

AMBERLEIGH HOMEOWNERS' ASSOCIATION

(a Mill Creek Neighborhood)

Rules & Regulations

May 1, 2024

1. APPLICATION AND AUTHORITY

1.1 Purpose. These rules and regulations ("Rules") have been established to ensure the maximum enjoyment of the neighborhood by all residents as well as tenants, to protect the investment of the Homeowner and to make the neighborhood a place where owners take pride in the property. The following Rules and Procedures have been adopted to supplement and implement the Covenants and Restrictions set forth within the recorded Amberleigh Declaration of Covenants, Conditions and Restrictions (the CC&Rs).

1.2 Authority. These Rules have been approved by the Board of Directors in accordance with the Washington State's Homeowners' Associations statute (RCW 64.38), as well as the Association's Declaration, Articles and Bylaws, and they are subject to change with written notice to all owners and residents to their last known mailing address.

1.3 Conflicts. In the event that these Rules conflict with the Declaration, the Declaration shall control.

1.4 Publication. A copy of the Rules shall be provided to or sent to all owners at their last known address. Owners are responsible to providing a copy to tenants.

1.5 Universal Application. All owners, tenants, guests, and pets are subject to these Rules. It shall be the obligation of each owner to familiarize himself with these rules and procedures. It is the responsibility of the owner(s) to notify tenants and guests of these rules, and the owner shall be held responsible by the Board of Directors for actions of the residents/guests in violation of these rules.

1.6 Inclusion of CCRs. These Rules are intended to supplement the Association's Declaration of Conditions, Covenants and Restrictions. The contents of the Declaration of Conditions, Covenants and Restrictions are incorporated herein by reference.

1.7 Jurisdiction. Amberleigh is a sub-association located within the greater Mill Creek Community Association (MCCA), and as such Amberleigh homeowners are governed by BOTH (i) the MCCA's Declaration and Rules, and (ii) Amberleigh's own Declaration and Rules.

Although the purpose of publishing these Amberleigh Rules is to familiarize homeowners with Amberleigh's own unique rules, references are also made, where applicable, to the corresponding MCCA Rules. Amberleigh and the MCCA have developed a working arrangement for coordinating

both sets of Rules; Amberleigh is the first association to receive and review homeowner inquiries, complaints, and applications for approval of architectural projects.

1.8 Interpretation of Rules. The Board shall have the right to determine all questions arising in connection with these Rules and to construe and interpret the provisions of the rules, and its good faith determination, construction or interpretation shall be final and binding. The Board, in the discharge of its obligations hereunder and in its deliberations, shall act fairly in making decisions concerning various plans, specifications, plot plans and landscape plans submitted to it by various owners. The determination of the Board, as to noncompliance, shall be in writing signed by the Board and shall set forth in reasonable detail the reason of noncompliance.

2. AMBERLEIGH ARCHITECTURAL CONTROL COMMITTEE (AACC)

2.1 Amberleigh's Architectural Control Powers. It is recognized that homeowners within Amberleigh will, from time to time, desire to modify their homes or the landscaping within their own lots. All homeowner's modifications to homes or landscaping must have the approval of both (i) the Amberleigh Architectural Control Committee (AACC), and (ii) the Mill Creek Community Association (MCCA).

2.2 Coordination with MCCA. Amberleigh has primary jurisdiction over architectural control matters with MCCA as the final approval position. All homeowner modifications to their homes or lot must be approved by the AACC before the appropriate application can be forwarded to MCCA for their review and approval. Applications can be found on the MCCA website mcca.info.

2.3 Establishment and Powers of AACC. The Directors have established an architectural control committee, called the Amberleigh Architectural Control Committee (the AACC), per a Charter instrument, a copy of which is available to homeowners upon request. The Directors have delegated certain matters to the AACC; namely, those actions are responsibilities that relate to homeowners' prospective changes to their homes and related structures.

2.4 Scope of AACC's Review Authority – All exterior improvement projects covered. The AACC's scope of authority is broad. Just about every homeowner project that involves a shovel, or hammer, or screwdriver, or paintbrush triggers the need to first seek the pre-approval by the AACC. Except for quite minor exterior repairs and any internal remodeling, homeowners should assume that their project proposal will first have to be reviewed by the AACC.

2.5 General Architectural Guidelines

2.5.1 Amberleigh's Common Design Elements. Amberleigh is a unique single-family development of small one and two story attached and detached homes located on small private lots with common green areas and a community park for Amberleigh Residents' use only. The architectural style is traditional with Cape Cod, Tudor, or Craftsman facades. The overall appearance is somewhat like that of a small village of similarly styled homes further united by the use of approved roofing materials (See 3.2.1), siding (cedar boards, shakes, or Hardiplank), paint

(pastel shades of cream, gray & tan), exposed aggregate walkways and driveways, and landscaping (grass, shrubs, and trees). It is desirable that the unique general appearance of Amberleigh remain intact, therefore, variations to the architectural style or landscaping theme of the neighborhood are strongly discouraged and are not likely to be permitted.

2.5.2 Quality of Improvements. The attractive ambiance of Amberleigh is due in part to the original developer's striving for excellence in design and construction techniques. Proposals for further improvements should be consistent with this enduring goal. For example, plans for architectural features (exterior alterations, remodeling, or new structures) should be designed, detailed, and scaled to be aesthetically and thematically consistent with the Common Design Elements; materials used should be of better than average grade; and work should be performed using higher than average levels of workmanship and skill.

3. ARCHITECTURAL RULES

[Note: The MCCA has overlapping jurisdiction with Amberleigh to regulate architectural matters. Where Amberleigh has adopted its own rules for a particular topic, the Amberleigh rules are likely to be the most restrictive. In order to make it easier for Amberleigh residents to see and compare the applicable MCCA rules and the Amberleigh Rules, the MCCA's own rules have been added into this document. The MCCA's rules, if any, are set forth at the applicable locations, in a different font – to set them apart. Each Amberleigh homeowner's proposed project must receive approval under both the applicable Amberleigh and MCCA rules.]

3.1 Specific Architectural Rules. Homeowner applications for proposals to modify homes will be approved if, in the opinion of the AACC, the proposal is consistent with the general Common Design Elements (section 2.5) and any specific rules adopted by the Board. The following rules and guidelines are intended to assist homeowners and the AACC in understanding the types of proposals that may not be consistent with Amberleigh's Common Design Elements. The lack of some specific applicable rule does not mean that the AACC lacks power or authority to develop new rules or guidelines as new questions are raised.

3.2 Roofing. All roof replacement or significant repair projects require written AACC preapproval. Submittal is required for re-roofing an existing structure (including any significant repairs).

3.2.1 All roofing material shall be limited to the product that has been identified by the Board as Approved Roofing Materials. The approved roofing material is limited to an architectural grade asphalt composition material, named *Presidential TL*, *Autumn Blend*, until or unless such roofing material (*Presidential TL*, *Autumn Blend*) is no longer available from any supplier or manufacturer. (Amberleigh CC&R 13.3, August 13, 2011)

3.2.2 Edges & ridges. Ridge caps shall be of the type to allow attic ventilation where practical.

3.3 Siding Materials. All siding replacement or significant repair projects require written AACC pre-approval. The only pre-approved siding material is cedar boards, Hardiplank or shakes. Should

any of the early built homes be sided with LP Siding or a manufactured “Oriented Strand Board” product requiring residing, the approved replacement product must be an approved siding material.

[MCCA Rules dated 11/30/2022, **SIDING**, Page 7]

Before beginning any siding project, including re-siding with the same material, residents must submit an Exterior Siding application to the MCCA office and receive written approval from the ACC. The following materials are approved:

1. Wood, 2. Brick, 3. Stone, Masonry (stucco), and 5. Hardiplank or similar products made to look like wood siding except aluminum siding.

3.4. Home Painting. All repainting projects require written AACC pre-approval. The only pre-approved outside paint colors (trim, walls, doors) are those within the current color palette (in Amberleigh, this means shades of cream, gray, tan, and others); provided that no more than three colors, plus white, can be used on the outside of a home, and no two side-by-side homes may have the same color palette. To comply with MCCA requirements, the homeowner must paint the body color on a 3’ by 3’ poster board along with a 1’ by 3’ poster board with secondary colors and a 1’ by 3’ poster board with the front door color, all of which are to be taped to the front of the house once the paint application has been submitted to AACC so MCCA - AC can view the colors for their final approval. Poster board is available at the MCCA office for no charge.

[MCCA Rules dated 11/30/2022, **PAINT**, page 6]

Before beginning any exterior paint project, including repainting with the existing colors, residents must submit a Paint Application with color samples to the MCCA office and receive written approval from the ACC.

Neutral, earth-toned colors are encouraged. Any colors chosen must conform and harmonize with the home’s surroundings. The colors in the palette submitted – body color, trim, doors, etc., must work together and coordinate with the building’s existing roof, brick, stucco, and window colors.

The proposed paint colors must be different from neighboring homes. The difference must be significant and easily observed by a passerby. Same color homes will be allowed within sight of each other provided there is a definite difference in tone, such as a light of color vs. a dark shade of color.

3.5 Fence Painting. All fence painting or staining projects require written AACC preapproval. Shared fences which face a street or alley must be stained the same color agreed upon by adjoining lot owners. Stains approved by the Board are:

Cabot Semi-transparent Red Cedar,

Cabot Wood Toned Stain and Sealer (Cedar) 3002

Lowe's Olympic Maximum Stain and Sealant (Canyon Brown) 5750P

Sherwin Williams Super Deck Exterior Transparent Wood Stain

Other shades of brown or tan may be considered.

[MCCA Rules, dated 11/30/2022, **FENCING**, page 3]

All fencing, hedges, or boundary walls require the Architectural Control Committee’s written approval before installation. All new fencing must comply with the following guidelines:

6. Fences must be left as natural wood, sealed with a clear sealer, or stained with a transparent or semi-transparent stain. Painted fences will not be approved.

3.6 Fence Construction. All fence replacement or significant repair projects require written AACC pre-approval.

Fences are to be built using Cedar fence boards with the rails on the inside facing the owners house and are to be stained as weather allows. Where fences are shared (party fence), the design of the fence shall be such that the rails are positioned at the top and at or near bottom of the fence for a more pleasing appearance for both owners. The maximum height of a fence is six and one half (6.5) feet or seven and one half (7.5) feet if topped by an arbor or archway.

Fences are to be properly maintained. Damaged boards are to be replaced. Weathered stain needs to be re-stained to preserve the boards and maintain their appearance. If it becomes necessary to repair or maintain party fences, the owners who share the fence shall make repairs and shall each bear an equal share of the repair costs unless the repair is due to damage caused by one of the owners, in which case that owner shall be responsible for the repair (Amberleigh CC&Rs, 6.5, dated August 13, 2011)

[MCCA Rules dated 11/30/2022, FENCING, page 3]

All fencing, hedges, or boundary walls require the Architectural Control Committee's written approval before installation. All new fencing must comply with the following guidelines:

1. Fences must blend in and with the landscaping and surrounding structures.
2. Fencing is to be no higher than six and one half (6.5) feet measured from the finished grade surrounding the fence and must conform to the Mill Creek Municipal Code 17.22.040.
3. An arbor or archway that is part of a fence should not exceed seven and one-half (7.5) feet tall.
4. The finish side of the fence must face the street, adjoining properties, and common areas
5. Chain link and similar metal fencing and dog runs are strictly prohibited.
6. Fences must be left as natural wood, sealed with a clear sealer, or stained with a transparent or semi-transparent stain. Painted fences will not be approved
7. Townhomes, Condominiums, and apartment complexes are permitted to stain fencing with a single color for their entire sub-association.
8. Front fence panels, shared with adjoining properties, shall be maintained as natural wood unless adjoining property owners agree on a common stain color.

All existing fencing must be maintained as follows:

1. Fences must be cleaned and treated to prevent the growth of moss and mildew.
2. Rotten posts, boards, caps, and other fence parts must be replaced.
3. Loose boards must be reattached or replaced.
4. Existing painted fencing must be repainted when surfaces are peeled, blistered, stained, faded, or weathered. Existing painted fences will be allowed to be repainted with a color consistent with the adjoining residence. Residents are encouraged to move to clear sealer, transparent or semi-transparent stains as they replace fencing runs.

3.7 Gazebos. All gazebo (covered garden structures) placement proposals or significant repair projects require written AACC pre-approval. Gazebos or other structures may only be constructed on the owner's patio (except for lots 21, 22, 23, and 78 which have extra-large lots) and may not be built on adjoining common areas or cutting preserves. Structures may not exceed nine (9) feet in height.

[MCCA Rules, dated 11/22/2022, GAZEBOS, TRELLIS, ARBORS AND ARCHWAYS, page 5]
The Architectural Control Committee must approve gazebos, arbors, and archways. Trellis structures over six (6) feet tall also require ACC approval; a trellis under six (6) feet tall does not require approval.

3.8 Hard Surfaces. All hard surface (ex. stone or concrete) replacement or significant repair projects require written AACC pre-approval. All driveways and walkways on individual lots are to be constructed using exposed aggregate concrete.

[MCCA Rules, dated 11/30/2022, DRIVEWAY AND PAVED SURFACES, page 3]
Concrete, concrete aggregate, or concrete or stone pavers are acceptable materials for driveways and other paved surfaces. Paved surfaces must be maintained and kept clear of debris, weeds, grasses, moss, and mildew. Crumbling concrete and broken slabs must be repaired or replaced for the sake of safety and appearance. Driveway coatings, except for clear coatings, are not allowed.
Outdoor parking for recreational vehicles, boats, trailers, etc. are not permitted.

3.8.1 Common Driveways. Amberleigh homes located in what is commonly referred to as a "quad" (specifically a grouping of four conjoined homes, rooflines, garages, and driveways) share common driveways as shown on the recorded plat. The shared driveways of these homes shall only be used for ingress and egress (coming in and going out), described on the face of the plat. Courtesy, safety, visibility, and maneuverability shall not be compromised by cars parked in the common driveways. Driveways are not a recreational area, nor shall they be used as a sport court or playground. No activities shall be conducted in this area, which unreasonably interferes the right of other property owners to enjoy their homes. Unmaintained, damaged, neglected, rusted, or aesthetically unappealing vehicles are not permitted parked or stored in the driveways or on the properties. Repairs to shared driveways and the cost thereof is the responsibility of the owners who share the driveway.

3.9 Additional Structures. All placements of or significant repairs made to structures (for example, storage sheds or garden houses) require written AACC pre-approval. Said structures may only be placed on the owner's patio except for lots 21, 22, 23, and 78 which have extra-large lots. On those lots the structure must be placed a minimum of five (5) feet back from any fence, be a maximum of eight (8) feet high and have a maximum footprint of 80 square feet. Hard rubber, plastic, aluminum, and vinyl sheds will not be allowed unless the AACC can verify the shed is completely shielded from view.

[MCCA Rules, dated 11/30/2022, STRUCTURES, Page 8]

No accessory dwelling units (ADU's), trailers, temporary carports, or any other structure may be erected or maintained on any lot. Residents must receive written approval from Architectural Control Committee before installing any additional structures on their lot.

[MCCA Rules, dated 11/30/2022, SHEDS, page 8]

Storage containers, sheds, enclosures, and buildings for use within side and backyards must comply with the following guidelines:

1. Structures attached to a home must match the siding materials, color, texture, and general trim and finish of the home to appear as a matching extension of the building.
2. Free-standing sheds and storage buildings must:
 - a) Have a maximum height of eight (8) feet and have a footprint of no more than eighty (80) square feet unless otherwise approved by the Architectural Control Committee.
 - b) Hard rubber, plastic, aluminum, and vinyl sheds will not be allowed unless Architectural Control Committee can verify the shed is completely shielded from view.
 - c) A five (5) foot setback from all fences is required if the peak to ground distance is over six (6) feet unless otherwise approved by the committee.
 - d) Have a roof, siding and other construction materials that match the adjoining home's color and appearance.

3.10 Play Structures and Tree Houses. All play structure placement or significant repair projects require written AACC pre-approval. Play structures are only permitted on owner patios except for lots 21, 22, 23, and 78 which have extra-large lots. No tree houses are permitted.

3.11 Sport Courts. All sport court placement or significant repair projects require written AACC pre-approval. Sport Courts are not permitted on any lot in Amberleigh.

3.12 Swimming Pools/Spas/Tubs. All pool/spa/tub placement or significant repair projects require written AACC pre-approval. Above ground spas may be installed on patios of homes providing residents limit their use between the hours of 8:00AM and 9:00PM.

3.13. Mechanical Equipment. All equipment placement (see Rule 3.20 below for roof solar panels) or significant repair projects require written AACC pre-approval. Equipment and related apparatus should be placed and installed in such a way as to minimize all visual and noise impacts on neighbors and the neighborhood. This will likely require the addition of some means of sight and/or noise screening or concealment. Placements of equipment outside of the homeowner's enclosed courtyard area are highly disfavored. Where screening is required the use of natural vegetation (satisfying the landscaping rules) is preferred, rather than structural screening. Where vegetation screening is not feasible, then units must be enclosed by a fence at least the same height as the unit and must be painted/stained the same body color as the house. For those homes backing up to the cutting preserve, Heat Pumps and A/C units may be installed in the Cutting Preserve behind the home or in the Community Park next to the home, providing the unit is enclosed by a wood fence at least the same height as the unit, and must be painted or stained the same body color as the house. AACC may impose (i) noise muffling requirements that impose lower maximum decibel

emission requirements, and (ii) more restrictive time of use limitations than imposed by MCCA ACC and/or the City of Mill Creek.

[MCCA Rules, dated 11/30/2022, MECHANICAL EQUIPMENT, page 5]

Residents are required to apply for and obtain written approval for all mechanical installations.

Refer to Architectural Control and Exterior Appearance on page 2 (should be 3) for instructions on how to obtain an application. All mechanical installations must adhere to the following guidelines:

1. Mechanical equipment such as air conditioners, heat pumps, etc., must be screened from view of the street and neighboring properties.
2. Mechanical equipment must be strategically placed and shielded to minimize noise impacts on neighboring properties.
3. Whenever possible, install mechanical equipment away from the adjacent neighbor's bedroom area.

3.14. Aerials, Antennae and Satellite Dish Antennas. All signal receiver placements or significant repair projects require written AACC pre-approval. The AACC's objective is to limit receiver placements to locations that will minimize the negative visual aesthetic impacts first on the neighborhood and second the affected neighbors. Each case is likely to involve unique circumstances and require unique constraints. Only devices for reception of standard TV, video and audio transmissions are allowable. The Board can require the removal or repair of non-functioning Satellite dishes.

[MCCA Rules, dated 11/30/2022, SATELLITE DISHES, AERIALS, AND ANTENNAS, PAGE 6]

Per the Telecommunications Act of 1996, MCCA permits the installation of satellite dishes that are less than 39 inches (1 meter) in diameter. MCCA requests that residents avoid mounting satellite dishes, aerials, and antennas on the front of their residences if possible. The installation of a satellite dish, aerial, or antenna on common property is not allowed.

3.15 Home Facades. All facade replacement or significant repair projects require written AACC pre-approval.

3.16 Awnings and Sun Screens. All rain or sun blocker placement or significant repair projects require written AACC pre-approval. Patio awnings, if approved, must be installed by a professional installer and must be of a retractable design and have a **colored** metal cover which matches the background to which the awning is mounted hiding the awning when retracted. Any electrical or cords must be concealed from view. The Board recognizes the design of homes in Amberleigh are such the roof mounting may be the only option for installation of awnings above patios.

[MCCA Rules, dated 11/30/2022, AWNINGS, page 3]

Residents must apply and receive approval for any awnings or sunscreens from ACC.

Installations must comply with the following guidelines:

1. All rails, housing, and other components must blend into the structure's color to which it is attached.
2. Sunscreens for windows are permitted on the inside of the windows only.

Plastic, fiberglass, aluminum, or other metal awnings are not permitted.

3.17 Exterior Doors, Garage Doors, and Screen Doors . The ACC must approve all exterior doors, garage doors, and screen doors before installation. All door placement, color selection or significant repair projects require written AACC pre-approval. Front doors may be an accent color. Garage doors must match the body or trim color of the home. Screen or Storm doors to be installed on the front door must have a high quality white painted finish or finish which matches the trim color of the residence.

[MCCA Rules, dated 11/30/2022, DOORS, page 3]

The ACC must approve all exterior doors, garage doors, and screen doors before installation. Doors must match the style of the home. Please include a picture and color sample with the application. Front doors may be an accent color. Garage doors must match the body or trim color of the home. Screen doors must match the trim color of the residence. If you are changing the door color, paint a color swatch 1'x3' on a piece of poster board and place it by the door before submitting your door or painting application.

3.18 Outdoor Lighting. All new lighting fixtures (on homes or landscaping) placement or significant repair projects require written AACC pre-approval. Landscaping lighting and Security lights (motion lights) should be mounted so their light does not shine into a neighbor's home. Light fixtures by front and or patio doors should be of a design appropriate of the design of the home.

[MCCA Rules, dated 11/30/2022, OUTDOOR LIGHTING, page 6]

Residents must apply and obtain written approval for all permanent outdoor lighting installations, except for replacement of existing fixtures with similar fixtures. Permanent outdoor lighting must be shielded so they do not shine into neighboring homes, and minimize lighting neighboring properties. Please include pictures of the proposed lighting, the lighting location, and the hours of operation in the lighting application. Temporary (in use less than seven days) lighting such as Edison bulb "party lights" may be used if they do not unreasonably interfere with a neighbor's use and enjoyment of their property, and are not used later than 11:00PM.

3.19 Solar Energy Panels. All solar power energy device or panel placements or significant repair projects require written AACC pre-approval. The AACC's objective is to limit solar panel placements to locations that will minimize the negative visual aesthetic impacts first on the neighborhood (street views) and second the affected neighbors. Each case is likely to involve unique circumstances and require unique constraints. Panels and related apparatus should not cover an area greater than 400 square feet, and must be placed at a location recommended by the installer and approved by the AACC. All product materials and supporting and connecting equipment and lines should be concealed and/or painted in a manner that is as aesthetically pleasing as possible. No part of the system may be higher than the roof ridgeline. Each project must also comply with the requirements set forth in RCW 64.38.055 (a state law).

[MCCA Rules, dated 11/30/2022, SOLAR PANELS, page 7]

Solar panels are allowed when installed in compliance with RCW 64.38.055. Residents who want to install solar panels must obtain written approval from ACC and must submit an Additions Application to the MCCA office with detailed drawing showing that:

1. All frames, support brackets, visible piping, or wiring will be painted to blend in with the home's roofing and siding.

2. All panels are not visible above the roof line.
- Solar panels are permitted on a roof facing the street if:
1. The solar panel conforms to the slope of the roof.
 2. The top edge of the solar panel is parallel to the roof ridge.

The Board can require the removal or repair of non-functioning solar panels. Free standing solar panel arrays are not permitted.

3.20 FLAG POLES. Flag pole installations must be approved first, by the AACC, then the MCCA ACC before the installation of any flag pole. The applicant must follow and comply with the requirements set forth in the MCCA Rules and Regulations as follows:

[MCCA Rules, dated 11/30/2022, FLAG POLES, page 4]

The ACC must approve all flag pole installations. Only commercial types of flag poles are permitted, and installation must adhere to the manufacturer's instructions and governmental codes. Permitted flag poles must:

1. Be 25' high or less.
2. Fly only the U.S. flag (Stars and Stripes)
3. Be paired with a flag size that is suitable for the pole (height)
 - a) 3'x5' for poles up to 20' high
 - b) 4'x6' for flag poles up to 25'
1. Be located outside the (5') utility easement
2. Be located one flag length plus 1 foot away from any structure
4. Use Nylon or plastic fasteners to reduce noise.

All flag installations must follow Title 4 of the U.S. Code found on the U.S. Government website <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-1999-title4-chapter1&edition=1999>

3.21 HOLIDAY DECORATIONS AND DISPLAYS

Decorations for winter holidays may be installed no earlier than Thanksgiving weekend and must be removed by January 31st.

Decorations for all other holidays may be installed up to two weeks before, and must be removed no later than two weeks after the holiday.

3.22 SIGNAGE

Real Estate: A single 'For Sale' sign, not larger than 18" by 24" with a single post and cross arm, is allowed on each lot. For 'Flag lots where a home is behind the home fronting the street, the 18" by 24" sign can be placed at the entrance to the driveway to the Flag lot and a second directional sign can be placed by the home for sale.

A-board "Open House" signs, no larger than 24" by 24" in size, are permitted on Amberleigh property at the entrance to Amberleigh, during the period when a person is sponsoring the event is present at the location advertised.

Estate Sale signs: Residents holding estate sales must submit an Estate Sale Application to the MCCA office and receive approval for their sign plan a week before their sale date. Estate Sale signs must follow the Real Estate Open House Policy.

Home Security signs:

Signs not larger than 10" by 10" with a single post are allowed on each lot for home security systems, camera surveillance, and pets.

Political signs:

Political yard signs are allowed 60 days before and three days following a general, primary, or special election. The sign must be placed a minimum of 10 feet from the street, and the height may not be more than 4 feet above the ground. The total sign area for an individual residence may not exceed 6 square feet.

4. ARCHITECTURAL APPLICATIONS AND REVIEW PROCESS.

4.1 Plan Review Fees. Amberleigh does charge the homeowner any Project Review Application submission fees.

4.2 Right of Entry of Association Representative. Interior remodeling/painting does not require an approval or inspection by AACC. Changes to the exterior of a home may require an inspection of the changes to ensure compliance with the AACC approval.

4.3 Evidence of Compliance with Restrictions. Approval by AACC of any project is contingent on the owner/applicant completing the approved project, remodel or change within three months or less of the date of approval.

4.4 Review Standards Applied by AACC. All applications submitted to the AACC will be reviewed in a timely manner and the applicant /owner will be notified in writing about the decision made with conditions of approval, if any, being identified. MCCA changed its guidelines regarding the amount of time they have to review an application. If they have not approved the application within 15 days, the application is automatically denied.

4.5 Interpretation of Rules. AACC maintains the right to interpret and enforce AACC Rules.

4.6 Form of Applications. Amberleigh homeowners should use the appropriate MCCA forms when making architectural Project Review Applications, or, if the project involves landscaping change proposals, the Homeowner must use Amberleigh's Landscaping Review Application form. Completed forms (MCCA forms or Amberleigh forms, as the case may be) must be submitted to the Amberleigh Board (to either the Chair of the Landscape Committee or the HOA President), rather than submitting directly to the MCCA. If AACC approves the application, the application with supporting documents will be given to MCCA for their review and approval. The Amberleigh homeowner only deals with the Amberleigh AACC. MCCA forms can be found on the MCCA website, mcca.info.

4.7 Unpermitted Improvements. When it is discovered by the Board or the AACC that a homeowner has commenced or completed a project of any kind that is, in the opinion of the Board, subject to the pre-approval requirements of these rules, a charge of one hundred dollars (\$100) will be imposed on the offending homeowner, and the offending homeowner will be notified of the charge and of the requirement to submit an appropriate application for the project. Such application will be reviewed and processed as provided in these rules, and it remains possible that the AACC may not approve the project, as it then stands or at all under any conditions. If the \$100 charge is not paid and the required application is not received by the Board within thirty (30) days of notice of the violation, then an additional Two Hundred Dollar (\$200) charge will be imposed upon the homeowner. Nothing in this rule will operate to limit the Board's prerogatives for enforcement of these rules or collection of homeowner account charges.

5. LANDSCAPING CONTROLS AND APPLICATION REVIEWS

Amberleigh has primary jurisdiction over all landscaping matters within the landscape easement areas described in the Amberleigh CCRs (essentially, all the front yards up to the walls and courtyard fences.)

5.1 Landscaping Easement. CCR §14.3 establishes a landscaping easement over all the areas between the homes and the streets. CCR §7.5 provides that the Amberleigh HOA is responsible for all landscaping maintenance in the neighborhood (except for plantings in a homeowner's private courtyard or backyard). CCR §7.2 clarifies that it is the Board who determines when there is a need for maintenance. CCR §7.5 clarifies that no changes can be made in the landscape easement areas by homeowners directly without written approval from the Board. The HOA is in charge of what gets planted and how it is maintained. The following guidelines are intended to provide further clarification about how homeowners can provide input into landscaping matters concerning their own lots.

5.2 Neighborhood Landscape Plan. The original landscape design plan for the neighborhood was specified by a landscaping contractor hired by the developer, Wm. Buchan Homes. The Board believes that it is important to have and sustain a unified overall neighborhood design plan, one that can evolve over time. The Landscape Plan is more of an aspirational goal than a detailed set of plans and specifications. The Plan should be one that reflects certain qualities; a design that is based upon recognized landscape design principles, that looks nicer than the average for neighborhoods with homes of similar value, and is sustainable over long time frames. The Board occasionally consults with an independent landscape designer to provide input on adjustments that are made over time. It is recognized that all the plants in the neighborhood have a functional life time – all will eventually become diseased, dead, damaged, or in some way detrimental to some other plant or structure. If, in the Board's opinion, one of these conditions appears, the plant will be-considered to present a "need for addition, removal and/or replacement." Then, that task is placed on the HOA's current maintenance to-do list. When the Board determines that a plant is in "need of addition, removal and/or replacement" and the related task is placed on the to-do list, it then becomes subject (like other items on the list) to prioritization and budget constraints. It may take some time before a plant in need receives the appropriate attention. If the Board determines

a tree on an owner's lot should be removed, the Association will pay for the removal of the tree and its exposed roots adjacent to the tree. The cost to remove the stump, non-surface roots, and to plant a replacement tree shall be paid by the property owner. If a Street Tree has been identified as dead, diseased, or damaged, the Association will pay the cost of removal to include stump grinding if a replacement tree is to be planted in the same location.

5.3 Homeowner Landscaping Proposals for Additions, Removals or Replacements. The Board feels that homeowners should be afforded some level of input as to the landscaping features placed on their lots. There is some room for the Board to both maintain its overall control over such matters and to accommodate certain homeowner requests for changes or adjustments. Sometimes the homeowner will want a change even if he must do the work himself and pay for it. Homeowners may present proposals for landscaping changes to the board. All alterations, additions, removals or replacements of plants or trees (except annual flowers) in the landscape easement zones (i.e. in the front yards) or common areas within the neighborhood must first be approved in writing by the Board or the Amberleigh Landscaping Committee (ALC). Only changes which, in the opinion of the Board, are consistent with Amberleigh's common design elements and the Landscape Plan will be approved. It is most helpful when homeowners indicate their specific concerns and level of willingness to implement the proposal when submitting the written request. No changes may be made in the Cutting Preserves owned by the HOA.

5.4 Approval Procedures. Any landscaping proposals to the Board should be in writing and submitted to the Association President or the Chair of the ALC. Proposals should include a site plan and clear descriptions of the proposed changes being requested. As the Board reviews each request for changing a plant, it will first decide as to whether the plant is in "need of removal and/or replacement." If the plant in question is found to be "in need" of attention, and the item is deemed to fall within the *HOA's scope of routine maintenance responsibilities*, the HOA will implement a solution and pay for its removal. If, on the other hand, the Board determines that the plant in question is not in need of removal and/or replacement, then the Board will determine if the proposed changes (if implemented) would also be consistent with the Landscape Plan. Where the proposal is consistent, then the homeowner is authorized (perhaps subject to certain conditions) to implement and pay for his plan himself. Where the proposal is deemed to be inconsistent with the Landscape Plan, then the proposal will be denied. In the event the Board fails to respond to the owner's application within thirty (30) days, approval will be deemed to have been granted by the Board and formal written approval will not be required, and this provision shall be deemed to have been fully complied with.

5.5 Outdoor Decorations. Outdoor decorations include such items as birdbaths, fountains, bird feeders, sculptures, animal likenesses, wishing wells, elves, signs, or other forms of "yard art" (except December holiday decorations described in 3.22). Outdoor decorations affect the overall appearance of the neighborhood and the conduct of maintenance services within the landscape easement areas. Outdoor decorations are not allowed in the common areas. Only decorations which, in the opinion of the Board, are consistent with Amberleigh's common design elements and Landscape Plan will be approved.

5.6 Minor Additions by Homeowners. If a homeowner wishes to add some supplemental annual flowers (not perennial flowers or plants) into the bark bed areas around his front yard (especially if placed in pots), such minor additions can be made without submitting an application request for pre-approval. Homeowners should be aware, however, that such plants oftentimes get in the way of regular maintenance activities, and any such plants are placed at the homeowner's sole cost and risk. Homeowners may also, if they wish, supplement the regular maintenance activities by doing some additional *minor* pruning of plants, bushes, or trees on their lot, without needing pre-approval but *trimming of Street Trees is not permitted*. If a resident believes a street tree requires pruning, please notify a member of the Landscape Committee or a Board member.

5.7 Remedies. In the event an owner changes placement, makes additions, alters, or changes a landscaping feature (other than the minor additions described above) without having first submitted in writing the proposed plans and specifications for such work, and completes such work without written approval, the Association has the right, at any time, among other remedies, to force compliance by change or removal of such work, at the owner's expense. Also, the Board may impose a \$100 fine if it discovers that changes have been made without pre-approval.

6. ENFORCEMENT

6.1 Architectural & Landscaping Matters. Amberleigh has jurisdiction (and enforcement power) with respect to all covenants and rules that pertain to architectural and/or landscaping activities within the neighborhood. For example, if an Amberleigh homeowner commences an architectural project without first obtaining written AACC approval, then the Amberleigh Board and AACC have power to address and correct that situation.

6.2 Use Restriction Matters. Amberleigh does not have authority (or enforcement powers) with respect to the numerous property use restrictions set forth in the MCCA Declaration and the related MCCA rules, which restrictions apply to Amberleigh homeowners. For example, if an Amberleigh homeowner begins to cause a general nuisance (say, tanning stinky animal skins in his garage), then complaints would be directed to the MCCA, and not Amberleigh's Board, because the anti-nuisance rule is a use restriction issue rather than an improvement project issue. The Amberleigh HOA Board does have authority and enforcement powers as they related to violations of Restrictions on the Plat of Amberleigh, CC&Rs, Bylaws as well as violations of these Rules and Regulations.

6.3 Board's Authority. These Rules shall be adopted and enforced by the Amberleigh Board of Directors as provided for in the Amberleigh Declaration of CCRs. Owners are responsible for compliance by their tenants.

6.4 Homeowner Complaints.

(a) *Self Help First*. If you are disturbed by the actions of other residents, you may wish to make a personal contact with the offending party to make them aware of the situation. Often a friendly reminder resolves the situation. If the grievance is not rectified after talking with

the other party, and the behavior involves a subject regulated by the MCCA, you may submit a formal complaint to the MCCA office (425-316-3344) for action (see Mill Creek Community Association Covenant Committee Guidelines – Covenant Complaint Procedure). If the grievance is not rectified after talking with the other party, and the behavior involves a subject regulated by these Amberleigh Rules, you may submit a formal complaint to any Amberleigh Director for action.

(b) *Written Complaints.* If you feel that one of more of these Amberleigh Rules have been violated, you may submit a complaint to the Amberleigh Board of Directors. Complaints must be dated, written, identify the specific rule or rules suspected of being violated and signed by the party submitting the complaint.

(c) *Board Response.* As soon as is practicable, the Board will consider the complaint and decide if any rules have been violated and if any further action is necessary to stop the violation. The Board will endeavor to inform the complainant of the Board's decision.

6.5 Fines. Violations of these Rules may result in the imposition of a fine. The Board will determine which behavior (or time intervals for chronic conditions) constitutes a separate violation.

(a) *General Fine Schedule.* Unless some more specific schedule of fines has been published to redress specific rules violations, fines may be imposed, at the sole discretion of the Board. All fines will be determined by the Board based on severity and frequency of the infraction. For Example, a fine begins accruing at \$25 per day for the first 30 days, \$50 per day for the next 30 days, \$100 per day for the next 30 days, and doubles each 30-day period afterwards. Charges for fines do not include any other administrative costs incurred or legal costs incurred by the Association related to its enforcement actions taken; such other costs are also charged to the applicable homeowner's account.

(b) *Opportunity for Hearing.* When any fine is imposed or damage repair assessment is made against any Homeowner or lot, the Board of Directors will notify the owner and residents of that Lot in writing of the amount of the fine and/or damage repair and the reason for the assessment. The resident or owner of that Lot shall have fifteen (15) days to request a hearing before the Board of Directors to have the matter reviewed. This request shall be made in writing to the Board. If no request for hearing is made, the fine and or damage assessment will remain effective against that Lot, and the monetary penalty will (i) become enforceable against the Homeowner, and (ii) become enforceable against the Lot, and (iii) begin to accrue interest at the rate of twelve percent (12%) per annum until paid in full.

6.6 Notice of Violation. If the Board determines that a violation of a rule has occurred, the Board may, in its sole discretion and without limiting any other remedies available to the Board, send written notice of violation to the offending party, and the owner of the lot which that person occupies if that person is not the owner, specifying the particular rule being violated and suggesting a specific remedy or course of action to be followed by the offending party for

redressing or alleviating the situation. If the violation constitutes a recurring violation or a violation for which a general or specific fine schedule has been published, the notice shall also specify the fine being imposed on the offending party, subject to an enforcement hearing at the option of the offending party.

6.7 Enforcement Hearings. If a hearing is requested pursuant to paragraph 6.5(b), the board shall schedule a meeting with the homeowner within twenty (20) days of the receipt of the notice of request of hearing to review the matter. At the hearing all parties shall have an opportunity to be heard at the hearing. Any party at the hearing may be represented by counsel. After all testimony has been given, the Board of Directors shall then determine, by a vote of the members, if a Rules violation has occurred and if a fine shall be issued. The majority of the board members shall prevail. Parties involved shall be notified in writing of the decision.

6.8 Lien for Charges. Fines and damage assessments imposed under these Rules shall give rise to a lien for unpaid amounts and such liens may be collected as general assessment liens, subject to Section 8.1 of the Declaration.

6.9 Alternative Remedies. Nothing in this section shall be construed as a prohibition of or a limitation on the right of the Board to pursue other means to enforce the provisions of the Declaration or these Rules.

7. GENERAL PROVISIONS

7.1 Meanings. Words and phrases used in these Rules shall be given their ordinary meaning unless otherwise provided for herein.

7.2 Amendments. These Rules may be amended by the Board of Directors in accordance with the Articles of Incorporation of the Homeowners' Association and the Declaration.

This Revised and Restated set of Rules & Regulations is adopted on April 30, 2024 by the Amberleigh Board of Directors, and it will become effective on May 1, 2024.

AMBERLEIGH HOMEOWNERS' ASSOCIATION

_____/S/_____
Mark T. Beales, President

_____/S/_____
Roger Deffner, Vice President

_____/S/_____
Dianne Bratz, Secretary

_____/S/_____
Tyler Davis, Treasurer

_____/S/_____
Mary Spalding, Director

AMBERLEIGH ARCHITECTURAL CONTROL COMMITTEE (AACC)

_____/S/_____
Michael Beaumont, Chair of AACC

_____/S/_____
Mark T. /Beales, member

_____/S/_____
Mary Spalding, member

Note Re: Revisions. These Rules & Regulations are amended from time to time by the Directors. When new rules are added or current rules are revised, a new version of the Rules & Regulations is published by the Board. Persons who are making plans based upon these Rules would be advised to make sure that the version they have is the most recent version. The current Rules are posted on the Association's website. Interested parties may contact any Director to verify the effective date of the latest version of these rules. The original signature page signed by the above parties is on file with the Amberleigh HOA Secretary.