

SPYGLASS HOMEOWNERS ASSOCIATION

SLOPE AREA MAINTENANCE PLAN AND OPERATING RULES

I. INTRODUCTION

The requirements for Slope Area Maintenance by the Spyglass Homeowners Association are stated in the Articles of the Amended and Restated Declaration of Covenants, Conditions and Restrictions dated June 28, 1977. In the following referenced Articles, the term Association is used for Spyglass Homeowners Association. References to the numbered Articles/Sections below will be changed when the revised CC&R's are approved, but the content will not.

Article I, Section 11, states that Exhibits for each Tract within the Spyglass Properties are included as part of the Covenants, Conditions and Restrictions Declaration and that these Exhibits show each Lot within the Tract and that part of each Lot with a Slope Area, if any, to be maintained by the Association. Slope Areas may be either manufactured or natural slopes.

Article III, Section 12, states that no slope shall be used for any other purpose other than the planting of plants which in no way adversely affect the stability of such slope.

Article III, Section 15, provides that there shall be no modification or alteration of any slope within the Properties without the prior written approval of the Board of Directors.

Article VI, Section 1, provides for the Board of Directors of the Association to have all powers relating to the Slope Maintenance of the designated Slope Areas; further, the specific and primary purpose and powers of the Association are to manage and maintain the Slope Areas.

Article VI, Section 3, (a) states that the Association shall landscape, irrigate, and maintain the Slope Areas in compliance with applicable Ordinances of the County of Los Angeles in such a manner as to enhance the appearance thereof, to preserve the established slope ratios, prevent erosion, and facilitate the orderly discharge of water through established drainage systems. Further, the Association shall have the sole and exclusive authority in all decisions with respect to the Slope Maintenance of the Slope Areas.

Article VI, Section 3, (d) the Association shall have a duty to maintain all drainage facilities.

Article VI, Section 3, (g) the Association will formulate rules for the operation of the Slope Areas.

Article VI, Section 4, provides for the Association to have right of entry to any Lot within the properties to the extent necessary for the Association to perform its duties and responsibilities.

Article VII, Section 3, states that the Association is granted an Easement over the Slope Areas for Slope Maintenance purposes, for access to Slope Areas, and for the operation and maintenance of irrigation facilities and systems.

Association By-Laws, Article VIII, Section 1, Powers. The Board of Directors shall have power to: (a) adopt and publish rules and regulations governing use of Slope Areas.

A review of Exhibits to Declarations shows that all land within the Spyglass Properties is individually owned as Lots or dedicated to the County for roadways and Water Utilities for storage purposes, hence, all Association maintenance responsibilities are performed under easements granted by individual owners of lots within the Properties.

A summary of the foregoing is that the Association is responsible for the maintenance of the Slope Areas and to establish the regulations for the operation of those Slope Areas. The basis for the Association regulations are to be the following:

- (1) Preserve established slope ratios.
- (2) Maintain the Slope Area Drainage System consisting of vertical and horizontal drainage structures, sub-surface culverts, trash gratings, and other related facility.
- (3) Provide Irrigation as necessary for current Slope Area plant maintenance with replanting of drought tolerant species where applicable.
- (4) Meet County of Los Angeles Ordinance regulations including fire hazard and erosion control.
- (5) Control weeds and maintain Slope Area appearance for the benefit of all residents.

The Slope Area Maintenance Plan and Operating Rules will prioritize on Slope Area stabilization as the predominate requirement in consideration of the economic impact in the event of a Slope Area surface movement, and drainage system maintenance due to the its impact on Slope Area surfaces. Slope Area stability and economy are goals of the Slope Area Maintenance Plan and Operating Rules.

II. LANDSCAPE COMMITTEE

A Slope Maintenance and Landscape Committee is appointed by the Board of Directors to provide oversight for the Slope Area Maintenance Plan and Operating Rules and to make recommendations to the Board in matters conflicting with the Landscape Contract or Maintenance Plan. Additionally, recommendations are made to the Board for cost of actions exceeding that amount authorized by the Board for independent Committee action, which amount will be established on an annual basis.

III. OPERATIONAL PLAN

A. GENERAL MAINTENANCE

General maintenance shall include weed control, trimming, fire control, and removal of debris. New plantings are to be properly cultivated and fertilized. A weekly maintenance at the two entrances to the Spyglass Properties, including median strips on Spyglass Hill Road is to include weeding, edging, mowing, trimming and other as required to provide a pleasing appearance to residents and visitors.

B. SLOPE AREA STABILIZATION

Slope Area stabilization is basically achieved through the establishment of root systems using drought tolerant plantings to minimize surface erosion and provide economy in the application of irrigation water. A listing of acceptable planting for this purpose is provided under the section entitled Planting which also includes planting criteria. Revetment boards, pipe struts, or other techniques may be required in localized areas for stabilization.

Burrowing rodents can be a cause of slope settlement and are to be controlled as a preventive measure. This is specialty work which must be performed by a licensed Contractor in accordance with all applicable regulations and concern for residents. Particular attention will be given to inspection and control of rodents during the spring and summer. The Association will authorize immediate eradication action by the Contractor upon determination of rodent activity on maintained Slope Areas.

C. SLOPE AREA DRAINAGE SYSTEM

The Slope Area Drainage System is subject to the deleterious effect of weather, minimal slope movement, rodent activity, and root growth. Repairs include joint filler, sectional removal and replacement, backfilling voids with cement grout, or other maintenance action as appropriate to ensure proper hydraulic characteristics and prevention of water flow over the Slope Areas. This remedial work will be contracted to a Contractor with appropriate State of California License for the work classification.

The entire Slope Area Drainage System is to be inspected by the Association's Operations Manager on a regular scheduled basis as directed by the Board. However, during the months of May through July of each year, the Landscape Committee and/or the Association's Operations Manager, jointly with a selected Contractor, shall examine the system to determine any work required during the summer months to ensure the integrity of the system for the fall rain season and shall prepare a cost estimate for Board Action.

In order to avoid flow obstructions during the rainy season, the Landscape Contract is to include the provision for cleaning debris from the drainage system in September of each year and then maintain the system debris free from October through April of the next year.

Removal of trees or other plant growth immediately adjacent drainage structures may be required to prevent root growth from uplifting the drains or otherwise affecting the structures if felled during storms.

D. IRRIGATION

The irrigation system for Slope Areas will require continuous inspection for line breaks, valve and sprinkler replacement, line relocation, and system controller maintenance by the Landscape Contractor; and required certification of backflow valve operation by a licensed individual. The application of water to the Slope Area landscaping is to be controlled by the Contractor in consultation with the Landscape Committee and/or the Association's Operations Manager to the minimum for plant growth. New plantings will require frequent watering, whereas established areas may not require any supplemental watering over that provided by nature. Supplemental temporary valves may be required to limit water application in some areas and temporary irrigation lines may be required in other areas. Water cost, minimizing slope saturation and water conservation are to be considered.

E. FIRE SUPPRESSION

Fire suppression and compliance with the County of Los Angeles ordinances is a requirement. Generally, all dry brush must be cleared within 30 feet of a structure and to a height of 18" for another 70 feet or other distance required by the County Fire Marshal. On all Slope Areas, debris is to be removed as a fuel source and small leafed plants avoided. In late summer, as plant moisture content tends to decrease, irrigation may be required. An annual field inspection of Slope Areas is appropriate by the County Fire Marshal:

County of Los Angeles Fire Department, Forestry Division
1320 North Eastern Ave, Los Angeles, Ca. 90063-3294 (213) 881-2481

F. SLOPE AREA TRAFFIC

Unauthorized people traffic on Slope Areas may result in damage to plant growth, drainage systems and interfere with rodent control activities; therefore, no persons other than the Lot Owner is authorized to be on Slope Areas except as permitted by the Board of Directors which will include Employees, Contractors, and Members of the Landscape Committee. The Lot Owner has a right of access to his property but shall be cautioned not to interfere with any Association plantings or facilities. In the event

the Owner desires to place plants on his Slope Area, in addition to those placed by the Association, he should notify the Landscape Committee to ensure an understanding of irrigation schedules and his responsibilities for any additional watering and maintenance requirements.

G. TREES

Trees considered unstable may require removal to avoid uprooting on Slope Areas and creating pockets where water can accumulate thus affecting slope stability. Generally, trimming trees for height is not cost effective over a period of time and with some species, may cause a spray of branches creating a fire hazard; therefore, some tree removal may be appropriate for Slope Area enhancement, subject to privacy and aesthetic values of neighboring lots. Slope Area trees obstructing views can be trimmed or removed for homeowners at their expense if slope stability or safety are not a factor, with approval from the Landscape Committee. Debris must be removed from the slopes. New plantings at tree removal locations are to be in accord with the section on Planting.

H. PLANTING

As previously stated, plant selection is to be based on drought tolerance and fire resistance with due consideration to slope appearance. On most Slope Areas, the recommended planting is to be low growth Acacia Redolens which provides good root structure and is economic to maintain. Additionally, it is drought tolerant and as a low level plant it reduces fire hazard; it is fast growing, reducing the initial water application period. Other acceptable plants for Slope Areas include the following:

- White Oleander - Nerium oleander "white"
- Rosemary - Rosmarinus officinalis "Prostratus"
- Rosmarinus officinalis "Tuscan Blue"
- Lemon Bottlebrush - Callistemon citrinus (a tree)

Trees to be planted should be species with a maximum mature height of not more than 30 feet and should be drought tolerant. In addition, they should be low maintenance in terms of dead growth removal and not require annual trimming or pruning. Tree plantings should be limited and placed to enhance Slope Areas a minimum of 30 vertical feet from the top of slope and a minimum of 100 feet horizontal from structures at either the top or bottom of slope. Tree plantings should be at a minimum of 50 feet center to center and located with consideration of view obstruction. The California Pepper tree generally meets this criteria. However, other acceptable trees are as follows:

- Eucalyptus - In locations more than 200 feet horizontal from the nearest structure and without the potential to obstruct views.
- Brazilian Pepper - Median height of 20 feet.

Pursuant to Article VI, Section 3, (g) of the CC&R's and Article VIII, Section 1, (a) of the By-Laws, detailed in the Introduction, the Board of Directors has adopted the Slope Area Maintenance Plan and Operating Rules, effective December 1, 1996.

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