

# CAMEO COMMUNITY ASSOCIATION

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Cameo Community View Impairment Policy and Procedures, adopted in 2005

## RECITALS

### Whereas:

The purpose of this View Impairment Policy ("Policy") is to provide to Cameo homeowners and the Cameo Architectural Committee ("AC") guidelines and policies to enforce Article V, Section 2 of our CC&R's that state:

"Article V, Section 2: Landscaping Approval. No trees, bushes, shrubs, or plants shall be maintained upon any Lot which, without clipping or pruning thereof, in the reasonable opinion of the Architectural Committee, unduly impede or detract from the view of any Lot. The Architectural Committee shall have the right to require any Member to remove, trim, top or prune any tree, bush, shrub or plant which, in the reasonable opinion of the Architectural Committee, impedes or detracts from the view of any Lot. The Association may from time to time adopt landscaping standards which shall govern the planting and emplacement of trees, bushes, shrubs or plants from and after the date of adoption of such standards by the Board ("Landscaping Standards")."

### Whereas:

AC has been directed by the Cameo Board of Directors that paragraph 7 of the Policy shall be stricken and hereafter read "[Intentionally Blank]" as the former paragraph 7 violates current California law.

Resolution adopted at an Open/Regular Session Meeting of the Board of Directors of Cameo Community Association on September 22, 2009.

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## VIEW IMPAIRMENT POLICY & PROCEDURE

1. It is recommended that prior to submitting a complaint to the Association, an owner experiencing view impairment contact the owner of the property that is creating the impairment, either in person or by letter, to attempt to resolve the view impairment issue.
2. If the owner is unable to resolve the view impairment issue or is unwilling to contact the owner of the property that is creating the impairment, the owner should submit a View Impairment Form to the Management Company, and provide exhibits such as photographs or sketches of the alleged violation.
3. In addition to the View Impairment Form, submit in writing to the Management Company a complete description of the alleged view impairment violation. Describe in your letter the attempts that were made to contact the owner that is allegedly in violation to resolve the problem.
4. Upon receipt of a view impairment complaint, the Management Company shall submit the complaint to the Architectural Committee (AC).
5. At least a majority of the AC shall schedule, together, a site visit at the property of the owner that submitted the complaint. Photographs shall be taken during the site visit.
6. The AC, in its reasonable opinion, shall determine if the obstruction unduly impedes or detracts from the view of the lot of the complaining owner.
7. This paragraph left intentionally blank.
8. Factors to take into consideration in determining whether there is view impairment are as follows:
  - a. The percentage of the overall view that is impaired by the obstruction at issue
  - b. Whether there are other impairments of the owner's view about which the owner did not submit a complaint
  - c. Whether anything on the owner's lot obstructs the view
  - d. Whether removal of the obstruction will improve the view in light of the totality of the view from the property

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9. If the AC, in its reasonable opinion, determines that the view is not unduly impeded, no action shall be taken and the written notice of the AC's decision shall be sent to the complaining owner.

10. If the AC determines that the view is unduly impaired, the AC shall notify the Management Company of the trees at issue, and make written recommendations as to how the view impairment should be remedied (i.e., trimmed or removed). The Management Company will then send the offending homeowner(s) a letter, which will describe the specific violation(s) and give the homeowner(s) a reasonable time period to comply. A copy of this letter will also be sent to the complaining party.

11. If the view impairment has not been abated within a reasonable time from the receipt of the letter from the Management Company, the Management Company will send a letter to the offending homeowner(s) to appear before the Board of Directors at the next scheduled Board meeting at which the Board will make a decision as to whether to refer the matter to the Associations Attorney. A copy of this letter will also be sent to the complaining party. Further enforcement shall be the responsibility of the Board of Directors, in compliance with all applicable laws.