



L A K E M O O R

HOMEOWNER HANDBOOK

FOREWORD

This Handbook is included as one of several governing documents for the Lakemoor Homeowners Association (HOA). It has been created to summarize some of the rules and regulation of the HOA, and to help clarify these rules and assist in the enforcement of the rules and regulations.

Should there be a conflict between this Handbook and the Lakemoor HOA; CC&R's, Master Declarations or any of the other legal governing documents, these legal documents shall prevail.

The following documents are some of the governing documents of the Lakemoor HOA. Access to the below listed documents, as well as the other governing documents of the Lakemoor HOA can be viewed at www.lakemoorhomeowners.com.

Master Declaration of Covenants, Conditions and Restrictions

First Amendment to the Master Declaration

Second Amendment to the Master Declaration

Third Amendment to the Master Declaration

Fourth Amendment to the Master Declaration

~ The purpose of this Master Declaration is to set forth basic restrictions, covenants, limitations, easements, conditions and equitable servitudes (collectively "Restrictions") that will apply to the entire development and use of all portions of the Properties. The Restrictions are designed to preserve the Properties' value, desirability and attractiveness, to insure a well-integrated, high-quality development, and to guarantee adequate maintenance of the Common Area and the improvements located thereon in a cost effective and administratively efficient manner. ~

First Supplement to the Master Declaration

Second Supplement to the Master Declaration

Third Supplement to the Master Declaration

Fourth Supplement to the Master Declaration

Fifth Supplement to the Master Declaration

Bylaws

Plat Maps Phases 1-5

Architectural Guidelines and Construction Requirements

The HOA Board of Directors (Board) and Architectural Committee (ACC) are committed in their efforts to create a harmonious community with the resources they have been granted. ACC and Board policies enacted as of November 1, 2015 are included herein. Whenever possible, the Board will refer enforcement of certain covenant and policy violations to local or state authorities. Municipal code enforcement of abandoned cars on public roads and animal control are two examples. This enables the HOA to save costs on enforcement and litigation action for non-compliance items already governed by civic codes and statutes.

It should be recognized that the Board and ACC are comprised of volunteers and that there are limitations as to what the HOA is able to address on behalf of residents. Neighbor-to-neighbor issues should be resolved between the conflicting parties. Examples of neighbor-to-neighbor issues include, but are not limited to: animal control complaints such as pets being off leash, significant and regular barking creating a nuisance, or owners not cleaning up feces; noise ordinance violations; encroachment concerns with landscape and/or drainage from neighboring homeowner properties. Residents are encouraged to review HOA governing documents and policies regularly and to do their part in meeting these obligations.

****DISCLAIMER: IF THERE IS ANY DEVIATION FROM THE CC&Rs, THE CC&Rs WILL GOVERN.**

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ARCHITECTURAL REVIEW POLICIES

BASKETBALL STANDS [2014]

Personal basketball stands and hoops will not be permitted as community sports courts are under development.

COMMON AREA USE [2012]

The ACC determined that no structures or objects are to be placed in the common areas adjacent to the waterways and lakes other than boulders, the size number and placement of which must first be approved by the ACC.

DEPOSITS FOR NEW CONSTRUCTION [2012/rev. 2013]

In order to promote compliance with builders during new construction, the ACC determined a \$1000 deposit would be instituted. The deposit may be refundable upon satisfactory final inspection after construction completion, providing builder adhered to all ACC requirements, as well as jobsite guidelines, during construction.

FLAGPOLES [2014]

FLAGPOLES: Permanent flagpoles are not allowed in the Lakemoor subdivision. Temporary or removable flagpoles **are** allowed in the Lakemoor Subdivision. When selecting a US Flag and temporary flagpole, the following specifications must be followed:

- Flagpole – telescoping or removable.
- Material – aluminum.
- Color – aluminum, white, bronze.
- Height – does not exceed the ridge line (highest point of the roof) of the home.
- Base size – maximum 2 ½ inches.
- Halyard – external halyard (nylon ropes) not allowed.
- US FLAG SIZE- 3 FOOT BY 5 FOOT.
- Quantity – one per household.

FLYING THE US FLAG

The US Flag may be displayed on a removable pole that is held in place by a bracket placed upon the front of a dwelling. The US Flag must be clean and in good condition and comply with flag etiquette. A flag should be flown from sunrise to sunset. However, a flag may be displayed 24 hours if properly illuminated during the hours of darkness. Flags should not be displayed on inclement weather days, except when an all-weather flag is displayed (all weather – nylon or non-absorbent material). When picking a location for a pole, consideration for neighbors should be given. Means of the flag attachment must be such as to prevent noise in windy conditions.

GARDEN AREAS [2013/clarified 2014]

Consumable and raised gardens must be submitted for ACC approval prior to any installation.

GROUND COVER [2014]

Mulch is the approved ground cover type for areas in public view and adjacent to non-pervious structures such as driveways, sidewalks and patios. Any homes with perma bark/rock installed currently must submit for approval on and follow current standards in the future when a significant remodel/repair is needed to any of these planting areas.

INVISIBLE PET FENCES [2012]

Invisible fences for pets require ACC approval prior to any installation and must be setback a minimum of 10 feet: 1) when installed adjacent to any public right-of-ways, including sidewalks, pathways and streets; or 2) when installed on a Lot near a neighboring property line where no other fence is installed outside of the invisible fence.

LIMITED COMMON AREA PHASE 5 [2016]

The conditions and restrictions that will apply to any enhancement of the “Limited Common Area” (the portions of Lot 165, Block 7, Lakemoor Subdivision No. 5 which are located between the rear lot lines of Lots 160-164 and 166-177, Block 7 of said Subdivision and the pond located thereon) by the property owner is as follows:

1. Grading and/or limited grading to the existing landscaped “Limited Common Area” is allowed. **Drainage requirements as outlined in the CC&Rs apply.;
2. Adding natural stone boulders and Landscape Rocks, including Stepping Stones to create interest;
3. Enhanced landscape plantings, (i.e. flower bed with annual color and perennials, including low grow plants) that may be interwoven with the existing landscape and added stone as described above;

- * No Permanent hardscape surfaces will be allowed within the “Limited Common Area”, such as concrete;
- * All existing pressurized irrigation and appurtenances thereto; and irrigation sprinkler and valves wiring must be retained and protected;
- * No fencing is allowed within the Limited Common Area;
- * No view obscuring plantings will be allowed;
- * Any additional landscape as described within must be approved in writing and reviewed by the Lakemoor Architectural Control Committee;
- * An indemnification Agreement must be signed by the property owner.

OUTBUILDINGS/SHEDS [2014]

Free standing sheds and other outbuildings are prohibited. Conditional approvals may be granted for storage facilities attached and made part of the house, upon ACC review.

SIGNS [2015/UPDATED 2018]

The Lakemoor ACC has full authority to set rules and regulations relating to signage. Review of sign applications is upon sole discretion of the ACC. To limit the proliferation of signage, the HOA is instituting the following guidelines for sign placement. ***HOA will remove all signs, flags, balloons, and misc. that do not comply with HOA guidelines.*** The members will take all non-complying materials to the Lakemoor management companies office location. The builder/agent will have to come and pick-up the materials within 15 days of their removal otherwise they will be disposed of.

Open House Sign Policy

- NO signs can be placed on any round-a-bout or island within the subdivision.
- NO signs may impede vehicular or pedestrian traffic.
- NO flags or balloons are permitted on real estate signage.
- NO signs should be placed along Colchester Blvd.
- Open house signs may be placed only on days and during the time in which an open house is occurring. They must be removed immediately after the close of the scheduled open house.
- ONE sign may be placed at the main entry to the area of open house (E.g. if the home is in Phase 1-3 or 5, one sign may be placed at either the entry off Lakebrook and Colchester or the entry off Brookwater and Colchester. If the home is in Phase 4, one sign may be placed at its entry at Brookwater and Colchester.)
- ONE open house sign total may be placed at any main entryway (gate area). If another realtor has an open house occurring simultaneously and already has a sign posted at the main entry, no additional signs are necessary as there is already a sign in place indicating an open house is occurring in that gated section.
- ONE sign may be placed at the entry to the road on which the open house is occurring. As mentioned above, if there is another open house occurring simultaneously on the same street, only one sign is allowed total at that intersection.
- ONE sign may be placed in the driveway or yard at the property with an open house.

**In addition to the open house sign guidelines above, please review the following supplementary sign guidelines that need to be followed.

We thank you in advance for your assistance in following this policy and monitoring activity related to such.

Election Sign Policy

Election signs are permitted within the Lakemoor Development and must adhere to the following rules:

1. Sign must be placed on the Homeowners property. Signs of any type are not permitted on HOA common grounds.
2. Only one sign per property is permitted.
3. The sign can only be displayed 14 days in advance of the election and must be removed the day following the election.
4. Sign cannot be bigger than 20 inches by 30 inches.
5. Sign must only state vote for a given individual, (Vote for John Doe), or yes or no on a given issue, (Vote Yes on School Bond).
6. Sign must not be offensive or in poor taste.

General Sign Policy

- * The developer Lot sign must be in view on vacant and building Lots. This sign may contain builder and realtor contact information (as shown on the following page).
- * The Architectural Committee is willing to review individual submittals for Lot owners regarding adding an additional builder sign that is of good quality (not standard metal frame styles).
- * Driveway barricades of good quality are allowed during the time they would normally be utilized.
- * No other subcontractor, amenity or other sign types are allowed. (e.g. NW Energy Star, separate Model Home, _____ Painting, etc.) Private Residence signs may be considered on a case-by-case basis for occupied residences which may be adversely affected by neighboring model homes or open houses.
- * Real estate signs may designate a Lot as being sold however the sold sign should be removed no later than 30 days after the sale is completed, or upon occupancy of the home, whichever occurs first.

Private Residence Sign Policy

The Architectural Committee previously approved for small sized alarm company signs to promote safety in the neighborhood. These signs may not be larger than 12"x12" and must be placed back from the front of the property and sidewalk area so that it is only conspicuous upon approach to the entryway.

The ACC will evaluate, upon their sole discretion, submissions for signs in front of residences using the following criteria:

- * Content on signage should be limited to names of the residents. Other information, other than names, is discouraged.
- * The colors of the sign, including background & text, should be compatible with the residence itself. More neutral colors such as browns, beige, grey is encouraged for background as well as muted colors for the lettering. No integral lighting or fluorescent colors are to be included in the sign. Colors should be identified to ACC in approval form.
- * Identify materials to be used in sign when submitting the approval form. Acceptable materials include wood & stone as natural materials. Other materials proposed to be compatible with the specific residence.
- * Overall size of sign to be no larger than 500 square inches. Width of sign to be larger than height for a horizontal format for the sign.

If you would like to submit for approval on a builder sign of good quality, please return an architectural request form along with the design specifications to our office. Forms are available at www.lakemoorhomeowners.com. Requests for Private Residence signs may be sent to Shurie@dev-services.com for ACC consideration. Please include an explanation of the need for the sign.

SOLAR GUIDELINES [2015/rev. 2016]

1. Introduction

The laudable goal of saving energy and incorporating equipment and systems into and onto homes or lots which do so has resulted in increased interest in the installation and use of solar energy devices and equipment. The Association would prefer to allow the use of such devices, but it is important to ensure that such equipment is reasonably controlled as to appearance and location of installation, so as to protect neighbors and the community as a whole from unsightly equipment and/or installation. Accordingly, the purpose of these Rules about solar energy devices and equipment is to create options for the use of such equipment through creative design and screening. The Association, via the Architectural Control Committee (ACC), can approve or deny any solar equipment/system at its full discretion.

2. Policy

These rules, regulations and guidelines apply to all solar energy devices including without limitation solar panels and their associated components, solar tubes, solar skylights, or other solar energy devices (collectively referred to in this Rule as "devices" or "systems" or "equipment") which due to installation and use location are or may become "visible from neighboring property".

Approval of Installations

- a. Detailed plans for installation and placement of any solar panel / energy device must be submitted to the Architectural Committee for review and receive written approval from the ACC prior to such installation.
- b. An illustrated drawing of the proposed system, which depicts the materials to be used, and drawings showing the location and number of collectors, the attachment to the building structure, screening elements including landscaping and the location of exterior system components, shall be submitted with the Architectural Request.

- c. Device brochures and/or images must be part of the submittal.

Types

- a. Only commercially or professionally made devices will be considered. "Homemade" devices will not be permitted due to the safety and aesthetics aspects of such devices.
- b. Ground-mounted solar panels are preferred.
- c. Roof-mounted or wall mounted solar panels

Location/Placement

Ground-Mounted Solar Panels

- a. The equipment must be installed in the rear yard with no portion of the equipment visible from the street or adjacent homes. The equipment must be screened from view via a privacy wall and/or landscaping. Screening walls must meet all the conditions of the CC&R's and be part of the ACC approval.
- b. Ground-mounted solar collectors shall be within the setback lines in accordance with City of Eagle, HOA CC&R's and concealed from neighbor's view.

Roof-Mounted Solar Panels

- a. Visibility of devices and their components must be minimized from public view, and will be required to be screened from neighboring property in a manner approved by the Architectural Committee.

Construction/Finish

- a. All roof mounted equipment, excluding the face of the solar panel, must match or blend with the color of the roof material. No wind turbines allowed. Exposed surfaces such as any frame for panels but excluding the exposed collector panel face itself must be factory painted (or color anodized) to match or blend with, or the color of the materials used must match or blend with, the surface on which it is mounted. Supports may be similarly field painted.
- b. All exterior plumbing lines shall be painted to match or blend with, or the color of the materials used must match or blend with, the color of adjacent roof material and walls.
- c. Aluminum trim, if used and visible, should be color anodized or otherwise factory color treated to blend into the surroundings.

TRAMPOLINES [2014/rev. 2015]

In-ground trampolines will be reviewed on a case-by-case basis. No above ground trampolines will be permitted unless the location of such does not overly inhibit neighboring property views as determined at the sole discretion of the ACC, and provided a sufficient screening plan is approved by the ACC in order to heavily screen the trampoline from public and neighboring property view.

BOARD OF DIRECTORS POLICIES

ANIMAL CONTROL [2015]

Animal control concerns are largely considered “neighbor-to-neighbor” issues. HOA Boards are often granted discretion in determining whether they should take legal action in enforcing such use restrictions. A nuisance which is minor (e.g., only impacts a few homeowners) may not ultimately justify the expense the HOA will incur in taking action to remedy the problem. However, a more significant nuisance which impacts many homeowners is a situation where the HOA may choose to step in.

The local animal control office has the authority to deal with noise, leash and other animal related issues. The police might be called if the animal in question is aggressive or dangerous. Due to the limitations involved with a volunteer Board, complainants are referred to local animal control or police for nuisance types of issues which may require consistent monitoring/notifications, and/or legal action, or those which may involve potentially dangerous animals/situations. Please be advised that you may be required to have definitive evidence and records to show that a particular dog is a significant nuisance for any potential judicial or HOA interference.

Please see the HOAs flyer on animal control for contact information and tips at www.lakemoorhomeowners.com.

BEAVER MANAGEMENT [2015/UPDATED 2017]

Lakemoor Homeowners Association recognizes that beaver mean different things to different homeowners. Some homeowners see the beaver as a nuisance, cutting trees, flooding roads and clogging drainage culverts. However, other Lakemoor homeowners understand the habits and benefits of beaver and view them as an indispensable and integral part of living in a natural environment.

With this in mind, and in accordance with Lakemoor Bylaws and Guidelines ensuring the common use, enjoyment and safety of the common areas, the Lakemoor Beaver Management Guidelines seek to educate homeowners about the habits and benefits of beavers and establishes strategies for diminishing, or even eliminating, beaver problems. These guidelines will be used by the HOA to protect trees, culverts and drains on or affecting Lakemoor common areas.

Habits & Benefits of Beaver

- **Beaver are great pruners.** Tree cutting stimulates more growth in many trees, such as willows and crape myrtles. For example, for each willow stem that is cut, three or four will appear in the spring.
- **Beaver clear channels and keep waterways open** by creating deepening their underwater channels.
- **Beaver ponds improve the water quality** of our streams and lakes by slowing the drainage of the land and allowing sediment to settle out of turbid waters. Even when beavers finally move on, their drained ponds

continue to provide important benefits. The exposed mud flats provide fertile soils for lush vegetation to promote diverse wildlife habitats.

- **Beaver dams filter out toxins and solid materials.**
- **Beaver prevent flooding.** The beaver has been called the original flood control engineer. By building series of dams across small water courses he has helped to control water levels and reduce floods on those streams.
- **Beaver dams slow erosion.** By building dams, beaver aid materially in reducing soil erosion in certain areas. The running water that enters a beaver pond slows down and automatically drops its load of silt. Otherwise, fine silt suspended in running water would be carried far into the waterways.
- **Beaver in streams improve habitats for plants and animals.** The water in beaver ponds encourages plants, insects (particularly mosquito eating dragonflies), birds, and provides fish of many kinds with spawning places and/or over-wintering sites.
- **Watching beaver is a great family activity and a good way to interest children in the outdoors.**

Managing Beaver Habits

1. Homeowners who live on lakes and creeks are strongly encouraged to protect their trees with inexpensive wire cylinder tree wraps or cages. These cylinder cages should be made of ¼-inch-mesh hardware cloth. The cylinders should be 3 feet in height and well anchored to the ground to prevent beavers from crawling under. The space between the tree and wire should be no less than 6 inches and preferably 12 inches and overlapping the cylinder to allow for adjustment with tree growth allows for extended use. Zip ties are a good way of securing the cylinders for easy adjustments. Trees especially vulnerable to beaver damage are: Aspen, Alder, Birch, Walnut, Cottonwood, Maple, Poplar, Ash, Willow and Apple.
2. Lakemoor HOA may wrap trees along creeks and waterways in common area, as described above. This is typically on a volunteer basis to assist in keeping costs down.
3. Where wrapping of individual trees is impractical, homeowners are encouraged to fence yards or vegetation areas as per the architectural guidelines. Request forms are available on the HOA website at www.lakemoorhomeowners.com.
4. In most cases, beaver lodges and dams should NOT BE DISTURBED, as this only encourages increased beaver activity. Lodges and dams should be disturbed only if a) they are causing a safety hazard, b) are causing flooding or otherwise threaten private or common property. As a reminder, Lakemoor homeowner lot building pads were built up out of the flood plain and the natural overflow of water should filter out into lower areas before they could conceivably create flooding concerns of any Lakemoor homes. Approved improvements installed by homeowners below the building pad elevation may not meet the same standard.
5. Beaver dams will be removed if: a) dams are flooding or otherwise threaten private or common property **and** b) such threats cannot be mitigated by a beaver deceiver (bypass device), **or** c) it is too shallow or water flow is too great for the use of beaver deceivers.
6. To minimize the damage to trees, shrubs and water flows caused by over-population of beaver, it may become necessary, from time-to-time, to trap beaver.
7. The Beaver Committee is responsible for initiating actions in accordance with these guidelines. The HOA management should be consulted if a situation is identified that is not clearly handled by the above guidelines.

What to do if you notice beaver damage in common areas? Contact:

Shurie Urquidi
Development Services Inc.
9601 W. State St., Ste. 203
Boise, Idaho 83714
(208) 939-6000 x 202
Email: Shurie@dev-services.com

**The Board reserves the right to alter this policy as may be determined as necessary on a case-by-case basis to protect HOA property and mitigate any potential damages.

CC&R COMPLIANCE POLICY FOR INFRACTIONS [2015]

The Association shall have the right to enforce, by any proceedings at law or in equity, all Covenants, Conditions and Restrictions imposed by the provisions of the Lakemoor CC&Rs. Article X, Section 3 of the Master Declaration grants the Association authority to enter upon a Lot to perform Corrective Maintenance in the event an Owner shall fail or refuse to perform its maintenance or repair obligations within seven (7) days of written request for such. Article XII, Section 9 further outlines additional maintenance obligations during construction. Both Articles grant the Association

the authority to take such remedial action as it deems appropriate, including but not limited to the cleanup of the Lot and surrounding areas.

In an effort to ensure builders/owners are held accountable for their onsite contractors and lot maintenance, the Lakemoor HOA may take necessary remedial action for infractions that are not resolved within fifteen (15) days of initial request for compliance.

The cost incurred by the Association in performing such maintenance or repairs, together with interest thereon from the date of expenditure at the rate of 2% per month, shall be added to and become part of the assessment to which such Owner's Lot is subject. Corrective Maintenance fees will be deducted from the builders/owners architectural compliance deposit if one is on file with the HOA. If the deposit has been exhausted or released, the fees will be assessed direct to the builder/owner, in direct proportion to the fees paid by the HOA for corrective measures taken.

The Board reserves their right to utilize Monetary Penalties, as opposed to Corrective Maintenance, for compliance enforcement efforts as outlined under Article XVIII, Section 1. In addition to the right to enforce the CC&Rs by any proceedings at law or in equity, the Association shall be entitled to impose a Monetary Penalty, not to exceed the sum of \$100.00 per day, against an owner who has caused or permitted a violation of the CC&Rs provided that the owner is given fifteen (15) days written notice of the proposed penalty and a timely opportunity to be heard on the matter. In order to be compliant with Idaho Statute 1310 effective July 1, 2014, the Association will give thirty (30) days written certified mail notification of a hearing to review penalty compliance actions. Any Monetary Penalty imposed as provided herein shall become a part of the assessment to which such Owner's Lot is subject.

If you contest a proposed corrective maintenance or a monetary penalty action, you must notify the HOAs management company in writing within five (5) days of notice of the impending action. Notification should include specific reasoning for contesting the HOAs action.

**Please be advised that the resolution period may be revised for repeat offences by the same builders/owners, regardless of which property owned by the offender the infraction(s) occurs on. The intent being that builders/owners are responsible for notifying their representatives of the regulations and monitoring onsite activity so that the HOA is not continually addressing the same concerns with specific builders/owners. To report infractions please provide a photo showing the property and infraction, as well as the address and a description of the infraction to the Associations management company at Shurie@dev-services.com, or at the address below.

COMMON AREA TREE MAINTENANCE & "ACT OF GOD" EVENTS [2015/UPDATED 2017]

Lakemoor is a heavily wooded and landscaped neighborhood. Although it is the desire of the Lakemoor Board of Directors to maintain the heavily wooded nature of the community, the HOA is not in a position to monitor the growth of roots from the Common Area into the private yards of homeowners. Such monitoring and maintenance would be cost prohibitive and require significant increases in landscape and management costs.

Homeowners are in the best position to monitor growth and mitigate damage before it happens. Allowing a root to damage homeowner property may be considered an act of negligence on the homeowner's part. Therefore, the Board of Directors advises homeowners to be proactive in ensuring that these issues are watched for and addressed by cutting the roots or otherwise ensuring they do not further intrude, if they are likely to cause damage to property (fences, patios, foundations, landscape, etc.) or infringe upon the use of a homeowner's property.

Homeowners may also remove limbs which have encroached on their property. However no homeowner may remove trees, limbs, or roots that do not encroach or threaten encroachment on their property. Homeowners are prohibited from pruning branches or cutting trees solely to improve their view, or benefit themselves at the expense of the Association or other homeowners. If such occurs, the homeowner is liable to the Association for any loss sustained.

Where there are dead branches or diseased trees that may fall or threaten a property, homeowners should make the Board aware of such concerns. The Board will address such matters as it deems necessary and in its sole discretion, with appropriate pruning, removal or treatment.

Due to the quantity of trees/shrubs and expense related to maintaining such, requests for maintenance may not be able to be addressed in as timely a manner as the homeowner may desire. The Board may grant approval on a case-by-case basis for homeowners to remove, prune, plant or treat a common area tree/shrub at their own expense for this reason. Requests for this purpose must be submitted to the Board via the "Owner Application to Remove - Maintain Common Area Trees or Shrubs" form available on the HOA website (www.lakemoorhomeowners.com).

The Lakemoor HOA will NOT be responsible for damages, caused directly or indirectly, to any property adjacent to HOA property, caused from "Acts of God". An "Act of God" is an event that directly and exclusively results from the occurrence of natural causes that could not have been prevented by the exercise of foresight or caution; an inevitable accident. Some examples of "Acts of God" are; tornadoes, earthquakes, violent winds, floods, heavy rain, snow or ice storms, or wildlife activities. The Lakemoor HOA Insurance policies exclude "Acts of God" coverage. Homeowners should contact their insurance agent for potential coverage under their personal policies.

GARAGE SALES [2013]

Community organized garage sale events may be possible in the future, but due to the neighborhood being a gated community, no personal garage sales will be allowed. This is mainly to promote safety with limited outside access once the gates are closed during the day (after construction is completed).

OPEN MEETINGS [2015]

The Lakemoor Open Meeting Policy is designed to ensure transparency of the administrative processes within the HOA. Open meetings offer members the chance to observe the way their elected officials operate and to influence their representatives in positive and important ways. Therefore, the Lakemoor HOA Board of Directors hereby adopts the following regulations into its policy.

1. Notice of Board meetings will be posted to the Lakemoor HOA website as they are set. No individual notification of Board meeting schedules will occur unless the member has requested in writing to be added to the agenda in advance of the date being set. Please check the website regularly if you are interested in the meeting schedules. Typically, the Board meets quarterly, but the schedule varies upon needs.
2. Any member of the HOA may attend Board meetings to observe administrative procedures. Seating will be provided away from the Board table.
3. Attendees will not be given a speaking time, nor will they be allowed to comment, unless they have requested to discuss a specific topic with the Board and are allocated a time to do so on the agenda. Requests to be placed on the agenda must include specific information relating to your topic in order for the Board to prepare to hear the member. Time allotted to the member to voice their topic will be dependent upon the length of the agenda, but will not be more than 15 minutes total. This is to ensure adequate time is given the Board to discuss all agenda items. Response from the Board, if necessary, will be made in writing within 30 days from the date of the meeting.
4. The Board may choose to enter into Executive Session for issues relating to a specific property or member, or for other items as they may feel should be conducted in confidence. This is to preserve privacy for other members and to allow the Board adequate discussion for sensitive topics.
5. Minutes of the meetings, less any Executive Session discussion topics, will be posted to the Lakemoor HOA website once they have been approved by the Board members as to their accuracy.

POND USE POLICY [2012/UPDATED 2018]

The Lakemoor Homeowner's Association, which includes all homeowners in the Lakemoor Subdivision, may be liable for injuries arising from usage of the pond areas owned by the Lakemoor HOA. Lawsuits can drain the financial resources of associations and can even require special assessments to pay for legal expenses. In this way, homeowners can be held responsible for the actions of their neighbors. In light of the responsibility of all Lakemoor HOA members to use the pond areas appropriately, the Board issues the following rules:

1. No pond water entry or use of pond water is permitted. No swimming, no boating, no floating, no kayaking, or any other use of pond water shall be permitted.
2. No dogs are to swim in the pond.
3. No one other than Lakemoor HOA members and those residing in HOA member homes shall be permitted to enter the Common Areas surrounding the ponds, to limit liability of the HOA.
4. Only "catch and release" sport fishing is permitted, and that only by Lakemoor HOA members or those residing in HOA member homes. Absolutely NO fishing for consumption. Fishing hours dawn to dusk.

Justification for the Enactment of the Pond Policy:

Article II, Section 1, Enjoyment of Common Area, states, in pertinent part, "Each owner shall have a right and easement of enjoyment in and to the Common Area...subject, however, to the following provisions:

- G. The right of the Directors of an Association to promulgate reasonable rules and regulations governing such right of use, from time to time, in the interest of securing maximum safe usage of such Common Area by the members of that Association without unduly infringing upon the privacy or enjoyment of the Owner or occupant of any part of said property..."

The following statement is contained in a legal opinion directed to a similar Homeowner's Association:

The HOA clearly has a duty to maintain the waterways and ponds in a safe and reasonable condition and has potential liability for its failure to do so if anyone was to get injured or die related to the waterways or ponds. The liability is not absolute ... but ... there is the potential for some liability by the HOA. Accordingly, it makes absolute sense for the HOA to enact rules, regulations and policies relating to the use of the waterways and ponds and the HOA is empowered to enforce such rules, regulations and policies.

The incidence of lawsuits brought against HOAs has greatly increased in the past couple of decades, as has the court's willingness to render judgments against HOAs, especially where it is found that an HOA could have acted to prevent the injury. Thus having reasonable policies such as the Pond Policy in place will be of benefit in limiting liability.

Enforcement of the Pond Policy:

Article XVIII: General Provisions, Section 1, Enforcement, states, in pertinent part, "...an Association shall be entitled to impose a monetary penalty, not to exceed the sum of \$100.00 per day, against an Owner who has caused or permitted a violation of any of the restrictions, conditions or covenants contained herein provided that the Owner is given fifteen (15) days advance written notice of the proposed monetary penalty and a timely opportunity to be heard on the matter....Any monetary penalty imposed as provided herein shall become a part of the assessment to which such Owner's Lot is subject. In the event an Association...is required to initiate any action to enforce the provisions of this Declaration or in the event an Association retains legal counsel in connection with any of its methods of enforcement as set forth herein, the Association ... shall be entitled to recover from the Owner against whom enforcement is sought, all attorney fees and costs incurred as a consequence thereof, whether or not any lawsuit is actually filed, and any such attorney fees and costs so incurred by an Association shall be added to and become a part of the assessments to which such Owner's Lot is subject."

POOL [2010]

For the safety and enjoyment of the residents of the Lakemoor Subdivision and their guests, the following pool policies and rules were adopted at the regularly scheduled Board of Directors meeting held May 3, 2010. Any subsequent revisions are posted in the quarterly newsletters distributed to homeowners by the HOA.

Policies:

The pool is fenced and gated for the safety and exclusivity of Lakemoor residents who are not delinquent and their guests. The gates must be kept closed at all times other than when entering or leaving the pool facilities. Propping open the gates or allowing unauthorized individuals to enter the pool area could result in the loss of pool privileges.

The pool is equipped with a key-card access system. This system will help safeguard the pool, its furniture and pool house from misuse and vandalism. Each homeowner/property will be allowed one keycard for the pool, which also grants access to the tennis courts outside of Phase 4 gate on Fishing Creek Ln. The keycards will go to the owner of record. If the house is rented it will be the responsibility of the owner to provide the keycard to the renters. Replacement cards, if lost, stolen, or damaged, will be \$30.00.

All guests must be accompanied by a resident while at the pool. No more than four (4) guests at one time are permitted due to occupancy and size restrictions.

Pool Rules:

1. NO LIFEGUARD IS ON DUTY AT THE POOL. ACCORDINGLY, ALL PERSONS USING THE POOL FACILITIES DO SO AT THEIR OWN RISK OF INJURY, ILLNESS AND/OR DEATH.
2. Any child or person not potty trained must:
 - a. Wear a swim diaper, covered by a plastic protective cover, at all times when in the pool water.
 - b. Have their diapers changed in the bathroom facilities—not at poolside or on a poolside table.
3. Youth under age 14 must be accompanied by a responsible adult, 18 years of age or older.
4. No pets, alcohol, smoking or gum allowed in the pool premises.
5. No glass containers of any kind are allowed in the pool facilities and all food and beverages must be kept out of the pool and away from the edge of the pool.
6. No running, diving, pushing or horseplay in the pool or surrounding area.
7. All trash must either be disposed of in containers provided or packed out if the trash containers are full.
8. This pool is for the use of adults, children and families. Accordingly, appropriate dress and behavior is to be maintained at all times, by all residents and guests in all areas of the pool and restroom facilities. Abusive or offensive language or behavior (including profanity) is not allowed.
9. Pool users must utilize the outdoor shower prior to pool use and must towel off before entering bathrooms.
10. No loud music will be allowed near or within the pool area. Be respectful of residents who live near the pool.
11. Pool Hours are from 9:00 a.m. until 9:00 p.m.

Anyone who does not adhere to the pool policies and rules will risk losing their pool privileges. Pool rules can be revised at any time by the Association's Board of Directors. The Board and its designated representative(s) have the authority to enforce pool rules. Anyone who refuses to comply risks losing their pool privileges and having their keycard cancelled. Prior to re-activation of the keycard and pool privileges, the homeowner must attend a board meeting. After the meeting, the Board may re-activate the keycard at its discretion.

RECREATIONAL VEHICLES [2012/rev. 2014]

Homeowner vehicles, such as; boats, trailers, campers and motor homes, may be temporarily parked in the Homeowners driveway or on the street in front of the Homeowners property for a period not to exceed 48 hours in a seven-day period for the following purposes: loading or unloading, cleaning, and minor repairs. Major repairs such as engine or transmission repairs are not permitted.

If the vehicle is parked in the Homeowners driveway, it cannot obstruct the sidewalk. If the vehicle cannot safely fit in the Homeowner's driveway it may be parked on the street within the Homeowners property boundaries and cannot block a sidewalk, fire hydrant, be in a no parking zone, parked in a roundabout or in any way create a hazard and must be coned front and rear. When parked on the street a vehicle may not intrude on a neighbor's property boundaries except with permission of the neighbor.

Vehicles parked for more than 48 hours in a seven-day period, or in violation of any of the rules regarding vehicle parking, may be subject to penalties and/or having the vehicle towed at the owner's expense. Parking of visitor's recreational vehicles is not permitted in the Lakemoor Development.

This policy, established by the authority of the Board of Directors, is issued to provide clarification to Section XII, Part F of the CC&R's. The Board of Directors reserves the right to revise or revoke this policy at any time.

SIDEWALK MAINTENANCE [2015]

Sidewalk maintenance is the responsibility of the adjacent property. This includes repairs and general maintenance of the sidewalk, and snow removal. Homeowners who are not present during winter months should make prior arrangements for snow removal services in their absence.

STREET PARKING [2012]

Owner vehicles must be parked in the garage or driveway and may not obstruct the sidewalk. Visitor vehicles (cars and trucks) may be parked in the street if there is not adequate room in the driveway and for temporary purposes only. Please be mindful that oil damages asphalt and should be considered when guests utilize street parking. If you have a visitor for an extended period of time, you will need to request an extension for Board review. Please notify the management company, DSI, in such instance. Parking is limited to only one side of the street as indicated in phases 3 & 5.

CUL-DE-SAC PARKING: Ada County does not permit street parking in cul-de-sacs of residential areas because it prevents access by emergency vehicles. Even though our roads are private and not a part of the Ada County system, the rationale remains for keeping those areas clear of parked vehicles. So, if you live on or near a cul-de-sac, please have your guests' park in your driveway or on the street, away from the cul-de-sac.

TRASH RECEPTACLES & OUTSIDE STORAGE [2012/UPDATED 2017]

All trash cans are required to be stored in the garage of the homeowner. If a homeowner desires to keep trash cans outside, they must be out of sight of ALL neighbors, by use of an aesthetically pleasing fence or wall, approved before construction, by the Architectural Control Committee (ACC).

Neighbors include those on either side of the homeowner's property, as well as those across the street, to the rear of the property, including those neighbors across a body of water or field.

Trash cans should be placed curbside after 4PM the evening preceding trash pickup and removed from curbside by midnight collection day.

If trash cans will be stored outside the home/garage, homeowners must adhere to Article XI (C) of the Lakemoor CCR's:

"No part of said property shall be used or maintained as a dumping ground for rubbish, trash, or other waste. No garbage, trash, or other waste shall be kept or maintained on any said property except in a sanitary container. Equipment for the storage or disposal of such material must not violate setback restrictions, must be enclosed with an aesthetic screen or fence, as may be approved by the ACC and shall be kept in a clean and sanitary condition."

Outside Storage

The exterior of the homeowner's property is to be kept neat and clean and is not to be used as permanent staging or storage area for, but not limited to, such items as: debris, tools, toys, bicycles, vehicles of any type, gardening supplies and equipment.

See separate sections of this Handbook for regulations regarding sheds, outbuildings, and recreational vehicles.

USE OF LAKEMOOR PRIVATE ROADS AND SIDEWALKS [2017]

Licensed Vehicles

All motorized vehicles, of any type, licensed by any government agency can be used on the Lakemoor private road system and must adhere to all Lakemoor and government laws, rules, and regulations.

Unlicensed Vehicles

Unlicensed vehicles such as: bicycles, ATV's, and golf carts are permitted to be used on the Lakemoor private road system but must adhere to all Lakemoor and government laws, rules, and regulations, and must always yield to any licensed motorized vehicle.

The use of a motorized unlicensed vehicle, within the Lakemoor Development, such as a golf cart or ATV requires the operator to hold a valid driver's license and be a minimum of sixteen years old.

Wheelchairs, including motorized wheelchairs and similar handicapped devices are permitted to be used on the Lakemoor sidewalk system and should never be used on the Lakemoor private road system.

HOLIDAY AND SEASONAL DECORATIONS [2017/UPDATED 2018]

Property owners may place holiday and seasonal decorations on their property provided they adhere to the following rules:

1. They conform to traditionally acceptable standards for the holiday or season being observed.
2. Are not offensive or in poor taste by generally accepted societal standards.
3. Do not create a nuisance or undue burden on the Lakemoor Development or property owners.
4. Can only be displayed during what is considered the traditionally acceptable timeframe.
5. They must be completely REMOVED at the end of the traditionally accepted timeframe. (Example: decoration lighting must be removed not just turned off.)
6. Must not create a hazard to people or pets or hinder in any way pedestrian or vehicle movement.
7. Christmas or winter holiday lights may be installed and displayed from November 1 through January 31. Weather permitting, the decorations should be removed no later than February 15.
8. The Architectural Control Committee must approve, in advance, any outdoor permanent infrastructure to accommodate holiday or seasonal displays.

The Board of Directors of the Lakemoor Development is the final authority regarding interpreting the Lakemoor holiday and seasonal decoration rules and what holidays, time frames to display, amount and type of displays allowed or any other issue regarding holiday and seasonal displays. The Board of Directors decisions are final.

ADDITIONAL INFORMATION

IRRIGATION WATER

Irrigation water is supplied by the Lakemoor Water Users Association (WUA). The WUA is currently managed by Snake River Management Co. (208) 855-0505. Residents are assessed by the WUA for irrigation water annually, based on the square footage of their Lot. Irrigation season generally runs between April 15 - October 15 and is not guaranteed. Residents are reminded they should winterize their irrigation systems to hopefully avoid freeze damage in the off season.

MAILBOXES

Mailboxes are in the kiosks located near the main entry gate at Lakebrook and Colchester. They are directly off Colchester and are open access. If you need to get a key, lock change or determine which kiosk/box you have been assigned, please contact the Eagle Post Office at (208)939-7982.

SECURITY GATE INSTRUCTIONS

Homeowner gate remotes are only active for their gated section in the community. For access to recreational facilities and common areas in the adjacent gated section you will need your 4-digit personal access code. The pools and tennis courts utilize the same keycard for access.

Guest Communication

Your name and telephone number will be programmed into the telephone entry system under a specific DIRECTORY CODE. This directory code is a 3-digit number assigned specifically to you. Your DIRECTORY CODE will be shown to the right of your name. Your guest will enter this code on the system keypad and this will cause the system to place a call to your home. (If your guest already knows your directory code, they can simply enter the code without having to look up your name.) When your name is displayed in the directory, the guest can also press the CALL button to establish communication with your home.

Granting or Denying Access

Once you have answered the phone call and have identified your guest, you have the choice to either grant or deny access.

- To grant access to your guest, simply press "9" on your touch tone phone. The entry system will respond with a confirmation tone indicating that the gate is opening and will automatically disconnect itself.
- To deny access simply press the #key or hang up the phone.

Call Waiting

If you are on the telephone when a guest tries to contact you from the gate, they will hear a busy signal and will have to wait for you to end your call before they can contact you. To eliminate this problem, you can order call waiting from your telephone provider.

Access Code

The system administrator can advise you as to the 4-digit access code that is assigned to your property. To use the access code, FIRST PRESS THE "#" KEY, then enter the 4-digit code. Please DO NOT share your personal access code with anyone outside of your residence. **We strongly encourage you not to give out your Access Code. The proliferation of Lakemoor Access Codes could undermine the security provided by the gates being closed 24/7.

Gate Open Request - Open Houses/Parties

If you would like to have the gates open for an open house or a party, you can request a specific time you would like to have the gate open by e-mailing Development Services Shurie@dev-services.com or call 939-6000. (Remember that you don't have to have the gate open for the full amount of the scheduled party time but just the first few hours.) Plan ahead at least 5 business days for the request to be honored. Make sure to identify yourself as a Lakemoor property owner.

Temporary Codes

A temporary code can be assigned to you by e-mailing Development Services Shurie@dev-services.com at least 5 business days ahead. Let them know what code you would like and when it is to expire. Make sure to identify yourself as a Lakemoor property owner. Only requests from owners will be honored. Uses for a temporary code can be: parties, out-of-town guests, a realtor, or an open house. It is preferable if service providers utilize the directory system to request access from the homeowner.

Gate Remotes

The first owner of every property is given one gate remote at no charge. Future owner remotes and additional and/or replacement remotes are \$35.00/each. Remotes may be easily damaged by jostling, dropping or sun exposure. Please keep them stored out of the sun in a safe place. The HOA is not responsible for lost, stolen or damaged remotes. If your remote does not work within 5 days of initial distribution you may bring it back for a replacement. Otherwise, the HOA does not take back remotes distributed.

ALL UTILITIES, DELIVERY SERVICES (FEDEX, UPS, ETC.) HAVE BEEN GIVEN A CODE. IF YOU TAKE THE IDAHO STATESMAN, YOU WILL NEED TO CALL 208-377-6370 AND GIVE THEM THE CODE #3013 FOR DELIVERY OF YOUR PAPER.