time interval ownership agreements. The term "time sharing" as used herein may be deemed to include, but may not be limited to, any agreement, plan, program, or arrangement under which the right to use, occupy, or possess the unit or units, or any portion of the units in the community rotates among various persons, either corporate, partnership, individual, or otherwise, on a periodically recurring basis for value exchanged, whether monetary or like kind use privileges, according to a fixed or floating interval or period of time twenty-five (25) consecutive calendar days or less.

Maintenance

All Owners are required to keep their units, assigned storage lockers, and those portions of restricted common area, including balconies, decks, patios, and stoops clean and in good repair at all times.

Pest Control

The Board may authorize any licensed pest control operator or his or her employees to enter any unit at any reasonable hour of the day to inspect the unit for the presence of any undesirable insects or vermin, and to take preventative or protective measures to control or exterminate them.

Moving

Protective coverings for the flooring and walls at the entry doors, common area interiors, and elevators must be used. Access to these coverings should be coordinated with management.

Propping exterior doors open or disabling any locks is prohibited.

Boxes and other packaging relative to moving must be broken down and placed in the dumpsters and recycling bins. If sufficient room is not available in the dumpster and recycling bins, the disposal of the excess garbage is the responsibility of the owner, who must dispose of it at the dump or other proper disposable facilities. Large or oversize items, such as furniture, appliances, and construction materials may not be disposed of in the common areas or placed outside of the dumpsters in the garage.

Owners are responsible for the repair of any damage to the common areas caused by the owner, his guests, tenants, invitees, or employees subject to the extent described in Section 5.1A of the Declaration.

If professional movers are used, insurance information must be provided to management before the move begins.

Storage and Placement of Personal Property in Common Areas and Restricted Common Areas

No owner, tenant, or occupant shall place, store, attach, or affix any item of personal property in, on, or to the common areas or restricted common areas, including balconies, decks, patios, and stoops, except as permitted below:

- Bicycles may only be stored in the garage and not on balconies, decks, or patios.
- Outdoor recreational furnishings, well-maintained plants on protective saucers, and related decorative items may be placed on balconies, decks, patios, and stoops. Storage of household goods, indoor furnishings, hazardous materials, and other non-standard items is prohibited. Plants may not be placed on or attached to any balcony, deck, or patio ledge or railing.
- All balcony, deck, and patio furnishings must be designed for outdoor use and made of wood or metal or a combination of wood and metal.
- Umbrellas must be in good condition and in neutral colors, including but not limited to natural wood, tan, beige, white, off-white, beige, and black.
- A welcome mat constructed for outdoor use, a reasonable number of well-maintained potted plants, and tasteful decorative items may be placed in the common area outside of each unit's entry door up to five (5) feet of the entry door. Decorative items outside of entry doors may not include any furnishings.
- The placement of plants and decorative items may not block access to any unit.

Owners are responsible for any damage to the common area, restricted common area, and their units resulting from the installation or removal of personal property.

Any other personal property, other than those items permitted above, must be approved in writing by the Board of Directors or Architectural Control Committee.

Entry, Access, and Deliveries

An entry and access system controls the two primary entrances to the community, the garage gate and the main entrances on Eighth Street. At each of these locations, an access control panel is installed, which residents or visitors may use to gain entry to the community. Access through keyed entry is also available for residents at some of the entrances and gates in the development. Further, each resident may acquire a 4-digit personal access code from management and transmitter for the garage gate for their use.

Guests, delivery personnel, domestic help, and other non-residents should not be provided with keys, personal access codes, or transmitters and should use the entry and access system to gain entrance to the building. In special cases, the Board may elect to provide residents with access codes for domestic help and other non-residents following a written request from the owner explaining the need for an additional access code. Delivery personnel, such as the San Jose Mercury News, UPS, Fed-Ex, etc., may be provided with an access code, which may be obtained from management.

It is important to understand that this system is not intended to provide a "secure" environment and is not a substitute for the normal practices that each resident should employ for their own safety and security. The Association shall not be liable for damage or theft of any items placed in the common areas by delivery personnel.

Floor Coverings

No change in the floor covering materials originally installed in the units shall be permitted except with the consent of the Board. To reduce sound transmission, all units which are above other units shall have all floor areas except kitchens, dining room, living room, lofts, and bathrooms covered with carpet or other material which provides equivalent insulation against sound transmission to the unit below. At least seventy percent (70%) of all "hard surface" flooring shall be covered with rugs within each unit. Each homeowner is responsible for such flooring. Enforcement of these provisions may include, but are not limited to, the replacement of the unapproved flooring at the owner's expense and the pursuit of any cost and fees associated in securing an owner's compliance with the foregoing.

Policy and Procedure for Shutting Off Water

For Non-Emergency Water Shut Offs (Defined as a shut off for the purpose of performing a scheduled repair of a plumbing component which is not the source of an active leak causing damage to property):

The shared plumbing system is complex, including boilers and water softeners, and shutting off the shared water supply system requires a professional. Water shut off controls are in the garage and affect multiple units. Therefore, in order to perform a shut off of the shared water supply system, you must comply with the following procedures:

1: You are required to hire and contract with the association's approved plumber to perform the shut off (and turn back on) of the shared water supply system. The association's approved plumber is:

New Pipes, Inc (Phone: 408-269-1969).

You are NOT required to hire the HOA plumber to perform plumbing work inside your unit, but you are required to hire them to perform any common water shut off or any other work that affects any of the common area shared plumbing components.

2: The individual who is having work performed is responsible and required to post a "Water Shut Off Notice" on the entry door of every unit affected by the water shut off. Notices must be posted at least 72 hours prior to the planned start time of the water shut off. Please complete and use the template "Water Shut Off Notice" included with this policy.

3: You are required to notify the association management in advance of the scheduled date, time, and reason for the water shut off.

4: If the required time for completion of the scheduled plumbing work exceeds the original estimated time for the water shut off, and it becomes necessary to extend the length of time of the water shut off, then a new notice must be placed on all affected unit front doors IMMEDIATELY stating the new estimated time for restoration of water flow. If possible, please restore the water as originally scheduled and schedule another separate water shut off for a later date.

5: All efforts must be made to restore water flow as quickly as possible!

6: In order to avoid the possibility of delaying restoring water flow, water shut offs may only be performed for one specific job at a time. If you need to perform plumbing work which requires the water to be shut off to the building, you must contact the association approved plumbers and coordinate a separate water shut off.

In Case of Plumbing Emergency:

If a plumbing emergency occurs (for example, a sudden burst of water that cannot be controlled), contact association management or a plumber for assistance. An association approved plumber may be dispatched to shut off the shared water system without following the above noticing procedure, but only in the event of an emergency.

800 N 8th Street HOA WATER SHUT OFF NOTICE

This notice is to inform residents and homeowners that a plumber will be shutting down the water to the building for plumbing work/repairs.

Scheduled Date of Water Shut Off: _____

Scheduled Start Time: _____

Scheduled End Time: _____

Contact Phone for Plumber: _____

Location of Work (Unit #): _____

Please note that the length of time of water shutoff may vary slightly depending on the demands of the work. If you have any questions, please contact the plumber who is performing the work.

This form is provided to unit owners to use to notify neighboring units of a water shut off. The owner of a unit who is having plumbing work done is responsible for notifying all other affected units of an upcoming water shut off by posting a notice on the entry doors of all affected units at least 72 hours prior to the shut off and also notifying the association manager. If you experience a plumbing emergency during or after a water shut off, please call the plumber noted above and also contact the association manager at:

800 North 8th St HOA
C/O Manor
Manor Phone: 650-637-1616

ARCHITECTURAL STANDARDS
AND GUIDELINES FOR

800 NORTH 8TH



May 10, 2004

THE ARCHITECTURAL REVIEW PROCESS

WHY HAVE A REVIEW PROCESS?

The value of a home can be affected by the appearance of other homes nearby. Therefore, to protect our homeowners, lenders and the City, Article 7 of our Declaration of Restrictions (CC&R's) provides for a system of review and approval for exterior changes homeowners wish to make to their private open space.

The importance of abiding by the Review Process goes beyond our agreement to be legally bound by it when we purchased our homes. It can only work if we apply it fairly and uniformly when evaluating applications by our neighbors while serving as members of the Review Committee, and operating within the review process as applicants. The purpose of the system is not to impose unnecessary controls and restrictions, but rather to protect the value of one of the most important purchases each of us will ever make - our homes.

THE ARCHITECTURAL REVIEW COMMITTEE, THE CITY AND YOU

The Architectural Review Committee consists of three members appointed by the Board. This Committee helps to develop and implement standards, procedures and policies that govern changes homeowners may make to their property. Its members review proposed plans and approve or disapprove based upon those standards of style, exterior design, appearance, location, and CC&R requirements. The Committee also assists homeowners and makes recommendations to help bring plans into compliance.

The City of San Jose approved the 800 North 8th development as a Planned Development (P.D.). As required for P.D.'s, the City reviewed and approved all aspects of the project and requires that any modifications be reviewed and approved by them. City staff will evaluate your proposed plan relative to those standards applicable to the P.D. and may grant or deny any necessary planning approval and building permit.

Your role is three-fold:

First, when contemplating any property modification, you are encouraged to familiarize yourself with this document and with Article 7 of your CC&R's relating to architectural controls or review. That article describes the basis for the controls, the charter for the Architectural Review Committee and the authority for enforcement.

Second, you will be working with the Architectural Review Committee to obtain approval for your application, and with the City, should your project require a building permit. The steps you will go through and the requirements for dealing with the Committee and the City are described later in this document.

Third, your role with the Committee needn't be solely as an applicant. This is your committee. Its members would like you to attend its meetings; they are interested in your ideas and your participation. Contact the Architectural Review Committee Chairperson for the dates and times of meetings. Should you wish to become a member of the

Committee, contact the Association President We are particularly interested in candidates with backgrounds in architecture, construction, horticulture, or related disciplines and neighborhood or municipal government. The Committee is also a good place for someone to learn about how the Association works before becoming a Board member. Phone numbers of Committee and Board contacts can be obtained by calling the Property Manager.

HOW TO GET APPROVAL FOR YOUR PROJECT

When to Apply for Approval

Approval from the Architectural Review Committee is required for almost any common area, common building, and exterior modification.

Refer to Section 7.9 of the CC&R's, Architectural Controls, for specific actions/revisions requiring prior written approval of the Committee and the procedures associated for review by the Committee.

The Committee also requires that an application be submitted for modification of an improvement, or reconstruction of an improvement that has been removed or destroyed. If a standard has changed since previous approval, the Committee may require that reconstruction or modification brings the improvement into compliance with the new standard. It is the applicant's responsibility to request and examine architectural standards that apply to an improvement to be reconstructed or modified.

Approval is important. Making a modification without the Architectural Review Committee's approval may result in changes having to be undone at the homeowner's expense. Other Association remedies include, but are not limited to, filing a notice of non-conformance that will affect the salability of the property, with filing/clerk fees assessed to the homeowner, and injunctive relief with the homeowner paying attorney's fees. The City also has zoning code enforcement procedures.

Remember, you agreed to the terms of the CC&R's when you purchased your home and those terms mandate the Review and Approval process. Someday, when you take your turn on the Board, you will learn you must enforce architectural controls or expose yourself to liability. Please don't put your neighbors in a position where they must ask you to remove something which hasn't been approved; they have no choice. You do.

In order to help determine if a contemplated project requires approval, some examples are listed below. If, after reviewing the examples, you are still unsure as to whether you need apply to have your project approved, it is better to apply.

Examples of Alterations Not Normally Permitted

- Exterior antennas or external wiring
- Signs, flags, banners, etc.
- Basketball apparatus
- Clothes lines
- Waterbeds
- Window awnings
- Window additions or coverings that are not muted in tone and color
- Pet houses
- Greenhouses
- Garbage can structures
- Security bars on windows, exterior or visible interior
- Structures on common property
- Planting by residents on common property
- Color changes to exterior of buildings
- Modifications to steps or walkways
- Storage sheds
- Changes to doors, door colors, additions of screen doors
- Greenhouse windows
- Changes which may affect drainage
- Removal of trees or addition of trees that are not replacements for like species of existing trees
- Additions or changes to fences and gates
- Decks and patios
- Arbor and trellis structures
- Gazebos
- Water fixtures such as fountains, waterscapes, spas and hot tubs

Examples of Alterations Requiring Approval

- Patio/Deck landscaping consisting predominantly of potted plants
- Outside furniture and umbrellas visible from street and common area
- Children's play structures visible from street, common area, or any other lot
- Solar panels (none are allowed on roofs)
- Any external structure visible from any street, adjoining residence or common area

Examples of Alterations Not Requiring Approval

Though the following normally will not require application and approval, the Architectural Review Committee reserves the right to require approval should they determine a problem exists or might exist:

- Non-Structural Interior Modifications (unless noted otherwise)
- Window Blind Installation (white or off-white in color)

- Temporary holiday decorations (reasonable in nature) in place for less than 30 days

How To Apply for Approval

Should you wish to make an exterior change to your property for which an application is required, this is what you should do:

1. Applicants are encouraged to discuss their projects with their neighbors early in the planning stages to explore and resolve potential problems before expending significant time preparing a plan and application. Although permission from neighbors is not required for approval, the purpose of the approval process is to avoid problems and detrimental impact on neighbors. Such impact will be considered by the Architectural Review Committee when evaluating your application.
2. Make a photo copy of the enclosed Architectural Review Committee form and fill it out.
3. Make a scale drawing(s) of your proposed project. Include top (plan) and side (elevation) views as necessary to clearly establish proposed location and elevation of your modification. Your drawing should also include existing structures and boundaries where necessary to indicate relative location.
4. Submit four copies of your completed application and four copies of your scale drawings(s) to the Architectural Review Committee. You may send them to the current Association address, or simply give them to any Architectural Review Committee member or Board member. Normally, an application fee is not required. However, should extraordinary expenses arise, you may be contacted later to submit an application fee ranging up to \$50 to cover such expenses like notice and postage requirements, drawing duplication fees, outside consulting fees, and any other fees necessary to process your application. You may request itemization of such expenses.
5. You will receive back a date stamped copy of your application. This copy serves as your receipt and documents the date your application was received.

A receipt for your application does not necessarily indicate it is complete. Should it later be determined that additional information is required, the application will not be deemed complete until such information has been received by the Committee.

6. The Architectural Review Committee will approve or disapprove your plans and specifications within 30 days of receipt of a completed application and will send you a "Notice of Action on Application." If disapproved, you may modify your plans to conform with Architectural Standards and resubmit, or you may appeal the Architectural Review Committee decision in writing to the Board of Directors within 15 days of the decision.
7. If approved, you should take your plans and the Notice of Action form to the City Planning and Building Departments. The Planning Department will check your plans for conformance. The Building Department will review your plans for structural, fire, life safety and other issues before issuing any required permits. On complicated

improvements, it may be a good idea to visit with the City first to understand their requirements.

8. After you have received your permits, if needed, return your Notice of Action form the Architectural Review Committee Chairperson for final signature.
9. After final approval, you have one year in which to complete construction of your improvements, conforming to any conditions the Architectural Review Committee, Board and/or City may have imposed. Your City building permit is usually valid for 180 days from issuance of permit or last inspection. A 180-day extension can be requested in writing should it be required.

The Architectural Review Committee may (but has no obligation to) review the finished project to confirm that your improvement does comply with your approved plan and conditions. You must correct any deficiencies as determined by the Committee. You are responsible for upkeep and maintenance of the improvement within acceptable standards as determined by the Committee, unless specifically exempted by the Committee or Board. You may be required to record to your title any short form covenant, condition or restriction prescribed by the Association relating to the rights and obligations of any subsequent owner, including those that pertain to maintenance of the improvements as a condition of ownership.

Most improvements homeowners are likely to make are covered by one or more of the standards listed under the Architectural Design Standards, below. However, if your desired improvement is not covered, you should still apply to the Committee. The Committee may:

- provide you with an applicable standard approved since this manual was printed.
- submit your plan to the Board to be considered as a variance.

It is perfectly acceptable for a homeowner who wishes to construct a non-standard improvement to propose a new standard for consideration. A well-considered, thoughtful, written proposal, consistent with our Standards and Review Objectives, that addresses our common interests as well as yours, may shorten substantially the time needed for the Committee to refine, and the Board to approve, a new standard that applies to your project, thus expediting approval of your project. It will also help your neighbors by giving us a new standard for like projects.

ARCHITECTURAL STANDARDS

AUTHORITY

Principal provisions of our CC&R's relating to architectural standards and control issues are included in Articles 3, and 7 and 9.

STANDARDS AND REVIEW OBJECTIVES

Objectives for design and review standards were adapted for 800 North 8th from objectives recommended by the American Institute of Architects publication, *Design Review Boards*.

1. **Landscape and Environment Protection.** To prevent the unnecessary destruction or blighting of the achieved environment.
2. **Relationship of Structures and Open Spaces.** To ascertain that the treatment of built-up and open spaces is designed so that they relate harmoniously to the terrain and to existing structures that have a visual relationship to the proposed structures.
3. **Protection of Neighbors.** To protect neighboring owners and users by ensuring that reasonable provision has been made for such matters as surface water drainage, sound, sight buffers, safety, the preservation of views, light and air, and other aspects of design which may have substantial effects on neighboring property.
4. **Circulation and Easements.** To determine that the proposed improvement facilitates appropriate access for servicing, maintenance, and protection of easements.

CREATION OF STANDARDS

Although normally proposed by members of the Architectural Review Committee, any homeowner may propose an architectural standard, consistent with our Standards and Review Objectives. A proposed standard may be considered by the Committee and evaluated for merit. It may be rejected, or the language may be altered and refined before being submitted to the Board of Directors for review and possible further modification. Should the Board wish to adopt the standard, it will then publish notice of the standard to solicit comments from membership. Not less than two weeks following such publishing, a hearing will be held on the proposed standard. Following the hearing, it may be adopted by the Board, possibly with modifications as determined from the hearing.

ARCHITECTURAL DESIGN STANDARDS

Definitions

In the standards that follow:

As-built refers to a condition that existed at the completion of original construction by 800 North 8th Street, LLC.

Height is relative to original, as-built average grade immediately under the improvement, unless otherwise specified within a standard.

Landscape shall mean lawns and gardens and their elements consisting of bushes, trees, flowers and any other plants, soil contour and hardscape yard improvements.

Hardscape shall mean non-organic landscaping material(s), including but not limited to cement, brick, flagstone, aggregate, rock and gravel.

Fence shall mean a freestanding divider constructed of metal tubesteel, C.M.U masonry block or wood with applied stucco finish dividing restricted common area patios or surrounding the community.

Structure shall mean construction such as a deck, trellis, arbor, gazebo, hot tub, play structure, permanent barbecue or other improvement not otherwise considered hardscape.

Permanent Structure is any structure anchored to the ground or to another structure with nails, screws, brackets, concrete, buried supports, root Systems, or by any other means, or is sufficiently heavy or massive as to render the improvements not readily moveable. Any structure or improvement in any easement area may be required to be moved out of the easement area upon request.

Temporary Structure is any structure not physically anchored to the ground or attached to another structure or otherwise incapable of being readily moved.

Dwelling shall mean the actual habitable structure or unit.

Dimensions

Dimensions and distances in these standards were determined with consideration for visibility, conformance with fire code, ensuring margin for maintenance to adjacent fences, walls and dwellings, preservation of drainage, minimizing potential for noise, and protection of rights granted by the CC&R's to homeowners burdened by easements. **Nothing in these standards should be construed as a specification for purposes of safety or protection of property.**

Drainage

Homeowners are cautioned: the soils beneath 800 North 8th are expansive. The soil may expand when moist, exerting significant force that can crack foundations and hardscape. Good drainage must be maintained to avoid damage to our homes and common structures. No change shall be made that is detrimental to drainage from any residential or common area site. Improvements must not place additional drainage burden on a neighboring unit or upon common area. You are required by CC&R's Articles 2 and 3 to preserve drainage.

A minimum slope of one percent is required for all hardscaped surfaces such as patios, as well as improvements constructed with concrete, brick, flagstone, and similar materials. A minimum of two percent slope is required for soil, lawns, gardens, and other landscape. Grade must be maintained to channel water away from buildings and toward drains. New drains and drainage channels must be installed, if necessary, to ensure positive drainage. Gutters and drains must be maintained to ensure flow is not obstructed.

Common areas including the roadway, garage parking and structure, roofs, catwalks, walkways, landscaped areas and hardscaped areas both on and off the concrete podium structure as well as restricted common areas including patios, decks, balconies, and stoops are governed and maintained by the Association.* These areas have been designed and built for proper drainage. Modification of drainage in these areas shall not be allowed.

*However, homeowners should perform regular cleaning and maintenance of their respective patios, decks, balconies, and stoops.

General

No improvements or additions are permitted to areas outside of the restricted common area balconies, patios, and decks.

No modifications that increase the footprint of a building are permitted. Any improvement that changes the exterior elevation of a building must be approved.

Unless specifically indicated within a standard, all improvement structures shall be freestanding, detached-from buildings, wall and fences.

All improvements, as well as existing structures and landscaping, shall be maintained in good repair and attractive condition.

Because of the potential for nuisance with some types of improvements, the Board of Directors may regulate times of the day a play structure, outdoor lighting, insect extermination device, or other improvement may be used should use disturb residents on neighboring lots.

No addition shall prevent proper function of dryer vents, foundation vents, or gutters and downspouts.

Impact of construction activity may be considered in the review process.

Specific Improvements

Exterior Lighting

No changes to exterior lighting are permitted.

Hot Tubs and Spas

Spas and hot tubs will not be permitted in the 800 North 8th Community.

Arbor Structures

Arbor structures will not be allowed at 800 North 8th.

Fountains, Bird Baths and Waterscapes

Fountains, bird baths and waterscapes will not be allowed at 800 North 8th.

LANDSCAPING GUIDELINES

GENERAL CONSIDERATIONS

In a high-density development, neglected maintenance can affect the appearance (and property values) of other homes in the community. Your CC&R's protect you by requiring that the Association maintain the exterior of the buildings and the common area landscaping in an attractive and operational condition. Generally, landscaped areas are not to be modified by individual homeowners. However, homeowners may be allowed to have patio/deck landscaping predominantly of potted plants.

Addition of trees, shrubs and other plants that have excessive leaf fall, pods, berries, heavy sap, etc., is prohibited.

Trees and plants must not be located where they are likely to damage sidewalks, foundations, utility lines, drainage lines, or other structures.

Planting of trees and plants known to have intrusive roots or branches is prohibited. Trees or plants causing damage may be required to be removed or other measures taken to arrest and ensure against future damage. Owners of trees and plants causing damage are liable for such damage.

Except for unusual site-specific circumstances, maximum height for an untrimmed mature plant (trees excluded) should not exceed eight feet.

Members are cautioned that trees or plants that grow over someone else's property may be required to be trimmed back, affecting shade and possibly the health of the plant itself. Therefore, it may be prudent to locate expansive plants away from dividing restrictive common area lines.

Other factors considered by the Architectural Review Committee include:

- toxicity of the tree or plant or its foliage, flowers, fruit, berries, pods, etc.
- propensity of a tree or plant to generate pollen
- shade

SPECIFICALLY PROHIBITED PLANTS

The following plants, not already existing on the property, are specifically prohibited. The Board may also prohibit others if deemed to present a hazard or nuisance.

- Acacia
- Algerian Ivy
- Bamboo
- Bermuda Grass
- Pampas Grass
- Eucalyptus Trees
- European White Birch Trees
- Juniper Trees
- Leyland Cypress Trees
- Magnolias
- Oleander
- Olive Trees
- Pepper Trees
- Pine Trees
- Redwood Trees
- Scotch Broom
- Tulip Trees(Liriodendron)
- Willow Trees

800 NORTH 8TH ARCHITECTURAL REVIEW COMMITTEE

Application to Modify Property

Describe the modification you propose to make to your property. Include a scale drawing, both plan and elevation (side) views as necessary to clearly establish locations and height of any modifications. Include dimensions and materials, and specific color(s). Your drawing should include all existing structures and features where necessary to indicate relative location. Attach additional pages if needed.

Please deliver four copies of this completed form, along with drawings, to any Board member or the property management company.

Owner(s): _____

Address: _____

Property Address (if different): _____

Phone: _____

Checklist of drawings to be submitted:

- Detailed Plan (1/4" scale)
- Overview showing proposed improvements, adjacent units, etc. (1/8 scale)
- Elevation drawings. (1/8" scale)
- Proposed colors and materials
- Photos of existing conditions and features

Brief description of proposed modification:

Applicant agrees to indemnify the Association against any and all acts or claims arising in connection with the Improvement, including but not limited to, any and all acts, omissions, or claims arising in connection with the approval, construction, operation, maintenance, repair, use, or removal of the Improvement, including attorney fees and costs of litigation in connection therewith.

Applicant understands that all necessary permits and approvals from municipalities or other jurisdictions are the sole responsibility of applicant and that Committee approval of this application is subject to the applicant receiving all such necessary permits and approvals.

I (We) have read the ARCHITECTURAL STANDARDS AND GUIDELINES FOR 800 NORTH 8TH and the Declaration (CC&R's) and understand my (our) obligations thereto.

THE UNDERSIGNED AGREES TO THE ABOVE CONDITIONS:

Owner's Signature(s): _____

Date: _____

800 NORTH 8TH STREET HOMEOWNERS ASSOCIATION

FLOOR COVERING POLICY

No change in the floor covering materials originally installed in the units shall be permitted except with the consent of the Board. To reduce sound transmission, all units which are above other units shall have all floor areas except kitchens, dining room, living room, lofts, and bathrooms covered with carpet or other material which provide equivalent insulation against sound transmission to the unit below. At least seventy percent (70%) of all "hard surfaces" flooring shall be covered with rugs within each unit. Each homeowner is responsible for such flooring.

If you wish to install flooring other than what was originally installed, you MUST send your written request to the Board of Directors for approval. The following MUST be submitted with your request:

1. The type of flooring and underlayment (i.e., hardwood floors, carpets, etc.), including the manufacturer's IIC rating.
2. Where the floor will be installed.
3. Samples of the flooring material (if possible).

If you install flooring without prior written approval of the Board of Directors, you may be called to a hearing and subject to the following:

1. A fine of \$500 may be placed on your account.
2. A field inspection may be required by the Board of Directors to determine the IIC rating of the flooring. Costs will be the responsibility of the homeowner.
3. If the IIC rating or type of flooring is not acceptable by the acoustical engineer, you may be required to remove the flooring at your expense.
4. Any legal costs incurred by the Association will be assessed to the homeowner's account.

All approval letters will be reviewed by the Board.

800 NORTH 8th STREET HOMEOWNERS ASSOCIATION

FORM FOR NOTICE OF INTENT TO INSTALL SATELLITE DISH OR ANTENNA

Name(s): _____

Address: _____

If rented, tenant's name (Attach copy of owner's written permission): _____

Telephone (Day): _____ Telephone (Evening): _____

Type of Antenna/Dish: _____

Size of Antenna/Dish: 18-inch other (indicate size) _____

Company Performing Installation _____

Identify Installation Location: Roof Building Exterior Rear Deck
Entry Deck Other

Indicate "Other": _____

Date installation performed: _____

Please indicate the method of installation: _____

Will the installation be in compliance with all FCC rules, manufacturers' guidelines, and applicable building codes? Yes No

Is a mast necessary for reception? Yes No

If yes, is the mast required to extend more than 12 feet above the roofline or extend to a height greater than the distance from the installation to the lot line? Yes No

Will any visible wiring associated with the satellite dish match the exterior of the building and will all wiring be placed as inconspicuously as possible by running it under the eaves, etc., where necessary to conceal or camouflage the wiring from neighboring residences and the common area? Yes No

Please note that dishes or antennas and associated wiring may not be installed on common areas, including building exteriors and roofs, without the prior, written approval of the Board of directors. Further, no drilling, boring into walls, windows, slabs, roofs, or other common areas is permitted without approval.

• * * * * *

Owner shall be liable to the Association and the members of its Board of Directors and its officers, employees, agents, members or committee members and any owner of property within the development (collectively and individually referred to as the "Released Party") for all damages arising from or connected in any way with the installation, maintenance, and use of the satellite dish or antenna. Owner shall indemnify, hold harmless and defend each Released Party with respect to any liabilities, claims, demands, causes of actions and other expenses in any way arising from or connected in any way with the installation, maintenance, and use of the satellite dish or antenna. Owner Obligations under this section shall exist regardless of any active or passive negligence on the part of the Release Party. I agree to the above by signing and dating below.

Signed: _____

Dated: _____

800 NORTH 8TH STREET HOMEOWNERS ASSOCIATION

OPEN HOUSE AND SALES POLICY

The purpose of this policy is to create a balance between the needs of owners selling or advertising the sale or rental of their properties and building residents, who do not want these activities to negatively affect the security of the project or their enjoyment of their unit.

The Board of Directors (BOD) encourages owners with suggestions on the amendment or modification to this policy to submit their comments in writing to management, so the BOD can review them at a regularly scheduled BOD meeting.

Signage

- Signage advertising homes for sale or for rent may only be placed on the corner of Eighth and Mission Streets. Signage may not damage the landscaping, irrigation, or other common areas.
- Signage advertising open house and directional signage is limited to a-frame signage that is not affixed, drilled, nailed, or staked into any common area surfaces, including but not limited to landscaping, walkways, and the building exterior. This signage may only be set out on the day of the open house and must be removed after the open house is conducted.
- Open house and directional signage may not be placed on the raised planters or any other area that limits or restricts access for residents and their quest or that blocks the view of any unit.
- Kiosks and flyers may not be affixed to any surface, including the glass storefront entries to the building.
- Nothing in this policy prohibits an owner from placing signage in property that they have exclusive access or use to, include windows, decks, and patios.

Access

- Access for open houses is to be done through the telephone entry system.
- Access codes may not be posted anywhere in the community or published or printed on MLS or other listings or advertisements open to the public.
- Owners and residents are not permitted to distribute access codes to prospective purchasers or other persons that do not permanently reside in their units.
- Access codes posted, published, advertised or distributed to non-residents will be de-activated.
- Doors and gates may not be propped or left open to facilitate entry for an open house.

Approved November 2, 2005

OPEN HOUSE AND SALES POLICY

Page 2

- Lockboxes may be attached to the railings at the main entries, but they may only contain keys and not access codes.

Prohibited Actions

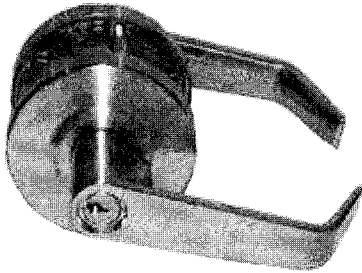
- Any action conducted during an open house that negatively impacts the security of the building, poses a hazard or safety concern, creates a nuisance, or unreasonably interferes with the use or the quiet enjoyment of any owners unit is prohibited.

Non-Compliance and Enforcement of Policy

Any owner that does not comply with this policy or conducts an open house where the owner, realtor, invitees, or other persons do not comply with this policy is subject to a \$100 fine after notice and a hearing before the BOD.

800 North 8th Street Approved Door Hardware Handle Style:

This is the one at Lowes:



Tell Manufacturing Satin Chrome Entry Lever

Item #: 182321 Model: LC2282CTL 26D 234 T

\$65.33

Add to Cart

Product Availability:

Because product availability varies by area, please enter your local zip code to availability.

Zip Code:

Submit



Click to Enlarge

Description

Cylinder* Schlage (SCC), Schlage C (SC5) 5-pin, Schlage E (SCE), Arrow A (ARA), Corbin 60 (C06), Corbin 59A1 (C059A1), Corbin Russwin L4 (CL4), Russwin D1 (RD1), Sargent LA (SAL), Schlage F (SCF), Weiser E (WRE), Yale 8 (YA8), Yale GA (YGA)
Door Range 1"-3/8" to 2"
Lever Non-handed
Warranty 1 year limited

Finish:
Function:
Handle Type:
Deadbolt:
Package Quantity:
Backset Size:
Door Handing:
Projection (Inches):
Commercial / Residential:
Finish Family:
Biometric:
Electronic:
Keyed Only:

Customer Ratings

Satin Chrome
Entrance
Lever
No
1
2 3/8 - 2 3/4 In.
Universal
0.5
Commercial/Residential
Chrome
No
No
Yes

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800 North 8TH Street Homeowners Association

ENFORCEMENT POLICY

800 North 8th Street Homeowners Association, like all homeowners associations, has restrictions that all Owners and residents must comply with.

Should a complaint be received that an owner or resident is not in compliance with any of the Association's Governing Documents (which include the Bylaws, CC&Rs, Rules and Regulations, other policies, etc.), the Association will follow this policy to obtain compliance with the Governing Documents.

Enforcement Procedures

1. Any resident may make a complaint (preferably in writing) to the Association, via management, indicating that another resident is not in compliance with the Governing Documents.
2. As a result of the above, management will send a notice to the non-compliant owner (with a copy sent to the tenant, if applicable) regarding his or her alleged non-compliance.
3. This notice will be sent by first class mail and will include mention of what portion of the Governing Documents the owner or resident is not in compliance with and when and how the Board would like the owner or resident to comply with the Governing Documents.
4. The statute of limitations does not permit the Board to follow-up on complaints regarding matters that occurred five (5) or more years ago.

Sanction and Schedule of Monetary Penalties

Should the owner or resident not comply with above notice, any or all of the following sanctions are available to the Board to assist them in bringing the unit owner into compliance with the Governing Documents:

- The owner may be sent a notice (preferably by certified mail) inviting the owner to attend a hearing by the Board to discuss why the owner or resident has not complied with the Governing Documents as requested previously. This notice will be sent at least ten (10) days before the Board meets to consider or impose discipline on the owner.

The schedule of monetary penalties to be considered or imposed at the hearing or as follows:

\$100 – First hearing concerning offense
\$200 – Second or subsequent hearing concerning same offense

- The Associations attorney may send correspondence to the owner in the attempt to obtain compliance with the Governing Documents.
- The owner may be offered a form of Alternative Dispute Resolution (ADR) to obtain compliance with the Governing Documents with the cost of ADR shared equally by the owner and the Association.

- After a hearing, the Association may send the owner a notice by certified mail stating that the Association intends to have their agent(s) enter the owner's unit to perform repair or other work required by the Governing Documents and intends to assess the owner for all costs associated with the work in the form of a reimbursement assessment following another hearing before the Board provided that the following conditions are met:
 1. A Board member or management representative will be present during the entire time that any work is being done. Further, immediately before and after the work, management shall take pictures (or video tape) of the issue for the Association's records.
 2. If the owner refuses to allow anyone inside his or her unit property to perform repair or other work, under no circumstance should the work proceed. The matter should then be directed to the Association's attorney.

- The Association may have their attorney take the owner to court to obtain a court order requiring the owner's compliance with the Governing Documents.

- The Association may seek to recover any costs, including attorney's fees, incurred in obtaining compliance with the Governing Documents from the owner in small claims court or any other appropriate venue.

Hearing Format

1. The hearing may be held in Executive Session at the owner's request.
2. The length of the hearing is to be fifteen (15) minutes.
3. Up to one minute will be used to read the hearing format aloud and provide any clarification.
4. The behavioral expectations for both the Board, management, owners, residents, witnesses, and other persons attending the hearing are as follows:
 - a. Use language other than profanity;
 - b. Minimize anger and emotional responses and focus on the legal facts and hard evidence regarding the matter;
 - c. Speak to one another in a professional and courteous manner by avoiding personal attacks and threats;
 - d. Focus on the matter at hand and not become sidetracked by irrelevant issues;
 - e. Move on to the next subject in the matter rather than rehashing what has already been said; and
 - f. The Board reserves the right to adjourn the hearing to another date should one or more of the above behavioral expectations not be met.
4. Board members and management representatives will briefly introduce themselves.
5. Management will briefly summarize why the Board has requested that the owner attend the hearing.
6. Owner has up to five (5) minutes to explain why he/she has not complied with the Governing Documents.
7. The Board and management have up to five (5) minutes to ask the owner for clarification about what the owner has stated during his or her five-minute presentation regarding the matter.
8. For up to three (3) minutes, the Board and owner may discuss any potential compromise that could be reached to resolve this matter to both parties' satisfaction before the hearing concludes.
9. Correspondence will be mailed to the owner within fifteen (15) days of the hearing indicating what decision the Board has made.
10. Should an owner be represented by an attorney who raises questions, etc., that the Board does not have the legal expertise to answer, the hearing may be adjourned to another date in order for the association's legal counsel to be consulted with.

Amendments and Revisions

The CC&Rs and Bylaws may be amended or modified by a vote of the membership only. The Board may only revise policies and rules so long as they are not contrary to the provisions included in the CC&Rs and Bylaws. Owners and residents are encouraged to comply with the Governing Documents until such time that as are amended by a vote of the membership or the Board.

**800 NORTH 8TH STREET
HOMEOWNERS ASSOCIATION**

ELECTION RULES

**TABLE OF CONTENTS TO
800 NORTH 8TH STREET HOMEOWNERS ASSOCIATION
ELECTION RULES**

| | Page Number |
|---|--------------------|
| Section 1. Inspector(s) of Election | 1 |
| Section 2. Director Qualifications | 2 |
| Section 3. Nomination Procedures | 2 |
| Section 4. Media Access | 3 |
| Section 5. Common Area Meeting Space | 3 |
| Section 6. Association Funds | 3 |
| Section 7. Voting Qualifications | 4 |
| Section 8. Methods of Voting | 4 |
| Section 9. Voting Period | 4 |
| Section 10. Ballot Requirements | 5 |
| Section 11. Ballot and Voting Procedure | 5 |
| Section 12. Voting Results, Storage and Retention | 6 |

800 NORTH 8TH STREET HOMEOWNERS ASSOCIATION
ELECTION RULES

The Board of Directors adopted these election rules in accordance with California Civil Code Section 1357.100 et seq. Notwithstanding any other law or provision of the governing documents, these rules shall apply to all matters set forth in Section 1363.03(b) of the California Civil Code.

Section 1. Inspector(s) of Election

A. Appointment and Term

1. **Appointment.** The Board of Directors shall appoint one or three persons to serve as the Inspector(s) of Election, who shall serve at the discretion of the Board, and who shall have such powers and duties as the Board shall determine, subject to the limitations imposed by these election rules ("Election Rules").
2. **Term.** The Inspector(s) of Election shall serve in their capacity until they resign, are discharged by the Board, or until they submit their completed written report to the Board as required by Section 1(D)(2)(i).

B. Qualifications

1. The Inspector(s) of Election must be an independent third party who is not any of the following:
 - a. Currently a Member of the Board of Directors or a candidate for the Board of Directors; or
 - b. Related to a Member of the Board of Directors or a candidate for the Board of Directors.
2. Within the absolute discretion of the Board, an independent third party may be a person who is currently employed or under contract to the Association for any compensable services.

C. Powers

1. Notwithstanding any provision in the Association's governing documents to the contrary, an Inspector(s) of Election shall preside over an election or vote dealing with any of the matters set forth in Civil Code Section 1363.03(b).
2. The Inspector(s) of Election may meet and discuss election issues amongst themselves and/or with the Association's legal counsel.

3. If there are three Inspectors of Election, the decision or act of two or more Inspectors of Election shall be effective in all respects as the decision or act of all.
4. The Inspector(s) of Election may appoint and oversee additional persons to count and tabulate votes as the Inspector(s) of Election deems appropriate, if permitted by California law.

D. Duties

1. The Inspector(s) of Election shall perform his or her duties impartially, in good faith, to the best of his or her ability, and as expeditiously as is practical.
2. The Inspector(s) of Election shall do all of the following:
 - a. Determine the number of memberships entitled to vote and the voting power of each.
 - b. Determine the authenticity, validity, and effect of proxies, if any.
 - c. Receive ballots.
 - d. Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote.
 - e. Count and tabulate all votes.
 - f. Determine when the polls closed.
 - g. Determine the result of the election.
 - h. Perform any acts as may be proper to conduct the election with fairness to all Members in accordance with this section and all applicable rules of the Association regarding the conduct of the election that are not in conflict with this section.
 - i. Prepare a written report of the activities undertaken in any election.

Section 2. Director Qualifications

- A. All persons nominated and elected to the Board of Directors shall meet the qualifications set forth in the 800 North 8th Street Homeowners Bylaws (the "Bylaws") and the 800 North 8th Street Condominiums Enabling Declaration Establishing a Plan for Condominium Ownership (the "Declaration"), as they may be amended from time to time.

Section 3. Nomination Procedures

- A. Notwithstanding any provision contained in the Association's governing documents to the contrary, Members may nominate themselves as candidates for election to the Board of Directors.
- B. Nominations for election to the Board may be made by any of the following methods:
 1. A nominating committee as described in the Association's Bylaws; and/or

2. A Member may nominate himself or herself for election to the Board by giving notice to the Association's Secretary, or other designated agent, at least 30 days before distribution of the secret ballots to the Members.
- C. If a person nominated is not qualified to hold an elected position his or her name shall not appear on the ballot and he or she will not be permitted to serve if elected.

Section 4. Media Access

- A. If any publicity is provided by the Association during a campaign, the Association shall ensure that equal access is given to all candidates and Members advocating a point of view for purposes that are reasonably related to the election.
- B. If any publicity is provided by the Association, the Association will not censor, edit or redact the communication but shall include a statement specifying that the message is that of the Members and the Association is not responsible for its content. The following statement shall be published by the Association: *"The views expressed are those of its author and do not reflect the views of the Association, its directors, managers, employees, or agents. The author is solely responsible for its content. The Association is required by law to publish the communication as written regardless of the content."*

Section 5. Common Area Meeting Space

- A. If common area meeting space exists, it shall be provided at no cost to all candidates and Members advocating a point of view for purposes reasonably related to the election or vote, subject to procedural rules as may be adopted by the Board to assure orderly use of such meeting space.
- B. If required by the governing documents, the Association will schedule a community election forum prior to an election of the Board or a vote subject to these Election Rules, whereby candidates and Members who are advocating a point of view which is the subject matter of the pending election or vote may attend and speak to any Association Members choosing to attend. The community election forum shall be conducted in accordance with the governing documents and any procedural rules adopted by the Board.
- C. Any Member desiring to use the common area meeting space for such a purpose shall be responsible for leaving the premises in the condition they were found. The Member shall be required to provide a deposit which will be returned when the premises are returned clean and undamaged.

Section 6. Association Funds

- A. Association funds shall not be used for campaign purposes in connection with any election, except that the Association may provide publicity equally in its discretion.

Section 7. Voting Qualifications

- A. Only Members in good standing, as defined in the Association's governing documents, shall be entitled to vote on any issue or matter presented to the Members for approval.
- B. The Association shall have two classes of voting memberships:
 - 1. Class A: Class A Members shall be all owners with the exception of the Declarant (as defined in the Declaration) and shall be entitled to one vote for each unit owned. When more than one person holds an interest in any unit, all persons shall be Members. The vote for such unit shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any unit.
 - 2. Class B: The Class B Member shall be the Declarant, whose voting rights shall be the same as for Class A memberships, except that Class B Member may triple its for each unit owned. The Class B membership shall cease upon the occurrence of the stated events as described in Section 3.6 of the Association's Bylaws.
- C. Voting periods shall be determined by the Board of Directors for all matters subject to these Election Rules.

Section 8. Methods of Voting

- A. The Association shall not be required to prepare or distribute proxies when voting on any matter requiring vote by secret ballot under Civil Code Section 1363.03.
- B. If proxies are received, they are valid and effective only if they comply with California law and the Association's Bylaws. The Inspector(s) of Election shall determine the authenticity of any proxies received and may deem a proxy used to vote by secret ballot authentic only if the proxy complies with California Civil Code Section 1363.03(d). The Inspector(s) of Election may also take into consideration any reasonable criteria established by the Board of Directors to authenticate a proxy when making such a determination.
- C. The authenticity, validity and effect of proxies with respect to any other Member voting matter that is not determined by secret ballot shall be as set forth in the Association's Bylaws, as such Bylaws may be amended from time to time, and in California law.
- D. In accordance with the Association's Bylaws, Members may cumulate their votes in an election for Board of Directors.

Section 9. Voting Period

- A. The voting period shall begin on the date the ballots are distributed and shall close on the date established by the Board, which shall be not less than 30 days from the date of distribution. Once appointed to oversee an election, the Inspector(s) of Election shall determine, in their discretion, the specific date and time when the polls close.

- B. In the Board of Directors sole discretion the voting period may be extended if sufficient ballots have not been received.

Section 10. Ballot Requirements

- A. Voting with regard to the matters addressed in Civil Code Section 1363.03(b) shall be determined by using a double envelope system to ensure the anonymity of the Member casting his or her vote.

Section 11. Ballot and Voting Procedure

A. **Ballots**

1. A ballot and two pre-addressed envelopes, a smaller (inner) envelope and a larger (outer) envelope, along with instructions on how to return the ballot shall be mailed by first-class mail or delivered by the Association to every Member not less than 30 days prior to the deadline for voting.
2. A voter may not be identified by name, address, or the unit that entitles him or her to vote on the ballot.
3. The ballot itself is not to be signed by the Member voting, but is to be inserted into the smaller (inner) envelope that is sealed by the Member. This envelope is inserted into the larger (outer) envelope that is sealed by the Member.
4. The larger (outer) envelope is addressed to the Inspector(s) of Election. In the upper left-hand corner of the second envelope, the voter prints and signs his or her name, address, and unit that entitles him or her to vote.
5. The ballot may be mailed or delivered by hand to a location specified by the Inspector(s) of Election. The Member may request a receipt for delivery.
6. Once a ballot is cast it cannot be revoked. A ballot is "cast" when it is received.

B. **Vote Tabulation**

1. The ballots shall not be opened or otherwise reviewed prior to the time and place at which the ballots are counted and tabulated. In no event shall any ballots be opened if insufficient ballots exist to meet the quorum requirement.
2. The envelopes shall be opened and the ballots shall be counted and tabulated in public, at a properly noticed Board meeting which may, but need not be scheduled to take place concurrently with the annual membership meeting. Any candidate or other Member of the Association may witness the counting and tabulation of the votes.

3. Only the Inspector(s) of Election, or individuals designated by the Inspector(s) of Election if allowed under California law, shall open the envelopes and count and tabulate the ballots.
4. If the Inspector(s) of Election determine that insufficient ballots exist to meet the quorum requirement, the Board:
 - a. Shall extend the voting period for elections to the Board of Directors.
 - b. May extend the voting period for any other matters subject to these Election Rules.
5. In a Board of Director election, if there is a tie vote between those candidates who receive the lowest number of votes, the tie shall be broken by a random method, as determined by the Inspector(s) of Election.

Section 12. Voting Results, Storage and Retention

A. Election Results

1. The Inspector(s) of Election shall promptly report the results of the election to the Board of Directors who shall record the results of the election in the minutes of the next Board meeting and make them available to the Members of the Association for review.
2. Within 15 days of the election, the Board shall publicize the results of the election in a communication directed to all Members.

B. Custody, Storage and Retention of Ballots from Elections

1. Custody

- a. The sealed ballots shall remain in the custody of the Inspector(s) of Election or at a location designated by the Inspector(s) of Election at all times prior to tabulation of the vote.
- b. After the votes have been tabulated, physical custody of the ballots shall be transferred to the Association.

2. Storage and Retention

- a. After tabulation, ballots shall be stored by the Association in a secure place for at least one year after the date of election.
- b. In the event of a recount or other challenge to the election process, upon written request, the Association shall make the ballots available for inspection and review by Association Members or their authorized

representatives. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.