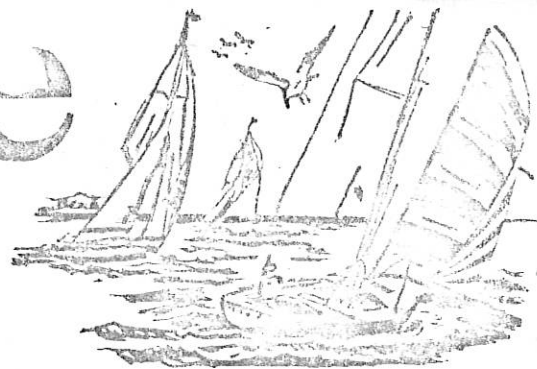


seashore news



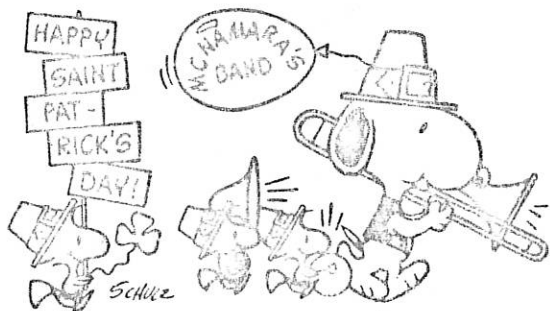
Published monthly by the Niguel Shores Community Association

FROM THE HELM

The Board has recently --

March, 1984

- Been notified that the Legal Committee needs additional members. A law degree is required.
- Received a report from our geotechnical engineering consultants stating no significant Nauticus Slope movement has occurred during the last 18 months and recommending that surveys be continued at intervals of 12 months.
- Been notified by the Nominating Committee chairman, Burr McKeehan, that Board elections are upcoming and that candidates are needed.
- Approved revised Architectural Regulations and Guidelines.
- Approved the formation of the Niguel Shores Women's Golf Club.
- Approved a request for the use of the multi-purpose room on March 11, for an Indian festival. Purpose--An afternoon of socialization and entertainment for residents and to promote interest in India.
- Been given a progress report by Ritz-Carlton Hotel management.
- Revised the assessment delinquency procedure to provide for suspension of member's voting rights and common area/facility privileges on the ninety first day of delinquency.
- Been requested to start legal action against certain homeowners who have failed to respond to requests to correct view blockage.
- Imposed fines for consistent violation of parking regulations.
- Authorized replacement of the jacuzzi heater at a cost of \$842.00.
- Welcomed our new maintenance supervisor, Mike Gladle, to the community. Mike replaces Richard Elliott.



H.L. Whitney
President, NSCA

The
Board

MAR 84



LET'S BE GOOD NEIGHBORS !!

Re: Cape Cove Homeowners Association

Dear Mr. Smiley,

January 19, 1984

In response to your correspondence to John Passeneau dated December 29, 1983, the Board of Directors of the Cape Cove Homeowners Association would like to thank you for your neighborly concern and inform Niguel Shores homeowners that there is a program in progress with Midori Gardens for replanting the slope along La Cresta Drive. The major reason for this situation is an irrigation problem. The sprinkler heads at the top of the slope have been broken by the children in the neighborhood as they walk to and from their homes in Niguel Shores and Sea Terrace II. This activity has been observed by several residents in Cape Cove.

A new type of sprinkler head is being installed at seventy locations on this slope in the hope that it will be more difficult for children to break them, and that the slope will then receive proper irrigation.

Also, in regard to the picket fence along La Cresta, 38 pickets have been replaced to date. As the pickets are broken and vandalized, they will be replaced.

It has been brought to the attention of the Board of Directors that among the "members and guests" of Niguel Shores and Sea Terrace II who "must pass by this area going to and from their homes," several are children who have been observed willfully kicking out the pickets on the fence. In one day, over 20 pickets were kicked out by children.

In the same spirit of concern that prompted your letter, the Board asks you to notify the residents of Niguel Shores and Sea Terrace II of these activities and request their cooperation in restraining their children from playing on or kicking out the pickets on the fence and from breaking the newly installed sprinklers along the slope.

It is anticipated that the resulting abatement of this activity would greatly reduce the state of "disrepair" that you note in your correspondence.

The Board wishes to thank you and the Board of Directors of Niguel Shores Community Association and Sea Terrace II for your cooperation.

Sincerely,

Cape Cove Homeowners Association

cc: Board of Directors, Niguel Shores Community Association
Board of Directors, Sea Terrace Townhomes II Association

March Already ?? What happened to February ?? Sound Familiar ??

I'm sure we've all said that at one time or another. It was my comment when I realized it was time for the "March 84" Seashore News.

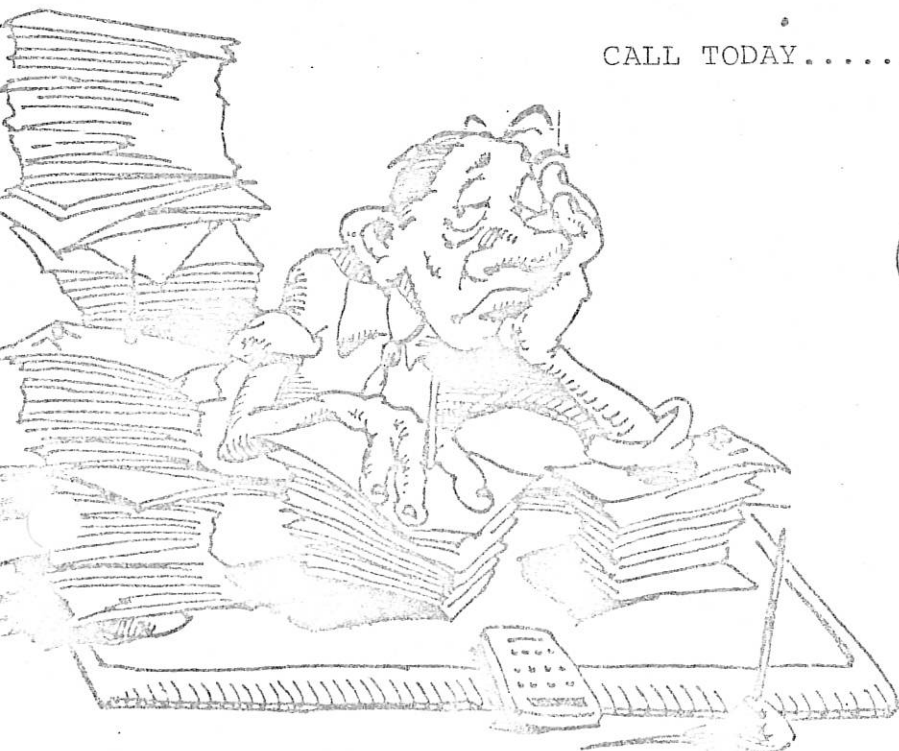
Since planning ahead is a necessary part of today's work -- I am reminded that the 1984 Niguel Shores Annual Meeting is scheduled for the third Tuesday in May -- May 15, 1984. This may sound a long way off but "time flies". Staff will start preparing mailing material for the meeting shortly.

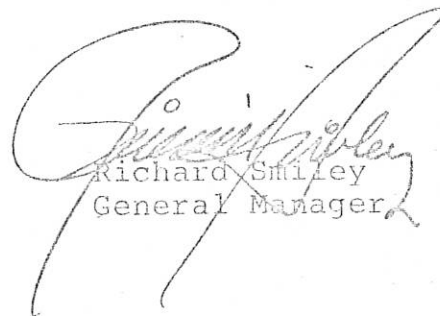
CANDIDATES

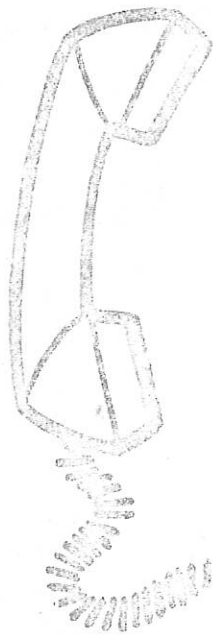
This year, there will be three (3) vacancies on the Board. Mr. Ken Knight and Mr. John Dougherty will continue as Board Members until May 1985. Now is the time for those members who can serve their community to - step forward. The effective operation of this community requires member involvement and participation. Outgoing Board member and Nominating Committee Chairman, Dr. Burr McKeehan has asked me to remind you to consider your participation. If you are not sure and wish to "talk it over", Dr. McKeehan would like to talk to you.

Please call our office so we can put you in touch!!

CALL TODAY.....

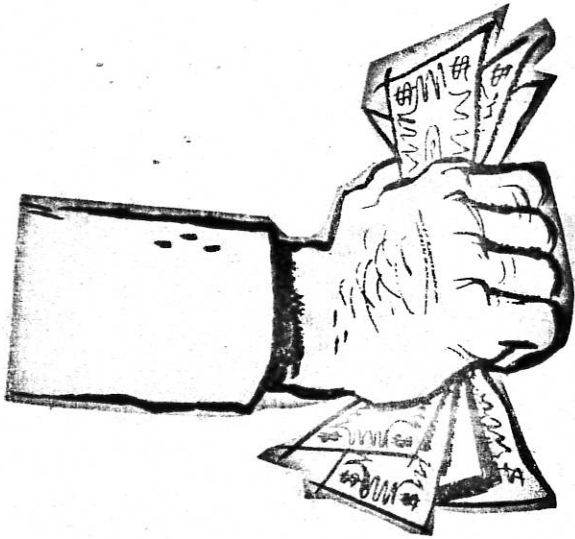



Richard Smiley
General Manager



ASSESSMENT COLLECTIONS - DELINQUENCY

Recently, some renewed interest has been shown in the Association's procedures for collection and handling of delinquent assessments. It should be pointed out that during 1983 the Staff and Board revised the procedures - Accelerating the timing of such actions and incorporating, more recently, provisions for suspending voting rights and use of common area privileges (pool, tennis courts, etc.) to members (and their tenants) who are delinquent in paying their assessments. The Board has acted under these revised procedures and the results have been positive. A suggestion to publish the names of those members who are delinquent in the Seashore News had



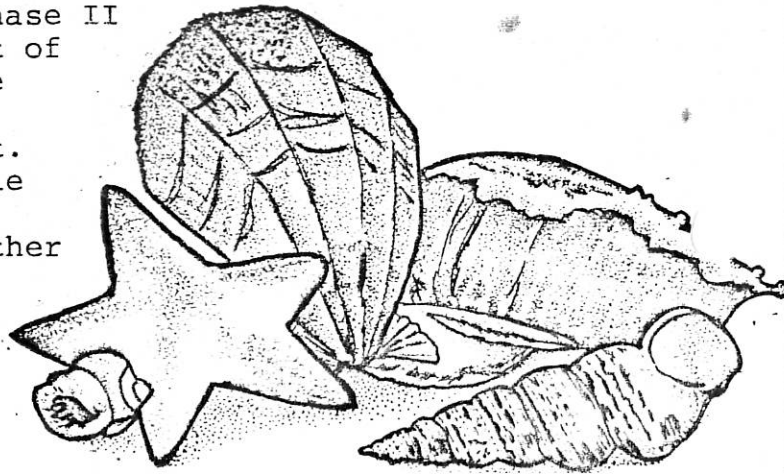
been previously rejected upon advice of Legal Counsel. In any event, members, who experience problems which affect their ability to pay assessments should contact the General Manager.

The Board will consider "extenuating circumstances" in directing the collection actions of the Staff. In the absence of input from delinquent members, the approved routine procedure will be followed. Contacting the Association may eliminate embarrassment and unnecessary costs to delinquent members, their families, and or tenants.

BEACH SLOPE REPAIR - "UP-DATE"

GENERAL INFORMATION

Just to keep you up-to-date, the repairs to the beach slope are "half done". You will recall that the rain and ocean activity in early 1983 took their toll on the County of Orange's revetment "Rip Rap" and the slopes below the Breakers Isle Homes. After considerable review and planning, Niguel Shores and the County of Orange entered into an agreement designed to permit the co-operative repair of both. Because of time constraints and state permits considerations, the project was divided into two (2) phases. Phase I permitted "Repairs" of the slope and "Rip Rap" to a height of +13' above mean sea level. No coastal permit hearings, etc., were required on Phase I. In order to complete Phase II and complete the project to a height of 18+' a California Coastal and Orange County Permit is required. These approvals are currently being sought. In the meantime, it appears favorable weather and lack of adverse wave action have been in our favor. Further up-dates will be issued as appropriate.



NEIGHBORING RITZ-CARLTON
HOTEL PROJECT - "UP-DATE"



Many members attended the February 16th meeting of the Board of Directors and heard an "up-date" status report on the Ritz-Carlton Hotel Project, scheduled for opening in June 1984. Bill Hall (Manager), Charles Jinks (Senior Project Director) Frank Marczynsk, (Peridian Group - Landscape Architects) presented to those in attendance many interesting facts related to the Hotel's completion and future operation. The 397 room resort facility will employ approximately 590 people to operate this 82 million dollar five star hotel. The preliminary plans for landscaping include provisions for a 7'-8' wall between our community and the hotel which, together with landscaping, hotel security and security devices, should reduce and restrict trespassing along that portion of the Niguel Shores Community perimeter.

The Hotel is being constructed and will be operated by W. B. Johnson Properties of Atlanta, Georgia. The Niguel Shores Community Association Board of Directors and Management has been invited to participate with the developers in finalizing the landscaping plans to insure that proper attention is given to security, preservation of views and other considerations and concerns of Niguel Shores residents. Mr. Hall and Mr. Jinks expressed an understanding of the Niguel Shores Community interest in the project and assured those in attendance of Johnson Properties' wish to be "Good Neighbors".

NEW -- REVISED

"Architectural Regulations and Guidelines" for Niguel Shores"

Recently, the Architectural Control Committee submitted new and revised regulations and guidelines to the Board of Directors for consideration and adoption. Following review by the Board and Staff, the suggested revised and amended guidelines, were approved on January 26, 1984 and February 2, 1984.

In keeping with N.S.C.A. operating policy, the adopted "Guidelines" are attached to this March, 1984 edition of the Seashore News. Please take time to look them over. If you have questions, contact the Administrative office.

#####

IMPORTANT NOTICE-----ALL HOMEOWNERS!

According to the Architectural Regulations and Guidelines, ALL basketball backboards must be solidly constructed and firmly affixed to the garage. They must be painted or stained to match background structure. They must be neatly maintained at all times!

Niguel Shores Men's Club will elect new officers at it's annual meeting on March 6, 1984. All Resident homeowner members are qualified to vote!!

Ed Lafler has been appointed Golf Chairman for the coming year. We are appreciative of Gene Lachel's fine performance in this job for the past two years.

At our March 6 meeting we will continue with our "5 minute autobiographies" from members - hearing this time from long-time members Bob Alexander, Dale Baltimore, George McDonald and Merle Zeigner, plus relative newcomers Hardy Nisbet and Warren Vetter. On March 20 fellow member John Maynard will present a travelog of his recent trip through India.

With our increasing attendance, we would be most appreciative of receiving any surplus stainless steel knives, forks and spoons from members or residents.

All Niguel Shores men are invited to join our fellowship.

***** WOMEN'S CLUB HIGHLIGHTS *****

The February meeting of the Women's Club enjoyed Mr. Ralph Lidster, an authority on the Civil War. His knowledge of that era is quite extensiv and was of much interest to those of us who heard him.

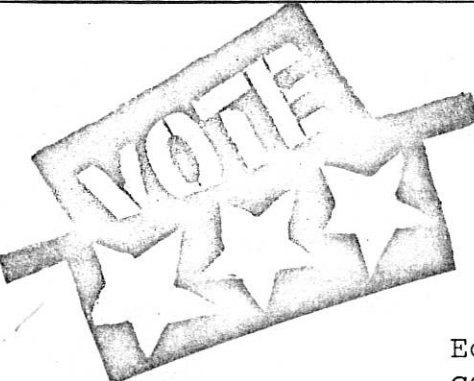
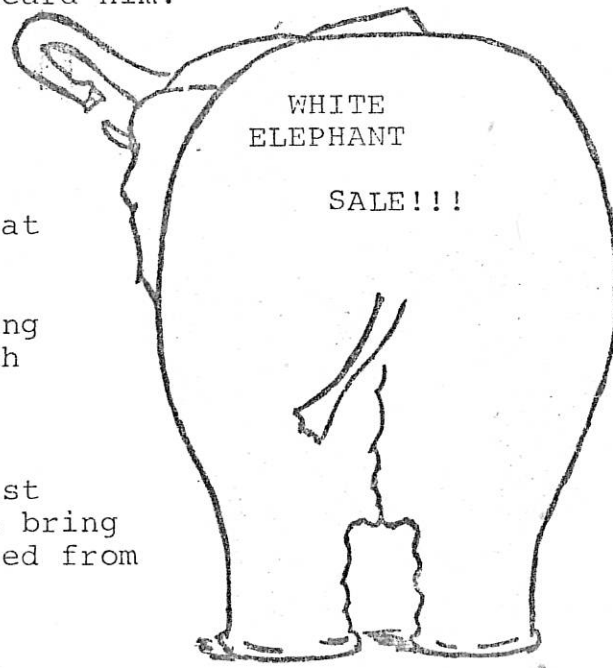
On March 1, we'll have our annual silent auction. Gertrude Merrithew asks that you have your "white elephants" at the Community Center by 10 a.m. on that day. If you find you're unable to bring them then, she's most graciously agreed to accept them at her home at 23751 Timor Bay for storage before that date.

This is a special day and lots of fun, so bring your items for auction, and enjoy the day with us.

We are reminded by the membership committee that those of us who did not pay dues, due last October, will have until the March meeting to bring them up to date before having our names removed from the membership roster.

OUTSIDE ACTIVITY!!

On Thursday, March 15, we are planning a trip to the Huntington Library, Art Gallery, and Gardens in Pasadena. We are asked to meet at 10:45 a.m. at the Community Center for the trip by bus. The cost will be \$8.00. Bring your own sack lunch to eat on the bus because we believe you won't want to waste time for lunch once we arrive at the Library - there's so much to see!! Reservations are requested with your check by March 9. Those to call are Farrand Elsner 493-9445, Louise Wasson 496-9602. Friends and Husband's are welcome!!



BRIDGE



COUPLES

The nice thing about the short month of February is that there is no possibility of a fifth Friday, nor a three-week wait between bridge club meetings.

Those who made their Friday the 3rd count were the ever-popular McDonalds. Catherine tiptoed in with her broken shoulder and with George's connivance, wiped out the entire room. Second place honors went to the ad hoc team of Fran Magwood and Regina Hancock. Hostesses with the mostesses were Jean Freeman and Dolores Gauvain.

Two weeks later the team of Maryon Wolcott and Margaret Costello rode away with the honors, with Dorothy Ann and Mickey McLaughlin about a half length behind. Adelle Shanta scored points of a different kind with her trays of just-one-more -- well just-one-more -- cookies. She and Peter hosted that night.

Speaking of snacks: As you know, we no longer have our two-pot coffee maker. And never the twain shall meet between the caffeine fiends and the decaffeinated drinkers. If you just happen to have an unused automatic machine gathering dust at home, you could make a bunch of grand--but needy--people happy by donating it to the bridge club.

See you on the second of March!! And the Sixteenth!!

bridge bridge bridge bridge

FEBRUARY 1, 1984

1st Mary Brosnan
2nd Peggy Bucci

WEDNESDAY

FEBRUARY 8, 1984

1st Betty Pease
2nd Mary Sanders

NOON

FEBRUARY 15, 1984

1st Jean Freeman
2nd Virginia Brooks

Reservations or Cancellations must be made by 4pm on Monday. Call Jean Freeman 493-6667 if you would like to make a reservation. All residents of Niguel Shores are eligible to play and will be Welcomed. Play begins at 11:50am.

TENNIS REMINDER!!!

Hang up Rol-Dris after use. If they are left on the courts, they will dry and develop a flat spot. A place has been provided on the courts where they can be hung.

SEAN'S

NIGUEL SHORES WOMEN'S GOLF CLUB !!



GOOD NEWS!! The NIGUEL SHORES WOMEN'S GOLF CLUB has been lau. ed and comprises enthusiastic players at all skill levels. The only qualification is that members be residents of the Shores. Those interested in joining are invited to attend our next meeting to be held Wednesday evening, March 14 at 7:30p.m. at the home of Lois Salemi. Please RSVP to Lois at 661-6891 to confirm attendance. She will give you the correct address when you call. Home course for the new group is the Salt Creek Golf Course, and at this date members of the group are playing on at least three regular days during the week. Selected "Captains" for these playing dates obtain the starting times at least a week in advance of each round. Members may play 9 holes or 18, depending on their preference, and availability of start-times. A system has been obtained for those who do not already have handicaps and may be interested in establishing same. Various forms of fun tournaments will be planned in the future. For further information, call Peg Bucci (eves.) at 496-5134. Otherwise, do try to attend the next meeting - - even if you're a three--putter.

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The following letter was written in appreciation for the gift of a Christmas tree by Mrs. Thomas Keenan of Hobart Bay:

Dear Mr. Keenan,

February 8, 1984

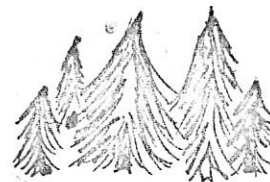
On behalf of this Association, I wish to thank you for your donation of a Christmas Tree. It has been given to our Landscape Contractor, for planting in one of the green areas in this community.

It is always appreciated when members of this community are concerned enough to donate trees for the green area.

Sincerely,

Richard S. Smiley
General Manager

THANKS



Our community is fortunate indeed to have members like Mrs. Keenan who took the time and effort to see that this living tree found a good place to put its roots down where we can all enjoy it!!

COMMUNICATIONS COMMITTEE

CLASSIFIED !!

=====

FOR SALE!! FOR SALE!! FOR SALE!! FOR SALE!! FOR SALE!! FOR SALE..

Wine Rack - \$35.00, 50 piece cylindrical clay recepticals stacks, 4 feet high, 12 inches long, 4 inch diameter. Call 493-6131

=====

COMMITTEES

LEGAL COMMITTEE

The Legal Committee of the Niguel Shores Community Association is looking for two additional members. The Committee cooperates with the Board of Directors and the Association's General Counsel in the overseeing of legal problems which arise from time to time. Qualifications include legal training and a law degree. If you are interested please contact the Association's General Manager at 493-0122.

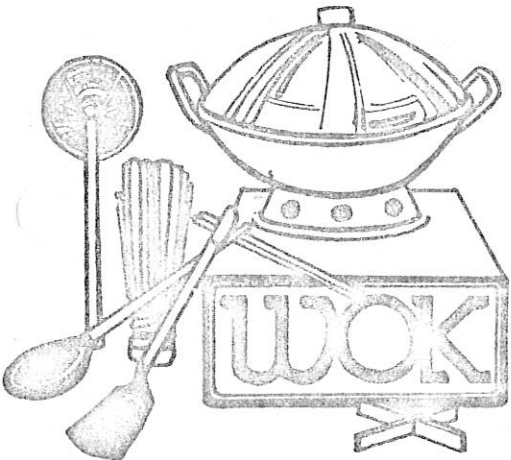
RECREATION COMMITTEE

Any one interested in serving on the Recreation Committee please contact Tom Kirby by leaving your name, age and telephone number in the Recreation Mail Box at the Niguel Shores Office.

We need people of all ages (14 through ?????)

!!

POT LUCK



POTLUCK....POTLUCK....POTLUCK.....

Third Sunday in March - March 18, 1984

Bring your own place setting and cocktail beverage

6 - 7 pm HAPPY HOUR

7 pm DINNER

Call one of the committee regarding your contribution of casserole, salad, or dessert.

John and Betty Dickerhoff	240-8298
Cecily Scoggins	496-0166
Don and Chris Beaver	493-7430

WATERCOLOR CLASSES

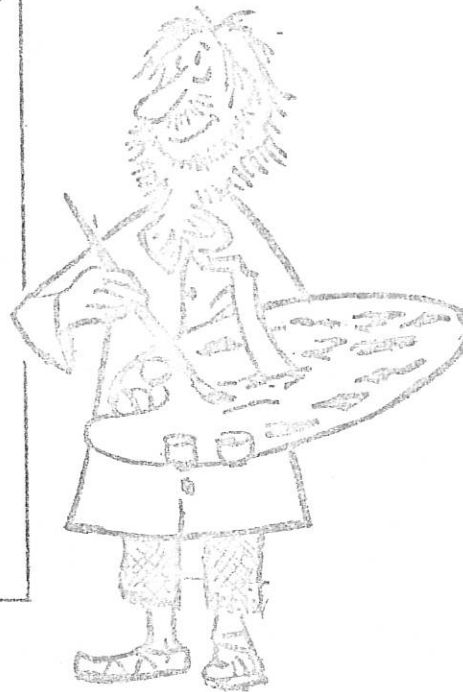
WATERCOLOR CLASSES ARE CONTINUING ON TUESDAY AFTERNOONS FROM: 1:00 - 4:00pm

WATERCOLORISTS OF ALL LEVELS ARE INVITED!!!
COME AND ENJOY!!

EACH THREE HOUR SESSION IS \$ 7.50,

PAYABLE IN ADVANCE BEFORE THE FIRST SESSION OF THE MONTH. REGISTER IN THE OFFICE, WITH CHECK MADE OUT TO:

DORIS ADAMS

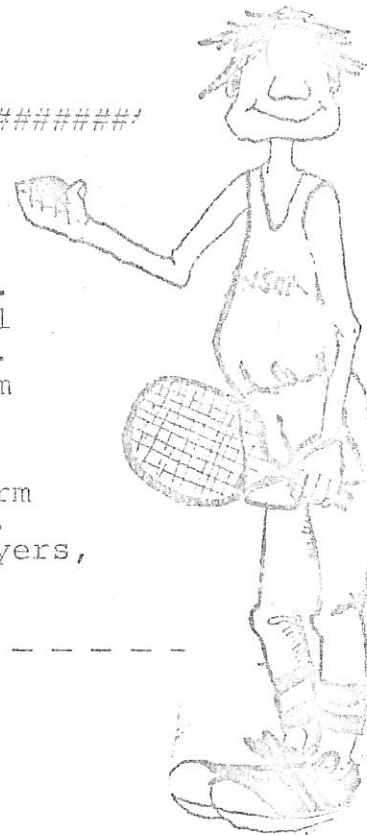


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TENNIS SOCIAL

All resident tennis players are invited to sign-up for a tournament hosted by the Recreation Committee. We will accommodate all levels of play and there will be a post-tournament party at the Recreation Center. The date is SUNDAY, MARCH 4th, from 8:00am to 4:00pm and the cost will be \$3.00 per player.

All interested players are asked to fill out the form below and return it to the NSCA office by March 1st. We will probably be limited to approximately 60 players, so please sign in early.



Name _____

Address _____

Phone # _____

Ability (Check one)

_____ Novice

_____ Novice/Intermediate

_____ Intermediate

_____ Intermediate/Advanced

_____ Advanced



All questions should be directed to Tom Kirby - 493-9865

ASSOCIATION DIRECTORY

NIGUEL SHORES COMMUNITY ASSOCIATION

33654 Niguel Shores Drive, Laguna Niguel, CA 92677
(493-0122) (831-0116)

President. Harrie Whitney
Treasurer. John Dougherty
Secretary. Ken Knight
First Vice-President Burr McKeehan
Second Vice-President. Forrest Owen

Sea Terrace Townhomes Assoc. I

Walt Brugger, President
Don Beaver
John Horne
Ray Goodhart
Dick Phares

Sea Terrace Townhomes Assoc. II

Jack Broering, President
E. R. Sewell
Frieda Baskin
Don Lutz
Joe Brosnan

NSCA COMMITTEES

	<u>Chairman</u>
Architectural Control Committee.	Keith Anderson
Communications Committee	Dick Phares
Finance Committee.	Rose Marie Lawson
Landscape Committee.	Betty Pease
Legal Committee.	Ralph Bartolme Peter Jones
Maintenance Committee.	Norm Pomeroy
Nominating Committee	Burr McKeehan
Recreation Committee	Tom Kirby
Security Committee	Lew Peck

COMMITTEE MEETINGS

TIME

DAY (every month)

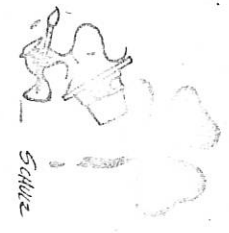
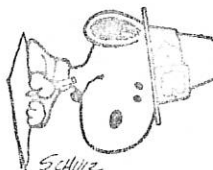
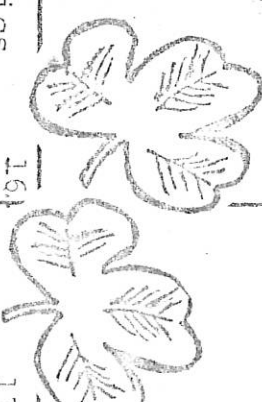
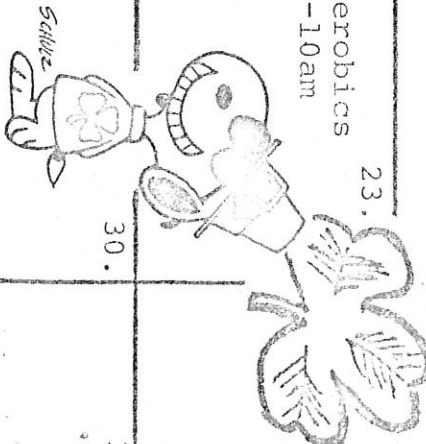
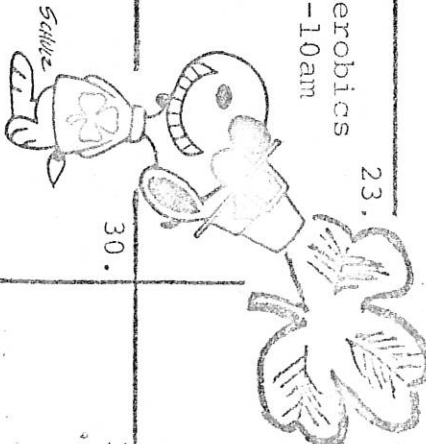
NSCA Board of Directors.	8:00 P.M.	3rd Thursday
Architectural Control.	4:00 P.M.	1st & 3rd Wednesday
Communications		See Calendar
Finance.		See Calendar
Landscape/Maintenance.	4:00 P.M.	1st Monday
Legal.	7:30 P.M.	2nd Wednesday
Security	4:00 P.M.	2nd Monday

NSCA OFFICE. Dick Smiley, General Manager - 493-0122/831-0116

EMERGENCY NUMBERS

Police, Paramedics, Fire, etc. 911
Orange County Animal Control 634-7219

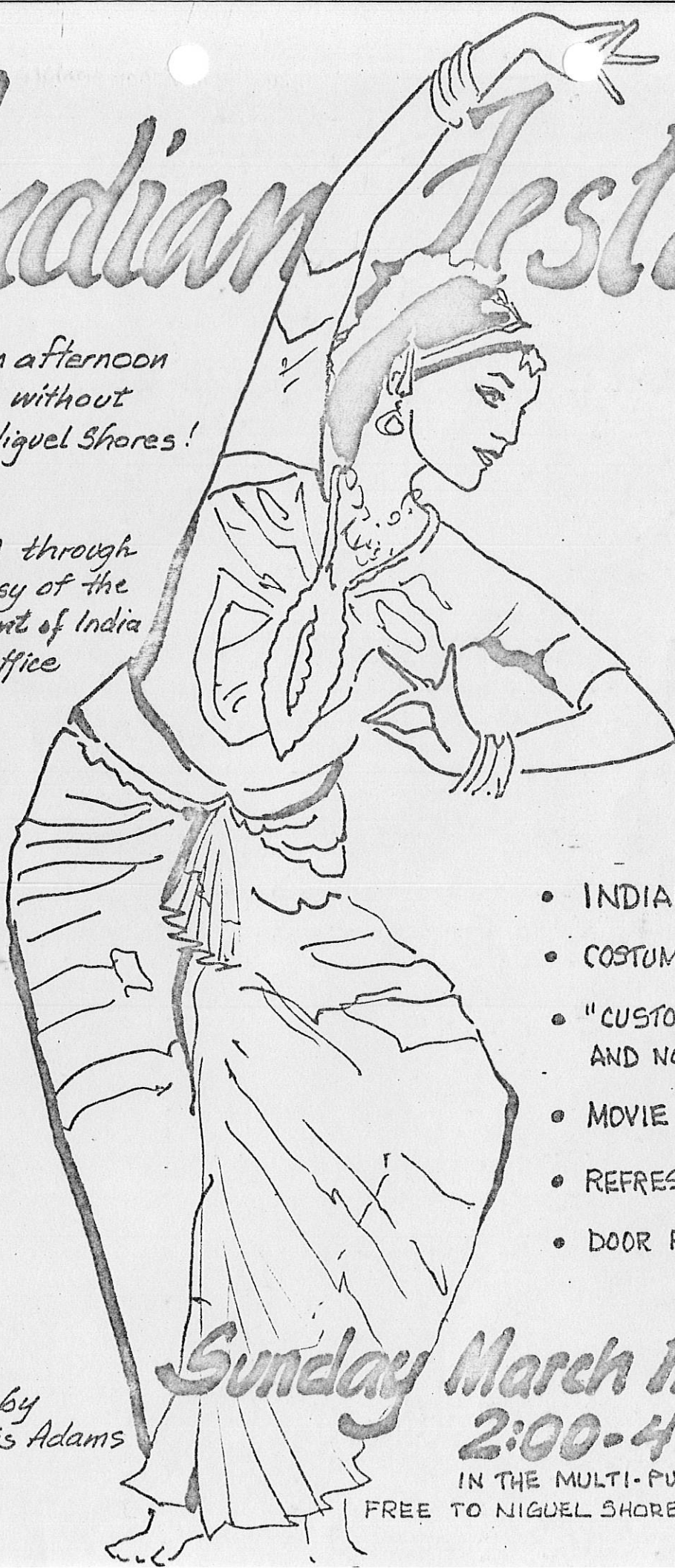
M A R C H 1984

Sunday	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	 Schulz		 Schulz			
4. Tennis Social 8am-4pm Aerobics 6-7pm Recreation Com. 7pm	5. Aerobics 9-10am Lands Com. 4pm Street Sweeping Aerobics 6-7pm Recreation Com. 7pm	6. Men's Club Bkfst 8:30am Street Sweeping Watercolor 1-4pm Stretch & Yoga 6-7pm	7. ROSSES ARE RED, SHAMROCKS ARE GREEN, SMILELAGHS ARE SWEET, BEING IRISH IS KEEN! Bridge noon Arch. Com 4pm Aerobics 6-7pm	8. Stretch & Yoga 9-10am Ladies Day Tennis 9-11am Women's Club auction/luncheon 12:30	9. Aerobics 9-10am Bridge 7:30pm	10.
11. India Festival 2-4pm Street Sweeping Aerobics 9-10am Security Com. 4pm Aerobics 6-7pm	12. Street Sweeping Aerobics 9-10am Security Com. 4pm Aerobics 6-7pm	13. Men's Club Golf Street Sweeping Watercolor 1-4pm Stretch & Yoga 6-7pm Finance Com. 7:30pm	14. Bridge noon Aerobics 6-7pm Women's Golf mtg. 7:30pm	15. Stretch & Yoga 9-10am Ladies Day Tennis 9-11am Women's Club trip 10:45 BOARD MEETING 8:00pm	16. Aerobics 9-10am Women's Club Trip 9:45am Bridge 7:30pm	17.  Happy St. Patrick's Day
18. Aerobics 9-10am Sea Terrace II Board mtg. 9am Aerobics 6-7pm	19. Aerobics 9-10am Sea Terrace II Board mtg. 9am Aerobics 6-7pm	20. Men's Club Bkfst 8:30am Watercolor 1-4pm Stretch & Yoga 6-7pm Deadline/Seashore News 7:30pm	21. Bridge noon Arch. Com. 4pm Aerobics 6-7pm Comm. Com. 7:30pm	22. Stretch & Yoga 9-10am Ladies Day Tennis 9-11am	23. Aerobics 9-10am  Schulz	24.
25. Aerobics 9-10am Aerobics 6-7pm	26. Aerobics 9-10am Aerobics 6-7pm	27. Men's Club Golf Watercolor 1-4pm Stretch & Yoga 6-7pm	28. Bridge noon Aerobics 6-7pm Cub Scouts 7:30pm	29. Stretch & Yoga 9-10am Ladies Day Tennis 1-11am Legal Com. 7:30pm	30.  Schulz	31.

Indian Festival

Enjoy an afternoon
in India without
leaving Niguel Shores!

Presented through
the courtesy of the
Government of India
Tourist Office



- INDIAN PIANO MUSIC
- COSTUMED DANCERS
- "CUSTOMS OF INDIA: THEN AND NOW" - Ms. Gulshan Kohli
- MOVIE OF INDIA
- REFRESHMENTS
- DOOR PRIZES

Hosted by
Ed + Doris Adams

Sunday March 11, 1984
2:00-4:00pm

IN THE MULTI-PURPOSE ROOM MAR 84

FREE TO NIGUEL SHORES ADULT RESIDENTS

ARCHITECTURAL REGULATIONS AND GUIDELINES

This document has been adopted by resolution of the Board of Directors of Niguel Shores Community Association effective January 5, 1984 and supersedes all previous architectural regulations and guidelines.

I. PURPOSE AND OBJECTIVES

The purpose of the regulations and guidelines ("Regulations") set forth herein is to interpret, clarify and apply the recorded Covenants, Conditions and Restrictions ("CC&R's") pertaining to all properties within Niguel Shores Community Association ("Association"). These regulations are not intended to discourage or impede improvements, but to insure that all such improvements will not detract from the aesthetic quality of our community or interfere with the views and privacy of surrounding properties. In order to coordinate and control the various desires of homeowners, it is necessary to require adherence to a set of Regulations as set forth in these pages. It is hoped that these controls will encourage excellence in design and construction and thus promote an image of quality and the maintenance of lasting values to the economic advantage and enjoyment of all residents.

II. ARCHITECTURAL CONTROL COMMITTEE

The Architectural Control Committee ("Committee") consists of three or more homeowner members appointed by the Board of Directors of the Association and is charged with the approval or disapproval, upon proper application by homeowners, of new building construction, exterior building additions or alterations, color changes, landscaping, and other exterior modifications. The Committee will carefully consider the merits of each application including the orientation of the improvements relative to view and privacy of surrounding properties, the conformity and harmony of external design with neighboring structures, and the conformity of the proposed changes in all other respects with the CC&Rs and these Regulations. The committee is also charged with the preservation of views from member lots which may be obstructed unreasonably by the growth of trees or shrubs. The Committee will investigate each complaint about view obstruction and carefully evaluate the merits of the complaint before requesting correction of the problem.

III. APPROVAL STANDARDS

- A. All modifications to existing premises other than interior changes shall require the review and approval of the Committee. (CC&R VII -1) Modifications shall include but not be limited to:
1. New construction, additions, or modifications to existing buildings.
 2. Other improvements or modifications including walks, decks, driveways, walls, fences, swimming pools, spas, awnings, patios and patio covers.
 3. Initial exterior painting or repainting of any structure including fences, walls, planters, etc. in a color other than the color approved initially.
 4. Placement of any tree or hedge or any shrub which at maturity and without pruning thereof would exceed three feet in height.
 5. Temporary structures (other than buildings which are prohibited, (CC&R IX-7) including playground equipment, recreational and sports accessories, play-houses, etc.
- B. Prohibited modifications shall include but not be limited to:
1. Second story additions to one story dwellings.
 2. Vertical expansion of roofs above the existing ridge height.
 3. Modifications which would result in more than one dwelling unit on a single lot.
 4. Building extension beyond the "privacy fence" (where privacy fences exist as part of the original planned community). In those instances where the privacy fence extends out further on one side of the lot than on the other side, the building may not extend beyond a line drawn between the two extensions.
 5. Building additions or structures of any kind which would obstruct unreasonably or interfere with the view from another property.
 6. The open space between dwellings in the town homes and garden homes as initially provided shall not be reduced to less than three feet and no construction of any kind shall be placed within the easement area.
 7. Structures, plantings, or other materials shall not be placed or permitted to remain, or other activities undertaken on slope control areas which might interfere with established slope ratios, create erosion or sliding problems, or interfere with established drainage functions or facilities. (CC&R IX-17).

MAR 84

ENCLOSURE

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- C. All modifications or replacements shall be painted with the colors approved for the existing structure unless approval for a change has been obtained from the Committee. All exterior metal such as awnings, down spouts, vents and trim shall be painted to match the house trim.
- D. The Committee has the right to require any modification which is in violation of the CC&Rs or these Regulations to be corrected, removed or destroyed. Oversight or failure of the Committee to note violations with respect to approved plans will not be binding on the Committee nor constitute approval and the Committee may require all such violations to be corrected.
- E. Approval by the Committee does not eliminate the need to obtain proper permits from the County of Orange where required and such approval will be null and void without such permits being obtained. Any deviation approved by the County must be resubmitted for approval by the Committee. Construction must be in accordance with Committee approved plans. Construction may not be started until a copy of the County approved plans has been brought in to the Association office for comparison with the plans which were approved by the Committee and for retention in the Association files.
- F. The Committee will use the services of a consulting architect for all new structures and exterior design modifications or additions to existing structures. The architect may inspect the property as part of his review of the plans and will also check the job upon completion to insure compliance with the approved plans. Such approval will be in writing for attachment to the file copy of the plans stating that the work has been satisfactorily completed.

IV. COMMITTEE MEETINGS

The Committee will meet not less than twice each month. Applications and plans must be filed no later than one week prior to the established meeting date. Any plans not filed one week prior to the meeting will be submitted for review at the next regularly scheduled meeting.

V. COMMITTEE APPROVAL/DISAPPROVAL

- A. In the event the Committee fails to either approve or disapprove completed plans and specifications within thirty days after the same have been submitted to the Committee, it shall be presumed conclusively that the Committee has approved such plans and specifications.
- B. The approval of plans for new construction or alterations to existing structures shall be for one year from the date of approval. If construction is not started within one year, plans must be resubmitted and shall be subject to the requirements in effect at the time of resubmission. Any additions or alterations to any portion of the approved plans shall be submitted to the Committee for review and approval prior to construction. Construction of any work approved by the Committee shall be pursued diligently to completion within six months from commencement.

VI. ARCHITECTURAL SUBMITTAL REQUIREMENTS

- A. Plans must be submitted for all modifications to existing premises as set forth under the preceding sections.
- B. Items required for submittal are as follows:
 - 1. Completed application on approved form obtainable at Association office.
 - 2. Payment of architectural fees. See fee schedule, Article IX.
 - 3. Two complete sets of plans, drawings and specifications as set forth in items C through F as follows.
- C. New Construction, Additions, Remodels
 - 1. Preliminary plans (Optional)
 - a. For preliminary submission, two sets of plans are required, one set to be returned to the applicant.
 - b. Preliminary plans shall contain all of the information necessary to enable the Committee to reach an informed conclusion regarding the proposed construction. Much of the information required for construction drawings (see following section) may be required depending upon the extent of the proposed changes.
 - 2. Construction drawings

Two sets of final construction plans shall be submitted to the Committee for approval. When approved, one set will be retained in the Association files and one set will be returned to the applicant. Approval will be contingent upon payment of additional architectural fees and/or construction deposit, if required. Construction drawings shall contain the following information where pertinent to the construction proposed:

 - a. Plot plan, drawn to scale, showing lot layout, dimensions, north arrow, easements, topographical information such as property line and pad grades when changed from original approved lot grades, top and toe of all slopes, building outline, drives, walks, fences (including heights) and other site improvements. In addition, a plot outline of adjacent property shall be included.
 - (1) Building sites shall drain in accordance with the originally approved grading plan in a manner to prevent erosion.
 - (2) It is the owner's responsibility to obtain accurate lot layout and topographical information.

- b. Floor plan with dimensions, identifying the area being added or altered and a sufficient portion of the existing structure to permit orientation.
- c. Roof plan, indicating materials. Samples may be required
- d. Exterior elevations showing all doors, windows and roof lines, indicating all materials used on exterior, including planters and fences. Indicate roof pitch and height relative to that of the existing building.
- e. Perspective sketch, if necessary, to clarify design.
- f. Location and configuration of all exterior light sources.
- g. Skylights
 - (1) All plans for skylights must be submitted to the Committee for approval.
 - (2) Skylights which are visible from other properties must hereafter be bronze or gray in color.
- h. Exterior paint colors. Colors other than those previously approved shall be submitted for approval on color chips or painted material.
- i. Exterior surfacing materials including colors. Samples may be required.

D. Solar Panels

An application form and two sets of drawings must be submitted. No fee is required initially but may be assessed later if additional architectural review is required. The contractor should be asked to attend the Committee meeting with the applicant to discuss any details or recommended changes with the Committee. The committee will take into consideration the appearance of the installation and its effect on neighboring views. Solar panels which are raised at an angle shall be boxed in on all sides. In consideration of the available alternatives, the Committee may disapprove panels or arrays of panels that create an architectural discord or an unsightly appearance. The entire review and approval process will be carried out with statutory requirements in mind, but cooperation will be an essential ingredient if Niguel Shores is to remain the attractive community its members desire.

E. Pools, Spas, Patio Covers, Walls, Fences, Decks, and Paving

An application form and two sets of plans are required, as follows:

1. Plot plan, drawn to scale, showing existing building outlines, walls, drives, etc. A plot outline of adjacent property must also be included.
2. Location of proposed improvement and any mechanical equipment including piping.
3. Elevations. Fence and wall heights must be shown.
4. Construction drawings.

F. Landscape Improvements

An application form and two sets of plans are required for the proposed planting or placement of any tree or hedge, or any shrub which at maturity and without pruning thereof, would exceed three feet in height. (CC&Rs VII-1). The plans shall include the following:

1. Plot plan, drawn to scale, showing existing building outlines, fences, walls, etc. Fence and wall heights must be shown. A plot outline of adjacent property must also be included.
2. Location and elevation of all proposed plants which will exceed three feet in height and the relation of same to neighboring property.
3. Drainage plan.

VII. DEVELOPMENT STANDARDS AND GENERAL RESTRICTIONS

A. Exterior Antennas

Exterior antennas of any kind are not permitted.

B. Backboards

1. Backboards must be solidly constructed and board and hoop firmly affixed to garage or other structure.
2. Backboards must be painted or stained to match background structure, and must be neatly maintained and painted when necessary.

C. Driveways

Driveways may be of masonry units, textured concrete or exposed aggregate concrete. Asphalt or asphaltic concrete driveways are not permitted.

D. Flag Poles

Installation of free standing flag poles on private property is not permitted.

E. Garages

1. All required garage spaces shall be fully enclosed and garage doors shall be kept closed except when in use. (CC&Rs IX-6).
2. Garages shall not be converted into living quarters, sleeping quarters, offices, or other similar use.

- F. Gravel Roofs
1. Color of gravel roofs shall be submitted for approval.
 2. White gravel roofs are not permitted.
 3. Gravel may be used on flat roofs only.
- G. Mail Boxes
- Mail boxes shall be built into or attached to building walls or fences, specific location to be approved by the Committee.
- H. Service Yards
- All service yards and clothes line areas shall be enclosed or fenced in such a manner so that they will be obstructed reasonably from view of any adjacent lot or street.
- I. Signs
1. Permanent signs on private property are not permitted other than occupant identification.
 2. A single sign covering house for sale, lease or rental or during construction is permitted with a maximum dimension of eighteen by twenty-four inches.
 - a. The sign shall be done in a professional manner.
- J. Utilities
1. All utilities are underground, including gas, water, electric, TV/FM and telephone. All extensions of utilities shall be placed underground or concealed within approved permanent structures.
 2. All exterior electric meter panels shall be recessed or enclosed and painted to match the color of the adjoining wall.
- K. Walls and Fences
1. Front and rear property line walls and fences shall be constructed of a material which is consistent with the design character of the residence. Chain link and grape stake fences are prohibited.
 2. Height and location of all fences shall be such that views are not obstructed unreasonably. Committee approval is required as set forth under preceding sections.
- L. Walkways
- No planting of any kind shall be allowed to overhang or otherwise encroach upon any pedestrian way from ground level to a height of ten feet. (CC&R's IX-19)
- M. Projections Above Roofs
- No projections of any type shall be placed or permitted to remain above the roof of any residential building with the exception of chimneys, vent stacks and solar panels. (CC&R's IX-5)
- N. Building Height
- The Committee may limit the height of all new buildings and additions to existing buildings to avoid unreasonable view obstruction and to maintain the architectural character of the area. Certain areas have established specific height limits as follows:
1. Building height in Tract 6988 (Breakers Isle) is limited to twenty four feet above the original pad elevation.
 2. Building height in Tract 7156 (custom homes) is limited to fifteen feet above the original pad elevation.
- O. Proximity of Structure to Toe of Slope
- All buildings shall be set back from the toe of a slope, without the use of a retaining wall, a distance of one-half the height of the slope.
- P. Proximity of Structure to Top of Slope
- All structures shall be set back a minimum of ten feet from the top of the slope.
- Q. Side Yard and Front Yard Setbacks
1. Side yard setback (except in the garden homes and townhomes) is limited to five feet and roof overhang to three feet.
 2. Front yard setback in Tracts 6988 and 7156 is limited to one foot six inches from the property line. Straight-in drive garages in these two tracts must be less than two feet or more than seventeen feet from the front property line.
 3. Additions to existing townhomes in Tracts 6884, 6881 and 7515 shall be set back a minimum of twenty feet.

R. Berms

1. The originally established berm on each lot must be maintained in order to maintain the established drainage pattern and avoid erosion and damage to the slope.
2. No construction of any kind shall be permitted beyond the berm.

VIII. INSPECTIONS AND ENFORCEMENT

- A. The Committee and/or its consulting architect may inspect the property prior to the proposed construction and at times during construction as conditions may warrant and upon completion.
- B. The Committee has the right to require correction and/or removal from the premises of any item within the jurisdiction of the Committee, which is in violation of the CC&R's or these Regulations. The Committee will instruct the Manager to advise the property owner of violations and inform the owner of pending action.

IX. ARCHITECTURAL FEES

The following fees are required to be submitted with applications to the Architectural Committee:

	<u>Consulting Architect's Fee</u>	<u>Administrative Fee</u>	<u>Total Fee</u>
A. Paint colors, solar panels, and skylights	-0-	-0-	-0-
B. Modifications costing less than \$500.	-0-	-0-	-0-
C. Modifications costing \$500. or more	\$25.00	\$25.00	\$50.00
D. New home construction	\$350.00	\$25.00	\$375.00

The consulting architect may charge an additional fee upon approval of the application depending upon the extent and complexity of the proposed improvements and to cover inspection of the job upon completion. The architect's fee will be refunded for minor landscaping and minor modifications when the service of a consulting architect, at the option of the Architectural Committee, is not required.

X. CONSTRUCTION DEPOSIT

- A. A deposit is required to insure that construction and landscaping is done in a workman-like manner in accordance with approved plans, and to insure that cleanup of the site is completed.
 1. Minor addition or remodeling up to 300 square feet, including landscaping \$200.00
 2. Major addition or remodeling up to 300 square feet. 400.00
 3. New residence or major addition or remodeling over 1,500 sq. ft. 600.00
- B. The above deposits will be refunded upon presentation to the Association office of a certificate of completion as issued by the County, (or, for minor improvements, written notification of completion by the property owner), and upon inspection by the Committee or the consulting architect, verifying satisfactory completion in accordance with the approved plans, and cleanup of debris.

XI. VIEW BLOCKAGE CAUSED BY TREES AND SHRUBS

A primary purpose and intent of the general plan for the community as established by the CC&R's is the preservation of natural views from all member lots. Article VII, Section I, states that "....the architectural committee shall have the right to require any member to remove, trim, top, or prune any shrub, tree, or hedge which such committee reasonably believes impedes the view from any lot." To accomplish this purpose the following shall apply to the maintenance of all trees and shrubs.

- A. All trees and shrubs shall be trimmed, pruned and topped as necessary to remove any growth, either lateral or vertical, which unreasonably interferes with the view from any other homesite. The following are general guidelines. They do not limit the responsibility and authority of the Architectural Control Committee to apply their judgement to specific situations.
 1. No tree growing at pad level shall be allowed to exceed the height of the highest elevation of the nearest adjoining roof, unless such height does not reasonably interfere with views.
 2. No tree or shrub growing on a slope shall be allowed to grow higher than two feet above the top of the slope or bank, unless such height does not unreasonably interfere with views.
 3. In areas where a lateral view obstruction is involved, plantings at pad level are limited to a height of three feet, or the height of side yard walls or fences in the lateral view lines at the view end of the house.
- B. Notwithstanding the foregoing standards, homeowners having their trees or shrubs trimmed should bear in mind that the foregoing are absolute height limits and should therefore have the trees and shrubs trimmed sufficiently to allow a reasonable period for regrowth and thus avoid the necessity of frequent retrimming.

Member complaints about blockage of views caused by trees or shrubs must be made in writing on forms available at the Association office. The complaint will be referred to the Architectural Committee for review and evaluation. The Committee recommendations on the complaint will be submitted to the Association manager for disposition.