

LA ESTANCIA HOMEOWNERS AND PROSPECTIVE HOMEOWNERS

La Estancia is a beautiful place to call home. While you enjoy the assurance of a quality home built by River Construction, you also realize that your home enhances the scenic surroundings of this red rock desert we call Tom's Canyon.

For many of you living in a Planned Community, like La Estancia, is a new experience. We hope you will enjoy some of the obvious advantages of living where you are a co-owner of all the open space parks, pool and clubhouse. Where you can go on vacation and not worry about yard care year round. Where you have the security of private streets and walled back yards. You live near three National Parks, Zion, Bryce and The Grand Canyon. You are on the steps of The Grand Staircase National Monument, and minutes away from Scenic Lake Powell.

Each Member of the community shall become aware of the importance of being familiar with the CC&Rs (Covenants, Conditions, and Restrictions) and HOA (Home Owners Association) Rules and Regulations. You can download and print copies at www.laestancia.info.) The HOA and CC&Rs provide protection for residents and their property rights associated with La Estancia Home-ownership.

Our desire is that La Estancia will always maintain the highest standards for community living and beautification. The grounds maintenance crew spends many hours to maintain and improve the unique environment of La Estancia. They are responsible for the front yards, clubhouse, ponds, entrance water-wheel, parks, children's playground, waterfall areas and sprinkler systems. Let's always be respectful of them and show our appreciation for their efforts.

La Estancia Development, LLC and River Construction, Inc. appreciate each of you as Homeowners and as customers. From the earliest homeowner moving in, to the time of community turn-over, we will provide guidelines for your personal protection and safeguard your investment. The guidelines that have been set forth have been evaluated and well thought out and comply to mandates of state law.

In addition to the CC&Rs, the following are the Rules and Regulations established for La Estancia.. They will remain in effect until modified.

Rules and Regulations

GUESTS

Owners may invite guests to use common area facilities.

Owners must accompany guests while using any recreational facilities.

Owners with guests or non-resident family members must provide adult supervision (18 or older) during the period of facility use.

Owners are responsible to inform guests of facility rules and regulations prior to use.

GENERAL USE RESTRICTIONS:

In accordance with items of the CC&Rs, regarding temporary structures: Trailers, tents, shacks, garages, barns, or other outbuildings shall not be placed or used on any residential lot at any time as a residence either temporarily or permanently.

ANIMALS

While La Estancia is a pet friendly project which includes Kanab's first and only one acre fenced park, dedicated for dogs to play and run leash free, no dog or other homeowners' pet shall be permitted to roam the property unattended and all dogs shall be kept on a leash while outside the owner's own private yard.

The Dog Park Rules are posted at the Dog Park . The Dog Park may be used by La Estancia homeowners' and their guests. Do not allow your dogs to emit waste in any other areas other than dog walking areas and your own private back yard. **These common areas are equipped with dogi-waste-bags and disposal containers. All waste must be immediately removed from the premises and placed in the waste container. Violations will not be tolerated and the fines/penalties listed at the end of this document will be assessed to the violator. An Owner or resident may be required to remove a pet upon receipt of the second written notice from the Association Board of Directors of violations of any rule, regulation or restriction governing pets within the property**

No animal may be kept tethered to any stationary object outside the home.

No animal is permitted inside any recreational facility including clubhouse

and pools, (with the exception of support dogs belonging to a member or a member's guest).

Owners are responsible for any property damage, loss, injury or disturbance their pet may cause or inflict. This includes damage to personal water systems and consequent further damage to walls, footings and foundations due to excess water seepage. If damaged water lines are not immediately repaired any future damage to the common areas or home are the owner's responsibility and not the HOA's. Failure to repair said damage can also affect compensation from the home warranty. If unsure how to complete repairs please contact the landscape maintenance people.

Owners shall not permit their animals to bark, howl or other wise disturb their neighbors' rest, or the peaceful enjoyment of their neighbors' home or the common grounds.

Owners are responsible for the immediate removal of their animal's waste from the common and limited common areas, parks, dog walking areas, Dog Park and hiking trails.

CLUBHOUSE

No Smoking nor use of alcohol is allowed.

All guests must be accompanied by a Resident or Owner.

Each Homeowner will be provided with an electronic key upon ownership. The key system monitors the guest using the key as the guest enters the clubhouse. The key is non-duplicatable. If your key is lost, there will be a \$250.00 charge to have it replaced. Fee due upon receipt of new key.

Use of the Clubhouse is limited to 14 years and older. However, children (under age of 14) may use the facilities if accompanied by an adult resident.

The Exercise Room , Hot Tub, Kitchen and Fireplace are to be used and/or operated only by an Adult over 18 years old.

There is not a charge for daily use of the clubhouse and pool.

If a Homeowner wishes to reserve the multi-purpose room of the Clubhouse for a specific event, please contact wendy@river-realty.net

For Homeowners or their immediate family members to reserve the multi-purpose room, there will be a \$50 Non-refundable usage fee charged. An additional \$50 security/cleaning deposit, will be charged making a total charge of \$100. An inspection will be done after the function is held. If the premises are not clean to Management standards, or if damage has been done to the facility, all or a portion of the \$50 security deposit will be held for cleaning or damage. The reservation usage fee of \$50 is for regular wear and tear of the building and for utilities and is non-refundable.

Any damage done to the clubhouse or pool area by a homeowner or homeowner's guest, or by outside parties renting the facility, will be paid for by the person or persons who caused the damage, not the HOA.

For a limited period of time non-owners or outside parties may reserve the facilities. For any of these outside parties wishing to reserve the clubhouse, there will be a \$400.00 security deposit due at registration and held for cleaning, loss or damage to the facility. There will also be a \$200.00 non-refundable usage fee charged due prior to engagement. The premises are expected to be left clean and in good order. If premises are not clean to Management standards and the facility is not left in good order, all or a portion of the security deposit will be held for cleaning loss or damage.

The Clubhouse may not be reserved on Holidays or Holiday weekends and the pool cannot be reserved at any time. No exceptions.

The Pool may NOT be used in conjunction with the reservation of the clubhouse facilities due to insurance liability.

La Estancia Homeowners are not allowed to use the El Pueblo recreational facilities except as guests' of El Pueblo Homeowners.

SWIMMING POOLS AND HOT TUB

Hours: 6 a.m. to 11 p.m. Children's Hours: 11 a.m. to 9 p.m.

Note: There is NO LIFEGUARD ON DUTY at any time. The pools are for the use of Homeowners, their family members and guests. The pools were designed to facilitate exercise as well as relaxation. They were not designed to be used by a great number of people at the same time, nor for activities such as diving, jumping, splashing, etc. Please be courteous and considerate of others.

HOMEOWNER PLANTING OF LANDSCAPE

The landscaping of this community has been planned and researched to compliment the natural desert surroundings and the architecture of the homes.

Homeowners are responsible for installing, care and weeding of their own Backyards which are to be kept at the same standards as the ground maintenance crew.

Prior to any plantings, outside the homeowner's own walled backyard, of trees, plants, flowers or scrubs, the location of the planting and the variety of the plants must be approved by the Homeowners Association.

As Tom's Canyon is considered a desert landscape, homeowners are allowed to plant a maximum of thirty-five percent turf in their walled backyards.

FENCES AND HEDGES

No fences or boundary hedges shall be installed without prior approval of the Homeowners Association. (Generally, fences and boundary hedges will not be allowed because of landscape maintenance requirements and to maintain view corridors.)

PARKING

Parking of boats, trailers, off-road motorcycles, trucks, mobile homes, campers or other recreational vehicles or equipment, regardless of weight, and parking of any other vehicles in excess of three-quarter (3/4) ton in weight shall not be allowed to remain for longer than 24 hours on any part of the property, excepting only within areas designated for such purposes by the Board of Directors of the Association or within the confines of an enclosed garage, the plans of which shall have been reviewed and approved by Association (see the CC&Rs for information on loading and unloading recreational vehicles).

RENTERS

Homeowners may delegate their eligibility to use facilities to their Renters who shall abide by all established Rules and Regulations. In such cases, and at such time, the homeowner may only use the facilities as the renter's guest.

Homeowners, however, shall still be considered the responsible party, if property is negligently or maliciously damaged by Renters or their guests. Costs

of repairs or fines shall be assessed against the Homeowner, and any recourse against Renters shall be the responsibility of the affected Homeowner. Property owners who lease their property must obtain from the Lessee a written agreement to abide by these rules, and submit a copy of such agreement to the Management Company, River Realty. Property owners must also provide Management Company all Lessee contact information.

ENFORCEMENT

Violations of any Rule, or Regulation, or provision of the Conditions, Covenants, and Restrictions, Bylaws, or Articles of Incorporation of La Estancia shall be enforced in the following manner:

First offense shall cause issuance of a warning letter to cease or correct the offensive actions and a fine of Fifty Dollars \$50.00.

Second notice for the continued noncompliance shall cause the imposition of a One Hundred dollar (\$100.00) fine against the Homeowner of the unit whose residents are causing the problem.

Third notice of continued noncompliance shall cause the accrual of an additional fine, up to \$500.00, and restriction from use of all common facilities for 30 days on the 1st suspension and 90 days on any subsequent.

It is the responsibility of each and every owner and resident to help enforce our rules and regulations. If violations are witnessed, immediate action should be taken by confronting the violator and informing the HOA management.

LA ESTANCIA HOA RULES AND REGULATIONS

We, the undersigned, have read, understand and agree to abide by the La Estancia
HOA Rules and Regulations.

Lot _____ Address _____

Owner _____ Date _____

Tenant _____ Date _____

Owner Phone Numbers _____

Owner E-Mail _____

Tenant Phone Numbers _____

Tenant E-Mail _____