

Lava Bluff Owners Association

Restated and Amended Rules of Lava Bluff Owners Association

These Restated and Amended Lava Bluff Rules replace all former Lava Bluff Rules, and apply to all properties comprising Lava Bluff Owners Association. Said Restated Rules were approved by a majority of a quorum of the members of Lava Bluff Owners Association at an annual meeting held December 10, 1994 and were also adopted by the Board of Trustees on such date, pursuant to Article V, Section 1 of the By-laws of Lava Bluff Owners Association.

1. WATERFALL

No swimming or wading shall be permitted in the waterfall and pond area. A \$25.00 fine will be assessed against an owner if the owner, his guests, relatives, or agents is in violation of this rule.

2. PETS

No animals of any kind shall be raised, bred or kept on any Lot, except that cats or other quiet household pets may be kept on the lots (Art. 7, Sec. 9 of amended CC&R's). Dogs or cats must be on a leash at all times when being walked or not inside the fenced area of Lot. All owners of pets shall be responsible for the cleanup of his pet's waste. If the owner fails to immediately clean up his pet's waste after written notice from the Board of Trustees, the Board of Trustees may clean up the waste and fine the owner \$25.00 for the first violation and \$50.00 for each additional violation.

3. Clubhouse

All homeowners will be responsible for their guests, relatives, and agents who use the clubhouse. A \$25.00 security deposit is required for reservation of private parties for clean up fees. After the clubhouse is inspected, the deposit will be returned if cleaned up. There will be no reservations accepted for parties on holidays, on such days the clubhouse will be available for members only.

4. Responsibility for Guests

Homeowners shall be responsible for all negligent and intentional acts or omissions of their guest, relatives and agents resulting in damage to Association property and Common Area.

5. Speed Limits

The speed limit shall be 10 miles per hour. A fine of \$25.00 per violation will be assessed against an owner, his guests, relatives, or agents, who exceed the speed limit.

6. Fines

All fines shall be added to, and become an assessment and lien against the Lot of the Owner so fined.

The amended Architectural Control Guidelines were approved by a majority of the members and are to be added to the amended Architectural Control Guidelines, dated November 15, 1995.

7. Responsibility for Children

Parents are responsible for the behavior of their children at all times in the park. Failure to properly supervise their children can and will result in a fine.

8. Activities Not Allowed in Park

No skate boarding or roller blades are allowed within the Association. This is a safety precaution against injuries which may result which could involve the Association in a lawsuit. Children play in the streets at their own risk.

9. Waterfall and Common Areas

The Waterfall and other common areas are not a play ground or picnic area, and are provided for the beauty of the Association.

The amended Architectural Control Guidelines were approved by a majority of the members and are to be added to the restated and amended Architectural Control Guidelines dated December 6, 1995

5B Recreational Vehicles

All motor homes are required to be parked in the designated R.V. storage area.

Lava Bluff Owners Association

By: *Teddy Billingsley*
Teddy Billingsley - Chairman
Board of Trustees and
Chairman, Architectural
Control Committee

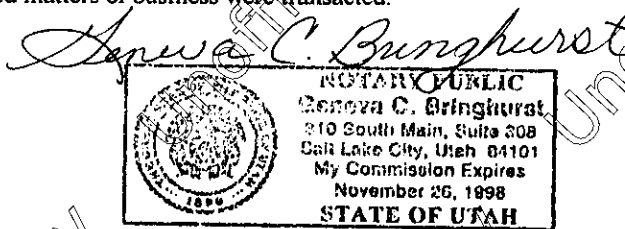
State of Utah

County of Washington

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On this, the 22nd day of April, before me, a Notary Public, in and for the State of Utah, personally appeared before me, Teddy Billingsley, who signed this document in the capacity as Chairman of the Lava Bluff Owners Association and Chairman of the Architectural Control Committee, and who has represented that she was authorized on behalf of the Association to sign this document for and in behalf of the Lava Bluff Owners Association, being duly elected as such by the majority of the members of the Association at the time the above referenced matters of business were transacted.

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Amendments and Restated Rules
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**Restated and Amended
Architectural Control Guidelines
of the
Lava Bluff Owners Association**

The amended Architectural Control Guidelines were approved by a majority of the members of Lava Bluff Owners Association, and are to be added to the restated and amended Architectural Control Guidelines dated December 10, 1994 and amended on October 30, 1995.

1. **Landscaping**

All yards must be landscaped and maintained by lot owners. In the event an Owner of any Lot in the Property shall fail to maintain his Lot in a manner satisfactory to the Architectural Control Committee or the Board of Trustees, the Association, after approval by 2/3 vote of the Committee, shall have the right, through its agents, employees, or through an independent contractor, to enter upon such Lot and repair, maintain, and restore the portion of the Lot maintainable by the Owner. The costs incurred by the Association in maintaining, repairing or restoring those portions of a Lot maintainable by an Owner shall then be added to and become an assessment and lien against the Lot.

2. **Storage**

Storage sheds may be constructed on a Lot upon approval of the Architectural Control Committee, as stated in Article 7, Section 8 of the Amended CC&R's. Sheds must be located at the rear of the lot, but no closer than seven (7) feet from the back property line, according to the Hurricane City, Utah Mobile Home Ordinance.

3. **Alterations**

Any changes or additions to the existing improvements and structures outside, may be done only with the written approval of the Architectural Control Committee.

4. **Fences**

All fences are to be approved by the Architectural Control Committee, as stated in Article 8 Section 3 of the Amended CC&R's. No fence or hedge shall exceed six (6) feet in height and shall be located on the side lot line of a Lot or on the perimeter on a patio or open porch and shall not exceed three (3) feet in height in the front yard of the Lot. Walls or fences are intended to enhance the privacy of the residents of such Lot and should not unreasonably interfere with the view from any neighboring Lot. Where a fence or wall is located along an interior property line separating two lots and where there is a difference in grade of the two lots, the fence or wall may be erected or allowed only to the maximum height permitted from the grade of the lowest lot. Fences may not be bermed for the purpose of increasing allowable height.

5. **Parking**

Off street parking for a minimum of two (2) parked vehicles is required. There will be no long term parking on the street except for emergencies or visitors. Motor homes of visitors, family members and guests will be allowed to park on the streets for loading and unloading for a period not to exceed 48 hours, unless a longer period is approved in writing by a majority of the Board of Trustees to accommodate extended visits. Campers, trailers, boats, and commercial type trucks come under the same rule.

6. **Satellites**

No television, radio, satellite dishes, or other external antennas shall be erected, placed, or maintained upon a Lot, or in front of any building constructed thereon, without the prior approval of the Architectural Control Committee. The Architectural Control Committee shall have the right to remove or cause the removal of antennas or dishes erected, placed or maintained without said prior approval. Large satellite dishes are not permitted. Only medium and small satellite dishes, by industry standards, are allowed. All antennae's or dishes presently existing in violation of this provision shall be grandfathered and are not in violation of this paragraph.

7. **Homes**

All manufactured homes shall be either new homes when installed or they shall not be over five (5) years old from date plans are submitted to the Architectural Control Committee and shall be in excellent condition and repair as determined by the Architectural Control Committee. (Article 7, Section 2 of Amended CC&R's) All homes to have carports or garages.

8. **Entry Steps**

Entry way steps will be cement, 3' X 3' minimum landings. Minimum 3 foot steps and 8 inch riser. Steps over 2 high require a hand rail. Wood steps are allowed with wooden deck. Decks to have a minimum size of 50 square feet with hand railing.

9. **Skirting**

Units will have cement or cinder block skirting with bottom trim on the unit overlapping cinder block or cement.

10. **Driveways and Sidewalks**

Cement driveways and sidewalks are to be in place within 45 days of placing unit on the lot.

11. **Carports**

All homes to have garages or carports. Carports are to be full length of side of the home, or a minimum of 36 feet long and 12 feet wide.

12. Occupancy

New homes are not to be occupied until the final inspection by the City of Hurricane and the Lava Bluff Architectural Control Committee.

Lava Bluff Owners Association

By *Teddy Billingsley*
Teddy Billingsley - Chairman
Board of Trustees and
Chairman, Architectural
Control Committee

State of Utah

County of Washington

On this, the 22nd day of April, before me, a Notary Public, in and for the State of Utah, personally appeared before me, Teddy Billingsley, who signed this document in the capacity as Chairman of the Lava Bluff Owners Association and Chairman of the Architectural Control Committee, and who has represented that she was authorized on behalf of the Association to sign this document for and in behalf of the Lava Bluff Owners Association, being duly elected as such by the majority of the members of the Association at the time the above referenced matters of business were transacted.

Geneva C. Bringhurst

