



# LA LUZ LANDOWNERS REGULATIONS AND STANDARDS

Created and edited by:

**Architectural Committee**

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Refer to the Directory for the  
Board of Directors and Committee Chairs

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## INTRODUCTION

The La Luz Board has a website at: [laluzcommunity.org](http://laluzcommunity.org) where a copy of the regulations and standards are maintained for the convenience of the Living Unit owners and residents. You can access them by clicking on the left hand side of the La Luz title page on the website. Hard copies of the regulations and standards also are available at the La Luz Landowners Association office. Extra printed copies are \$5.00 each.

This document contains Part I for La Luz Regulations, Part II for La Luz Standards and Part III for Financial Obligations. The standards are organized into Sections A, B and C. Section A contains architectural standards, Section B the landscape standards and Section C the maintenance standards. The Standards for each Section are listed alphabetically.

## PART I LA LUZ LANDOWNERS REGULATIONS

The following regulations were adopted by the Association Board of Directors (except as noted) on February 24, 1969 pursuant to the "Declaration of Planned Residential Community" filed February 10, 1969 at 128 Misc. 653-677 with the Bernalillo County Clerk, and the Association Articles of Incorporation and By-Laws; the terms used in these Regulations have the same meanings as when used in the By-Laws:

*First Regulation. Use.* Living units may be used only as single family dwellings. This regulation does not prohibit the pursuit of a trade or profession in the living unit so long as there is no outward appearance that the trade or profession is being conducted from the living unit.

*Second Regulation. Animals.* No animals may be kept or raised in any living unit or common area, except that dogs, cats, and other pets may be kept in living units, subject to Albuquerque City Ordinances. In any event, no dog, cat or other pet whose behavior and/or actions disturb other residents of La Luz will be permitted. Owners of pets may not allow their pets to defecate or to be unleashed on any landscaped or improved common area. (as amended April 16, 1975)

*Third Regulation. Parking.* Boats, trailers, campers, buses, trucks, snow mobiles, and motorcycles must be parked in living unit garages. All other vehicles must be parked either in living unit garages, or in living unit driveways, or in common area parking spaces.

*Fourth Regulation. Traffic.* ~~The speed limit in the common areas is 15 m.p.h.~~ [Ed. note: This speed limit has been changed to 15 m.p.h; see maintenance standards "Traffic".]. The Albuquerque Traffic Code, and the traffic laws of New Mexico, although not applicable to the common areas, will be considered a "Regulation" enforceable by the Association.

*Fifth Regulation. Signs and Obstructions.* No signs, except the Developer's and the Association's, may be displayed to public view from any living unit or common area. No trees or other plantings may be planted on any living unit or common area if they obstruct the view from any neighboring living unit. Nothing may be placed on any common area except by the Association. No antenna may be placed on the roof of any living unit or common area.

*Sixth Regulation. Mailboxes.* The Association will furnish mailboxes, and no mailboxes may be used except those furnished. Packages may not be left for pickup outside of mailboxes, and mail must not be allowed to accumulate in mailboxes.

*Seventh Regulation. Nuisance.* No nuisance may be created or continued in any living unit or common area. Living unit members must remove any nuisance in their living unit, and any nuisance for which they are responsible on a common area.

*Eighth Regulation.* **Behavior.** The members, each person to whom a member has extended any of the rights of membership in the Association under the By-Laws, and the families and guests of the foregoing, must conduct themselves so that the environment, privacy, common usage, natural and man made facilities and areas, and reputation, of La Luz Del Oeste, are preserved for the general benefit of all its users and residents.

*Ninth Regulation.* **Motorized Vehicles.** (Added on May 27, 1976) Motorized vehicles may not be used on street or on other common property for recreational purposes.

*Tenth Regulation.* **Evaporative Coolers.** (Added after September 1977). Evaporative type coolers may be installed on roof tops, provided that they are of a standard commercial down draft type and are painted La Luz brown color. Prior approval for each individual installation must be obtained from the Board appointed Architectural Committee as prescribed in Article IV of the Declaration. [*Ed. note. This is now Article VI of the current Declaration: First Amended and Restated Declaration of Planned Residential Community, 1998.*]

## PART II LA LUZ LANDOWNERS STANDARDS

### SECTION A: ARCHITECTURAL STANDARDS

#### Introduction

La Luz is a planned residential community of exceptional architectural design that has brought it national and international recognition. La Luz is not just a collection of individual houses, but an architectural whole, in which the quality of life is vitally dependent on unity and coherence. Embellishments of individual units that depart from the basic architectural design, although they might be suitable for a separate dwelling, are detrimental to and detract from the integrity and aesthetic value of the community.

### SECTION A: ARCHITECTURAL STANDARDS

#### General Authority for Standards

*The First Amended and Restated Declaration of a Planned Residential Community (2001)* contains Article VI for Architectural Standards. This document provides the basis for architectural controls of the exteriors of Living Units, their garages, outside walls, the Common Areas, and other facilities of the La Luz Landowners Association. Article V contained in *The Amended Bylaws of La Luz Landowners Association (2001)* provides the authority for the Board of Directors to appoint an Architectural Committee to carry out the responsibilities of architectural control.

This document contains the Architectural Standards that describe the procedures to be followed by Living Unit owners, the Architectural Committee, and the Association in maintaining or making a change to any exterior feature of a Living Unit. A Living Unit includes the surrounding walls, gates, the roof, and the exterior of the garage, including its roof, doors, and driveway. The exterior means the Common Areas or that which can be viewed while standing on pathways outside of other Living Units, either at the same, higher, or lower levels. These regulations also apply to similar kinds of changes proposed for the Common Area and facilities owned and maintained by the Association.

#### Approvals

If a Living Unit owner needs approval of a repair or an outside change, a written request should be submitted to the Chair or Co-Chair of the Architectural Committee with a copy to the President of the Board. A request must be accompanied by sketches in detail sufficient to describe the proposed construction and the visual impact. The written request should be submitted at least two weeks prior to an architectural committee meeting (also see the section on violations). The architectural committee will make every attempt to supply a written reply within 30 days to the request. Requests that are not responded to within the 30 days, should be resubmitted to the architectural chair and/or President of the Board for action. There are no automatic approvals.

1. ANTENNAS and SATELLITE DISHES

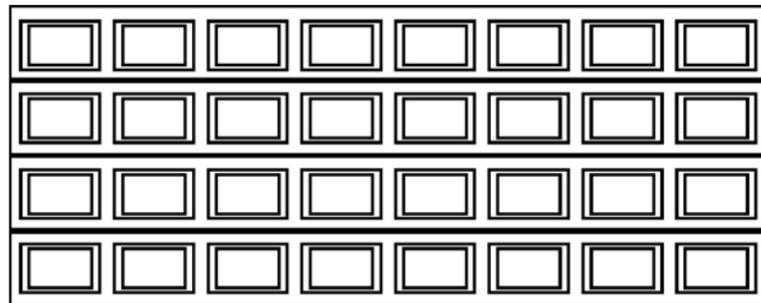
Antennas should be kept below the top of the Living Unit owner’s roof parapet. An antenna may have a small part or end slightly above the parapet (rotatable and large antennas should be designed so they are only temporarily elevated above the parapet). Antennas must be painted La Luz Brown. A satellite dish should be placed in the Living Unit owner’s patio so it does not affect neighbors’ views or be visible from the Common Areas of La Luz. If this is not possible, a roof dish can be considered if it meets the following guidelines:

- a. It is the smallest size available;
- b. It is not visible above the parapets from the Common Area;
- c. It has no visible wiring installation;
- d. It is painted La Luz Brown except for those portions which interfere with the function; and

**Each installation requires a separate written request for approval by the Architectural Committee.**

2. AUTOMOBILE GARAGE DOORS

- a. Automobile garage doors on Link, Pool, Tennis Court and Tumbleweed are to be replaced using the style known as the raised panel or colonial style with each panel measuring 14” x 20”.



- b. Automobile garage doors on Arco and Berm are to be replaced with the style known as a flush panel garage door.



These doors are to be painted flat La Luz brown. They may be insulated on the inside for the purpose of modifying temperature extremes. Vents also may be added to the automobile garage doors if they are placed in the lower outside corners and are as small as possible. Whenever possible vents should be placed in the people garage door, as the people doors are generally less visible from the common area. Replacement of these doors in the manner described above may be done without obtaining written approval from the Architectural

Committee. It is suggested that the both the garage door and frame be made of metal as these are more durable in the New Mexico weather and do not splinter or warp the way wood does.

**Replacement of automobile garage doors in the manner described may be done without obtaining written approval from the Architectural Committee.**

**Roof vents require architectural committee approval.**

3. PEOPLE DOORS ON GARAGES

People doors visible from the Common area should be painted flat La Luz Brown. Hardware should be simple, with a brushed aluminum or stainless steel finish. A single vent, as small as possible, may be added. The vent is to be centered in the bottom section of the door. It is suggested that replacement doors and frames be metal flush panel style.

**Replacement of the people doors on garages in the manner described may be done without obtaining written approval from the Architectural Committee.**

4. COOLERS AND REFRIGERATED AIR CONDITIONING UNITS

Evaporative coolers and new or modified designs of the original condenser coils for refrigerated air conditioners may be installed if they are approved by the Architectural Committee. The cooling unit should be located in the least obtrusive location. If the cooling unit cannot be located where it is not visible to others, then a roof installation will be considered by the Architectural Committee. Evaporative coolers can be the down-draft or side-draft type. The cooling unit cannot be more than 24” above the nearest parapet of the house and is to be painted flat La Luz Brown. All plumbing and wiring must come through the roof at the nearest practical location to the cooling unit. Water pipes, electrical conduits, and wires may not be installed over existing parapets. They may be installed by channeling through the stucco and then covering the channel by re-stuccoing.

The request must include brand name, model number (with brochure that includes dimensions), and a sketch of where the unit is to be placed. The Architectural Committee will review each request, and shall indicate its decision in writing within thirty (30) days. Requests that are not responded to within the 30 days, should be resubmitted to the architectural chair and/or President of the Board for action. There are no automatic approvals. Every attempt shall be made to insure that the installation of the cooling unit is done with the lowest visibility possible. If requested, the Architectural Committee will provide advice to the Living Unit owner concerning the installation location and orientation of the cooling unit. The Architectural Committee recommends placement of new or replacement cooling units in patio areas.

**A written request to the Architectural Committee is required.**

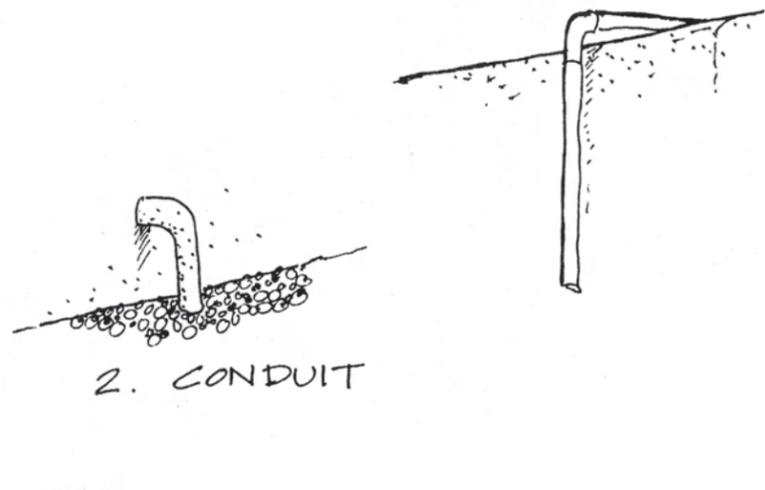
5. EXTERIOR LIGHTS

There shall be no changes to the original light fixtures that are visible from the Common Area. New lighting must be adapted to existing fixtures or installed in areas of the patio that are not visible and do not directly shine into a neighbor’s residence and/or Common Area. Any changes/additions of exterior lighting must be approved by the Architectural Committee

**A written request to the Architectural Committee is required.**

## 6. EXTERNAL WIRES and CONDUITS

**Wires, pipes, or conduits added to the outside of a Living Unit should be buried in existing stucco or drywall.** If this is not possible, the Architectural Committee will consider the use of external pipe or wire, and will review each request considering the location, ease of disguise, necessity, and cost. It is the responsibility of the Living Unit owner to make workmen aware of these guidelines. All external wires and conduits on roofs or walls should be painted flat La Luz Brown to minimize these being seen. Rooftop exhaust also should be La Luz Brown.

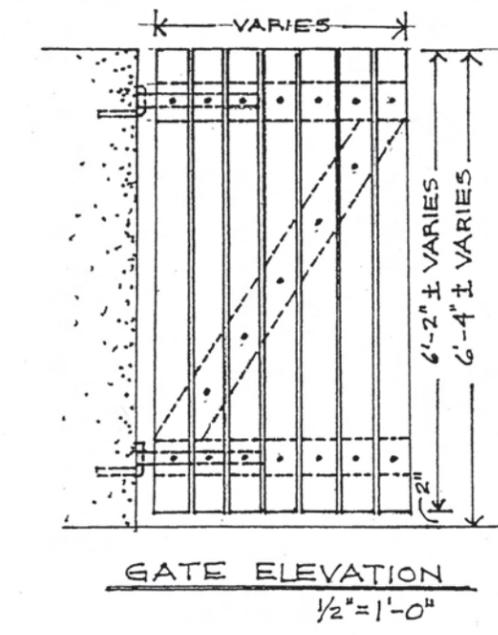


**If wires, pipes, or conduits are added to the exterior of a Living Unit and are visible from the Common Areas or from other Units, written approval is required from the Architectural Committee.**

## 7. GATES and HANDRAILS

Gates, including exterior storage compartment doors and handrails (in or on exterior walls) should be maintained by the Living Unit owner. No stain or color is to be used on these items except where approved by the Architectural Committee. **The use of the following standards is approved without approval from the Architectural Committee.**

- **Gates and Handrails: Clear Wood Finish (CWF) brand or its equivalent or ½ linseed oil mixed with ½ turpentine (previously available as Clear Logwood Oil).**
- **Refinishing Gates and Handrails: Originally logwood oil was used to oil gates at La Luz. Recently, this product has become difficult to find. The Architectural Committee recommends the following for refinishing gates and handrails.**



- Prepare gates by removing the old finish and/or sand blasting the gates or brushing the gates with a metal wire brush. Then clean the wood with Olympic Deck Cleaner (or its equivalent). Refinish with Clear Wood Finish (CWF) brand or its equivalent or ½ linseed oil mixed with ½ turpentine (available as Clear Logwood Oil).
- Use deck cleaner before each reapplication of CWF brand finish. It is recommended that the gate be re-coated with CWF (or equivalent) once a year.
- New gates should be built of either redwood or fir in the same configuration as the original gate (see attached sketch). Two-inch thick lumber is recommended. The new gates should be finished with CWF.

- Architectural gate hardware has traditionally been oxidized bronze or black wrought iron with lock mechanisms the same hardware type as the gate handle and latch. It is recommended that thumb latches for opening gates be used. The use of a lever, knob, or escutcheon (ornamental plate or flange around a key hole) can be used. The color of the hardware should match the hinges, surface bolts, and locks/handles. The original hardware was black wrought iron. The color of hardware should be black antique silver, or bronze. Shiny reflective surfaces are prohibited.

**If these guidelines are followed, no approval is needed from the Architectural Committee.**

Replacement of the people garage doors in the manner described may be done without obtaining written approval from the Architectural Committee.

## 8. HOUSE NUMBERS

Originally the La Luz house numbers were painted in Helvetica style font. Over the years, when numbers have been repainted, they were done differently than the originals. Stencils for house numbers are now available exclusively through the La Luz Landowners Association office. When a house number needs to be repainted (and only after the stucco surface has been restuccoed or fog coated), the Living Units owner is to contact the La Luz Landowners Association office. The Manager will repaint the house number using Helvetica stencils. There will be no charge to the Living Unit owner but the wall must be prepared prior to contacting the manager. In most cases, house numbers will be repainted in their original location. The numbers can not be repainted until the wall has been prepared either by fog coating the wall or re-stuccoing due to the fact that the previous number will show through.

## 9. INTERNET CABLE BOXES

Any Internet cable box should be installed to be as unobtrusive as possible and painted flat La Luz Brown. The box should be inside the wall if possible. Any wires that will show on the exterior walls will need to be pre-approved by the architectural committee.

Any cable box installed in an area that is visible to the community will require architectural approval prior to installation.

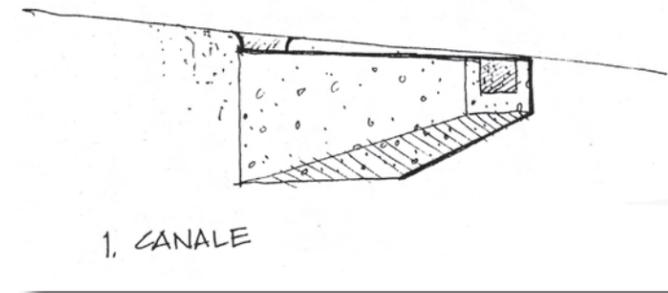
## 10. PAINT

Color chips for the La Luz Brown paint color are available at the La Luz Landowners Association office. Please take the time to visit the office so that your paint will match other units. Living Unit owners may go to any paint store. The store will use the paint chip to match the color exactly. To keep the color uniform when painting different surfaces, it is advisable to use the appropriate primer before applying the La Luz Brown paint. Please use flat paint.

## 11. ROOFS and ROOF REPAIR

New roof materials must be visually compatible with the adjoining gravel roofs. Texture and coloration of the new material must be similar to the standard gravel roof. This standard is necessary because other residents view a significant area of roofs from their Living Units.

**Each installation of a roof with new materials requires a separate written request and approval by the Architectural Committee.**



straps, pipes, evaporative coolers and their temporary covers, etc.) are to be La Luz Brown. Aluminum paint or roofing compounds containing aluminum may be used on the exposed paper and other roof surfaces if over-painted with La Luz Brown on those portions viewed from other Living Units or the Common Areas.

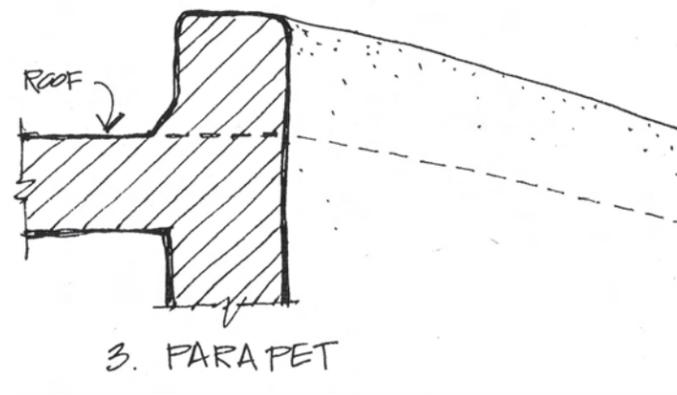
**Re-roofing may be done without obtaining written approval from the Architectural Committee if these standards are followed.**

## 12. SECURITY SYSTEMS

Exterior security units or attached units part of a system should be attached to be as unobtrusive as possible and painted La Luz Brown. If the box can not be seen from the common area, there is no need for Architectural approval. However, if the box can be seen from a common area, the change must be approved by the Architectural Committee.

## 13. SIGNS

No signs may be displayed in public view from any Living Unit or the Common Area except those placed by the Association. Realty for sale and open house signs are permitted only while an actual open house is taking place and must be removed at the close of the showing hours.



Re-roofing with original materials must result in an appearance substantially similar to the original roof. Roofing paper should be integrated into the side of the parapet approximately halfway up and not laid over the top. Gravel must match the texture, color, and size as original roofing materials. The upsweep of the roofing paper from the flat roof to the parapet should be painted La Luz Brown on those portions viewed from other Living Units or the Common Areas. Metal parts (flues, wires, conduits, skylight

## 14. STUCCO

Re-stuccoing or caulking of exterior surfaces of Living Unit, garages, and exterior walls must be done with a cementitious stucco color coat using La Luz Brown color. This includes parapets and chimneys. Sprayed or brushed texture-type coating or paint may not be used. Caulking with oil, silicone, epoxy, vinyl, or latex based products is not allowed.

**Re-stuccoing or crack filling repairs as described here may be done without obtaining written approval of the Architectural Committee.**

## 15. WINDOWS, AWNINGS, and SECURITY BARS

Windows will continue to be horizontal sliders or casement type. The combination of the frame and sash dimension permitted should not exceed three inches. The configuration is to be the same as the original windows in the cluster except for small windows. If this is not possible due to changes in the building or fire codes, the Architectural Committee will approve the variation that is closest to the original model. In most cases silver aluminum frames are no longer available. Baked enamel or an oxidized dark bronze is available and the Architectural Committee has made this color the standard. Glass color also should match what already exists in the cluster. When replacing single glazed patio doors with double glazed patio door units, the floor and patio should be checked or tested to insure it can bear the additional weight of the new glass. Some Living Units have needed the area under the patio door reinforced before adding extra weight.

The architectural committee has approved replacing selected windows with sliding glass doors. In order to maintain the La Luz window design, every sliding glass door that replaces an existing window must have equal dimensions of glass on the two outside panels (2 smaller frames on the sides and 1 larger pane in the middle). Should owners consider this improvement, they must know that these sliding glass doors will be custom made to meet the architectural standard. Every installation must be pre-approved by the architectural committee.

No awnings or security bars may be attached to the exterior of Living Units if they are visible from the Common Area. Security bars may be placed on the inside of a Living Unit patio where they are not visible from the Common Area. They also may be added to the interior of a Living Unit.

All window replacements must be approved by the Architectural Committee.

### VIOLATION OF STANDARDS

Since La Luz is a planned community it is important for all residents to follow written architectural, landscaping and maintenance standards to help preserve all aspects of our community. This cooperative spirit will enhance our property values.

Reports regarding any violation(s) of the Architectural Standards or of Article VI of the *First Amended and Restated Declaration of a Planned Residential Community* (2001) should be referred to the Architectural Committee. A Living Unit owner will be provided a copy of any written reported violation(s) after the Architectural Committee has verified the conditions. A report of a violation may be modified by the originator and/or by the Architectural Committee by mutual agreement in writing. The Architectural Committee may combine similar violations so as to obtain a uniform result. Board members also may be contacted concerning violations of standards.

Written reports of violations of standards by Living Unit owners may require consultation or joint action

by other committees. In such cases, the resolution of a reported violation shall be achieved by consensus if possible taking into account the views of the complaining party, the Living Unit owner, and neighbor(s) whose interests may be affected. The Board of Directors may hold a public meeting or arrange for disposition of the matter privately. In either case, the matter must be handled in a manner which will comply with current architectural standards.

If the Living Unit owner refuses to correct matters to the satisfaction of the Architectural Committee and the Board, the Board of Directors will approve the issuance of a Claim of Lien against the Living Unit in the amount estimated by the Architectural Committee to bring the property up to standards

(Architectural standards approved by LLA Board 3/03.)



## SECTION B: LANDSCAPE STANDARDS

Landscape standards are set so that the architectural integrity of La Luz can be preserved and so that we can live successfully in close proximity with our neighbors yet be able to create our own individual spaces reflecting our life style preferences.

### TREES AND LARGE SHRUBS

No trees or other plantings in any living unit shall be planted that obstruct the primary view from any other living unit. A homeowner should contact the Landscape Committee before planting questionable plant material. It is much easier to plant appropriately in the first place than have to face severe pruning or removal of a mature tree or shrub because it interferes with a neighbor's view.

### VINES AND OVERHANGING PLANTS

Vines are not permitted on exterior walls ( walls which abut the common grounds of La Luz). Although permissible, it is not recommended that homeowners plant vines on interior stucco walls; the plant material can quickly damage the stucco resulting in an Architectural request for re-stuccoing. No perennial overhanging plants are allowed on exterior walls. Seasonal plantings which may overhang for a short time are allowed with approval of the Landscape Committee.

### PLANTING IN GRAVELED COMMON AREAS

No new plantings in the graveled common areas are permitted except by written request to the Landscape Committee and approval of the Board of directors. Extant plants may remain as long as they are maintained by the homeowner responsible for them. If at any time the Landscape Committee deems the planted area unsightly, written notice will be sent. If, after 30 days, the area is not properly maintained, the maintenance crew will be directed to restore the area to its original condition. The responsible homeowners will be billed by the association for this labor.

### OUTSIDE CONTAINERS

Planted containers must be adobe colored pots or non-colored wooden tubs. No permanent containers (non-movable) are allowed.

Perennial trees or shrubs are discouraged unless small and well pruned. Adequate maintenance must be provided. Containers may be removed, at homeowner's expense, if they are not cared for.

### VIOLATION OF STANDARDS

Complaints between neighbors should be resolved amicably if possible without Committee interference. Unresolved complaints can be sent to the Landscape Committee in writing. If two or more complaints are received by the Committee, representatives from the Committee will conduct an onsite investigation and report, in writing, their findings and recommendations within a month.

An appeal process is available involving the Board of Directors as the review authority for the initial Landscape Committee decision. The decision of the Board of directors is binding on the parties involved.



## SECTION C: MAINTENANCE STANDARDS

### 1. ARCO STUB: DRIVES AND WEST LAWNS

The plats showing property boundaries on the so-called "Arco Stub," consisting of the Living Units at 8, 10, 12, and 14 Arco, indicate that the Common Area of the Association extends up to the western portion of the unit structures. Thus, the drives to the garages and the lawns and berms toward the Arco roadway are Association property. The Association has responsibility for maintenance of these drives, lawns and berms as specified above.

### 2. CONTRACTORS

Residents are responsible for the actions of their contractors including damage done by driving on grass or landscaped areas, dumping of construction materials or debris, cement cleanout from trucks, or other damage to the Common Area or other Living Units.

### 3. ELECTRIC COSTS HANDLED AS SPECIAL CHARGES

1. Members, whose garages are connected to one of the electric circuits metered and billed to the Association, will be assessed Special Charges for the costs of the electricity.

These Special Charges will be assessed according to electric usage as estimated by a survey, which may include inspection, conducted by the Association with the Members' cooperation. The Special Charges will be assessed under several categories including:

- A. A basic low usage consisting mainly of a garage door opener and electric lights.
- B. A high usage, which can vary from garage-to-garage, consisting of refrigerators, freezers, power tools, and other high-wattage appliances or electric demands.
- C. A situation, applied at the discretion of the Board, for virtually no electric usage.
- D. A situation involving a non-cooperating Member or Member's tenant.

2. The Maintenance Committee will have the authority to cause an update of the electric usage survey each year and to change the Special Charges of any affected Member based on new, estimated usage and/or electric rates. The Maintenance Committee will also have the authority to divide electric charges equally among all or among several of the garages on the same circuit when it seem appropriate.
3. The Special Charges for electricity will be permanent and will be a part of the December installment of the Annual Assessment for the Members so affected.
4. The Living Units whose garages are on electric circuits metered and billed to the Association are:

Circuit 1: 11, 12, 13, 14 Berm Street.  
Circuit 2: 25, 27 Tennis Court.  
Circuit 3: 29, 31, 33, 35 Tennis Court.  
Circuit 4: 1, 2, 3, 4 Tumbleweed.  
Circuit 5: 5, 6, 7, 8, 9, 10 Tumbleweed.

### 4. MISCELLANEOUS SERVICES AND BENEFITS

The Board may levy a reasonable Special Charge on a Member for a benefit or service that the Association provides to the Member, a member of the Member's family or to a tenant of the Member, when such benefit or service is of unusual or extraordinary nature or not included as a normal function or role of the Association. In setting the amount of the Special Charge, the Board may consider direct costs to the Association as well as staff time.

### 5. MOVING VANS

Large moving vans cannot navigate La Luz streets. The manager must be contacted before hiring or directing moving vans.

### 6. PARKING (Addendum to Third Regulation)

Vehicles cannot be left on pavement where they may block garage access, garbage trucks, fire engines, or other emergency vehicles or interfere with the safe use of vehicles by neighbors.

### 7. SEWER MAINTENANCE RESPONSIBILITIES

The owner of each living unit has full responsibility for maintenance of that living unit's sewer line up to the city sewer in cases where the living unit is directly connected to the municipal sewer and the sewer line is not shared by any other living unit.

In cases in which a living unit shares with one or several other living units a common lateral which connects to the municipal sewer, the several owners of the living units will share the cost of maintenance with the following restrictions:

1. Each owner is responsible for sewer maintenance within his or her own living unit and up to the point of connection to the common lateral.
2. Sewer maintenance of a common lateral up to the connection to the municipal sewer will be borne equally by the owners of all living units sharing that lateral, unless the Board of Directors has evidence that it should not be equally divided. An owner may submit a copy of a sewer maintenance invoice to the Board for a decision on sharing of the expense. The Board may use as persuasive evidence in a decision any notation made on the invoice by the person doing the repair, particularly where the blockage or repair occurred with respect to the connection to the common lateral. If the blockage occurred before the connection to the common lateral, the Board may deny sharing the repair expense by any or some of the other owners.
3. If the Board has reasonable evidence to believe that, despite the place where the blockage or repair was done, the owner who bore the maintenance expense was largely responsible for the problem, the Board may rule against sharing of the expense.

Living Units believed to share common laterals to the municipal sewer as of this writing are:

- Group 1. Berm: numbers 1, 2, 3, 4, 5
- Group 2. Berm: numbers 6, 7, 8, 9, 10
- Group 3. Berm: numbers 11, 12, 13, 14
- Group 4. Berm: numbers 15, 16, 17, 18, 19, 20
- Group 5. Link: numbers 2, 4, 6, 8, 10, 12
- Group 6. Link: numbers 14, 16, 18, 20, 22, 24

If the Board rules that a sewer repair expense will be shared, equally or unequally, by several owners, the Board will notify the owners of living units involved with instructions on how payment is to be made. If such an owner does not comply within a reasonable time, as determined by the Board, the Board may attach a Special Charge, as defined in the Declaration, to the assessments of that living unit.

All individual sewer lines and all common laterals up to the connection to the municipal sewer will be considered as an implied easement, running with the land, from the La Luz Landowners Association to the owners of the living units.

If any sewer maintenance requires excavation or causes any other damage to the Common Area, the cost of restoration will be borne by the one or several owners of living units which bore the cost of the maintenance. The Board may decide that only the Association staff will perform or contract the work of the restoration. In such case, the Board will assess a reasonable Special Charge to the owner or each of the owners of the living units involved.

If any significant staff time is involved in any sewer maintenance work, the Board may levy a Special Charge on the owner or owners bearing the cost of the maintenance to recover the time and labor performed by hourly workers on the Association staff, whether for direct sewer maintenance, assisting in the maintenance or working on the restoration. Significant staff time will be understood to mean a total of four (4) or more hours expended by the hourly workers on the Association staff. The Board may use as a guideline an hourly charge equivalent to \$8 per hour for an hourly worker. No charge will be made for work done by salaried staff employees.

## 8. SUBSTANTIAL LIQUID DISPOSAL AND HOT TUBS

No large quantities of water or other liquid will be allowed to flow from any Living Unit onto the Common Area. It is understood that this policy forbids allowing discharge of water from hot tubs, other large volume sources, liquids contaminated by chemicals or other agents, liquids having elevated temperatures such as hot tubs, or any non-aqueous liquid. As it is against the law to discharge gray water anywhere except into the sewer system, it is suggested that an owner develop a method which uses his or her own sewer system for the disposal of such gray water.

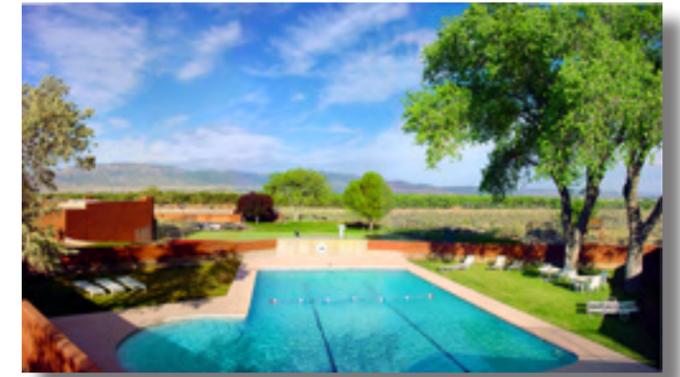
However, this policy is understood to permit for brief periods (e.g. 10 to 15 minutes) the discharge of water from municipal service to wash terraces, furniture, private sidewalks or similar items and to adjust or test private irrigation systems. This policy also permits discharge of rainwater and other precipitation drainage from builder-installed drainage channels such as canals.

The Board of Directors may, as permitted under governing documents, levy a Special Charge against the owner of any Living Unit from which a disallowed discharge drains or flows onto the Common Area. In determining the levy, the Board may take into consideration damage to the Common Area and/or staff time required to attend to the situation.

## 9. SWIMMING POOL

### Maintenance schedule.

1. The pool is not open for swimming during chemical treatment times which are as follows: Monday and Thursday from 9:00 to 10:00 am, and Tuesday, Wednesday and Friday from 9:00 to 9:30 am
2. The pool maintenance schedule is subject to change due to unusual weather conditions, three-day holiday weekends and/or use by large groups requiring additional chemical treatment.



### Pool Rules

There are no lifeguards. Adults are encouraged to swim with another adult, using the buddy system.

An emergency telephone connected to 911 is available. Any adults within the pool wall are encouraged to take action and help during an emergency. During normal work hours on week days, the manager can be contacted. The president or someone designated by him/her can be contacted at all times.

La Luz pool is open to residents and their guests exclusively.

Children under the age of eighteen (18) must be accompanied by a responsible person 18 or over.

Pool entrance gates must be kept latched at all times. Please do not prop the gate open.

No climbing on or over the pool walls, gates or structures.

Floating lifeline must be attached at both ends at all times except during adult laps. The lifeline must be reattached after laps are finished. The lifeline is safety equipment; as such, no standing or playing on the line is allowed.

Designated adult lap swim times are 6:00 am to 8:00 am and 5:30 pm to 7:00 pm daily. Lap swimming is permissible at other times so long as it does not interfere with others using the pool.

- No:** Diving in the west (shallow) half of the pool.  
Pets or other animals inside the pool walls.  
Glass, glassware or breakable ceramics inside the pool walls.  
Running or rough play in the pool or within the pool walls.  
Loud music or loud noise.  
Wheels.  
Furniture on the deck.

Pool hours are from 6:00 am to 10:00 pm weekdays and 6:00 am to 11:00 pm on weekends.

Maximum bather load (people actually in the pool at one time) is 60 persons.

One non-duplicable pool key is given at no charge to each Living Unit at La Luz. Replacements for loss will be made at a \$25 charge.

#### **10. TENNIS COURTS**

When people are waiting, play should be restricted to one set for singles or two sets for doubles.

No one should be on tennis courts except to play tennis.

No wheels are allowed on the courts.

Tennis shoes are required to prevent black scuff marks.

#### **11. TRAFFIC (Addendum to Fourth Regulation).**

The La Luz speed limit is changed to 15 mph.

#### **12. TRASH AND RECYCLING**

Trash is collected by the City of Albuquerque every Friday, and recycled materials are collected every other Friday. All Trash should be bagged before putting it into the city-supplied containers. Recycling includes bagged or tied newspapers, cardboard, aluminum and other metal cans, and plastics. Paint cans, chemicals, oils, etc. must be taken to the City designated disposal facility. Residents are responsible for damage resulting from inadequate containment of trash or recycling material, or from placing trash containers too close to walls or other objects.

#### **13. WATER LINE MAINTENANCE RESPONSIBILITY**

The owner of each living unit has full responsibility for maintenance of that living unit's water line between the living unit and the connection to the municipal water meter.

All individual water lines up to the connection to the municipal water meter will be considered as an implied easement, running with the land, from the La Luz Landowners Association to each of the various owners of the Living Units.

If the maintenance of the water line of any Living Unit requires excavation or causes any damage to the Common Area, the cost of restoration will be borne by the owner of that Living Unit which bore the cost of the maintenance. The Board may decide that only the Association staff will perform or contract the work of the restoration. In such case, the Board will assess a reasonable Special Charge to the owner(s) of that Living Unit.

## **PART III FINANCIAL OBLIGATIONS**

### **1. ASSESSMENT POLICY**

The annual assessment is payable in twelve (12) equal monthly installments due on the first day of each month and can be mailed to:

La Luz Landowners Association  
1 A Loop One NW  
Albuquerque, NM 87120

or hand delivered to the manager's office.

Advance payments are welcome but receive no discount. The Association sends no bills, but issues a reminder after the due date if the current month's payment has not been received.

Late payments incur further charges and penalties as follows:

Ten (10) days after the due date the account is delinquent. A Notice of delinquency is sent, including a \$20.00 late charge plus 10% interest.

After a delinquency is established, the Board may:

1. Declare the entire next 12 month's of Assessments, Special Charges and Costs due, plus penalties and interest.
2. Bring civil action to enforce payment and/or foreclose the lien against the Living Unit.

La Luz levies a \$20 service charge for checks returned with insufficient funds or bank rejection.

### **2. CERTIFICATE OF COMPLIANCE**

When a prospective buyer asks for a verification of an owner's status with respect to payment of assessments, outstanding delinquencies or architectural compliance, the Association will, when asked, furnish a certificate showing the owner's relevant standing with the Association on these matters.

### **3. NOTICE OF A SUPPLEMENTARY DECLARATION**

In conformance with the Declaration Article X, Section 8C, the Board will send a Notice (as defined in the Declaration) to each Member stating the nature of any new Supplemental Declaration, pertinent dates relating to it, all levies, costs and payment schedules and any information required for the Member to comply with the Supplemental Declaration. If the Supplemental Declaration relates to a Special Assessment, the Notice stating the total will be cost-itemized by function in the three following categories: 1) recreation, 2) exterior beautification or landscaping, and 3) other purposes, shown in detail.