



LOS PRADOS

Architectural Policies & Guidelines

As approved by the Los Prados Board of Directors

Revised 2-13-21.

**LOS PRADOS COMMUNITY ASSOCIATION
ARCHITECTURAL POLICIES AND GUIDELINES**

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LOS PRADOS

ARCHITECTURAL POLICIES & GUIDELINES

I. INTRODUCTION

- A. These guidelines are intended to supplement information contained in Articles VII and XII of the Master Declaration of Covenants, Conditions and Restrictions (CC&Rs) of the Los Prados Community Association and the Los Prados Community Association Rules and Regulations Section XI. They do not cover the entirety of those documents; therefore, it is advantageous to read the applicable CC&Rs and Rules and Regulations (R&Rs) thoroughly prior to commencing any project covered by this document. The Architectural Control Committee and management staff can assist with the submittal process and interpretation of the CC&Rs and these Guidelines.
- B. The Architectural Control Committee ("ACC") is constituted to ensure continuity in design that will preserve and improve the appearance of the community and the property values therein. The ACC reviews all plans for exterior improvements and additions to residential lots and dwellings in Los Prados. The Architectural Control Committee shall exercise its best judgment to the end that all external changes to properties conform to and harmonize with the existing surroundings and structures; provided, however, all such additions, attachments, improvements and alterations comply with all applicable City of Las Vegas and State of Nevada building regulations and codes. Reviews are conducted objectively under the policy guidelines of the governing documents. Improvements and other property enhancements subject to review include without limitation, additions, modifications, and alterations to residential dwellings such as fences, walls, room additions, patios, patio covers, gazebos, swimming pools and spas, and landscaping. Failure to submit plans to the ACC or to complete projects according to approved plans is a violation of the Association's governing documents and may result in sanctions on the homeowner in accordance with the governing documents.
- C. The ACC consists of three or more persons appointed by the Board of Directors of the Association. One member of the Board of Directors will act as Liaison to the ACC. Committee membership is restricted to one person from a household. Committee members each have an equal vote on a project application. A majority vote of the committee is required to approve, reject, or table project applications. Applicants may appeal any unfavorable decision of the ACC directly to the Los Prados Board of Directors. Appeals must be made in writing using EXHIBIT G, REQUEST FOR VARIANCE, citing reasons and providing information upon which the Board can make a decision. Appeals will be addressed at the first available executive session following the receipt of the appeal. All documentation must be submitted to the General Manager 10 days prior to the scheduled executive meeting date.
- D. The ACC may grant reasonable variances or adjustments from any conditions and restrictions in order to overcome practical difficulties and prevent unnecessary hardships. Such variances or adjustments shall be granted only in case the granting thereof shall not be materially detrimental or injurious to other property or improvements within the properties.
- E. No member of the ACC can recommend a specific contractor to an applicant, become personally involved in the completion of another's project applied for through the ACC, or

receive any compensation from an applicant or contractor relative to any project applied for through the ACC.

- F. The ACC meets twice monthly. Submittals are due in the Association office no later than seven (7) calendar days before the date of the next regularly scheduled meeting. A \$250.00 refundable deposit must accompany all submittals which will be refunded after final clearance providing the project area is cleared of debris and clean.
- G. EMERGENCY ACC APPROVAL. The Board of Directors and the ACC understands that certain incidents may occur whereby immediate repairs need to be made. In the event of an emergency, the homeowner is authorized to temporarily repair the property - Items such as, but not limited to, broken HVAC equipment, roof leaks, broken garage doors, any temporary fix to prevent further damage and ensure the safety of the home, plumbing issues et al. If under normal conditions the emergency repair would require ACC approval, the homeowner must notify the front desk within two business days. (e.g., replacement of a garage door of a different style or color.
- H. Approved projects should be completed within six (6) months of approval. Upon approval, a tag will be attached to the residence lamppost indicating a project is in process. At completion of the work, a representative of the Architectural Committee will inspect improvements for adherence to approved plans. The ACC cannot give final release of any project or part of a project that requires City of Las Vegas final inspection. Such inspection must be obtained prior to notifying the ACC of project completion. The ACC tag may only be removed by an ACC member when completion is verified by the ACC. Approved projects not started by the end of the six-month period will be voided, and the applicants deposit will be refunded. A new application must be submitted by the homeowner to reinitiate the project.
- I. The ACC will have a recording secretary who will maintain written records of all applications submitted and actions taken thereon.
- J. These ACC Policies & Guidelines may be administratively amended at any regular legally constituted meeting of the Board of Directors by simple majority vote of those in attendance, provided that no rule or amendment is contrary to the Association's governing documents. Changes become effective 30 days after posting of said rule or amendment on the bulletin board located at the Homeowner's Association office, 5150 Los Prados Circle, Las Vegas, NV 89130 and notifying homeowners of the amendment in the Master Association newsletter or by separate mailing.

II. PURPOSE

It is the intention of the Master Association to maintain the integrity of the planned development and the architectural appearance for the benefit of all homeowners. Therefore, the following ACC Guidelines have been established governing any proposed additions, alterations, or construction relating to any homeowner's property.

III. GENERAL CONDITIONS

- A. Any condition or material not specifically addressed within these guidelines shall become a matter for consideration and determination by the ACC. Review and approval by the ACC of any such condition or material is therefore required.
- B. Committee approval of plans does not constitute acceptance of any technical or engineering specification or requirement of the City of Las Vegas and Los Prados assumes no responsibility for such. The function of the ACC is to review submittals for conformity to the Master Plan of the community. All technical and engineering matters, as well as applicable permits, are the responsibility of the owner. The committee recommends that the applicant seek ACC approval prior to that of the City of Las Vegas.
- C. ACC and/or City of Las Vegas approval of plans is not authorization to proceed with improvements on any property other than the applicant(s).
- D. An oversight by the ACC regarding the CC&Rs, Rules and Regulations, or Policies & Guidelines does not constitute a waiver; therefore, any violation must be corrected upon notice.
- E. Access for equipment used in construction should be through the applicant's property. No access through common property will be allowed without prior written authorization from the Los Prados General Manager. When construction requires use of an adjoining property, the applicant must obtain written permission from the adjoining property owner and submit it with the plan and deposit. Projects do not require adjacent property owners' approval. However, the Association recommends that as a matter of courtesy, applicants make adjacent residents aware of the scope of projects, their start date and expected duration.
- F. Any homeowner who believes an approved project will adversely affect his/her property should immediately notify the Los Prados General Manager in writing explaining his/her concerns. The General Manager will review the complaint, attempt to resolve it, and if unable to do so, bring it to the attention of the ACC Committee and the Board of Directors.
- G. Streets must not be obstructed with equipment or building materials that could be hazardous to pedestrians, vehicles, etc. Materials temporarily placed on a street will be adequately barricaded, lighted, and marked to ensure safety.
- H. All work must be performed in a manner consistent with the standards of the general dwelling construction, appearance of the village and the Los Prados community as a whole. All work considered of an unsightly finished nature or of lesser quality than the prevailing community standards shall be reworked to an acceptable appearance at the owner's expense.

- I. No structures shall be erected which is in excess of thirty feet in height. Height to be measured from the lowest finished grade adjacent to the foundation of the structure to the uppermost point of the structure. Chimneys shall be excluded in determining height of a structure.

IV. ARCHITECTURAL AND MATERIAL STANDARDS

This section of the Guidelines delineates appropriate materials for use in modifications and specifies which modifications require prior submittal to the ACC. Any deviation from pre-approved items requires ACC approval.

- A. LANDSCAPING. Landscaping can be effectively used to accent entryways, define space, and create “soft” privacy screens. Since landscaping is a design element, consideration should be given to the relationship to adjacent homes and surrounding areas.
 1. All new landscaping work, planting, and installation of permanent irrigation systems by an owner shall remain aesthetically consistent with the design and plan of the community. Periodic plant replacement or landscape irrigation system repairs do not require ACC approval. However, if the work being performed has the potential to cause clean-up it should be submitted to the ACC for approval (e.g. rock or equipment being dumped or stored in the street). Any material being placed or stored in the street while the work is being performed should be marked with safety cones.
 2. No owner shall further landscape or otherwise improve any property owned and maintained by the Los Prados Community Association without prior written authorization from the Los Prados General Manager after consultation with the Board of Directors.
 3. Front and back yard landscaping consisting of trees and bushes must be maintained so as not to encroach upon, or be a nuisance or detriment to adjacent properties. If plantings are found to be detrimental to the community, e.g., causing damage to common or private property, homeowners will be required to abate the problem.
 4. The following trees are not suitable for home landscapes and will not be approved by the ACC: Cottonwood, Mulberry, Fruit Bearing Olive, Poplar, and Willow.
 5. Any material to be used by the homeowner in landscaping or backyard projects must be approved by the ACC. The use of a screening material in landscaping will be approved or disapproved on the following factors:
 - a. Use: Structures are considered on a case-by-case basis, e.g. gazebos, pool equipment screens, decks.
 - b. Design: Compatibility with Community appearance, visibility from common grounds and neighboring properties.

c. Quality: Construction and material, e.g., the use of PVC pipe for trellises or lattice for privacy screens is prohibited.

B. LANDSCAPE REQUIREMENTS. Below is the guideline to be used for all front and side yard landscaping.

1. Artificial plants and trees are considered hardscape materials and are prohibited in front yards and side yards. Artificial flowers to be used in flower pots, etc. will be considered and approved on a case by case basis.
2. Artificial turf is classified as a hardscape material in the same manner as rock and mulch. Artificial turf must be installed in a manner consistent with natural turf installation. Combinations of grass and artificial turf will not be permitted, nor will any combinations of different types of artificial turf be permitted. All plans to install artificial turf must be submitted for and approved by the ACC prior to installation. Each application for installation must be supported by the specifications of the product, the method of installation and a sample measuring six inches by six inches (6"x 6").
3. Installation: Artificial turf must be placed over sand or other fine aggregate that measures two inches (2") in depth and it must be compacted. No concrete or reject sand will be permitted under the artificial turf. Trees and shrubs installed adjacent to or inside the artificial turf areas will be challenged for sufficient irrigation water; therefore, deep root or subsurface irrigation techniques should be incorporated into irrigation plans. Trees and shrubs installed inside the artificial turf areas must have tree rings that are a minimum of twelve inches (12") beyond the trunk of the expected size of the tree at maturity. The rings must be covered with approved mulch. A minimum of twelve inches (12") separation treatment must be provided if artificial turf is adjacent to real grass or artificial turf in a neighboring landscape. Drainage across the lot cannot be altered. The ACC recommends the installation be completed by a licensed contractor that has documented artificial turf experience.
4. Maintenance: Artificial turf must be maintained in like new condition and not allowed to fall into disrepair. During the life of the artificial turf, the Compliance Committee may, at its sole discretion, determine if the turf has deteriorated below acceptable standards. Homeowners must maintain all landscaping back of the curb, on the front and side yards of the lot that is subject to view from the street, in a neat and attractive condition, including all necessary landscaping and gardening, and properly maintain and replace, when necessary, the trees, plants, grass and other vegetation.
5. Minimum Plant Coverage: Fifty (50) percent (calculated at plant maturity) of the front and side yards must be planted with softscape. Softscape is defined as elements that are living, fluid and changing as they mature. When calculating the softscape percentage, tree(s) may only account for a maximum of twenty (20) percent of the total softscape.

The ideal landscape is a balance of both hardscape and softscape. Artificial turf is considered a hardscape material.

6. Recommended Tree Requirements: One shade tree with a minimum 1 ½" trunk diameter is suggested in the front yard. One shade tree with a minimum 1 ½" trunk diameter is suggested in side yard of all corner lot properties. The trees listed in section IV - A - 4 above will not be approved by the ACC.

C. DESERT LANDSCAPING

1. Homeowners must take appropriate measures to ensure a healthy, beautiful desert landscape. The Committee recommends the removal of sod to a depth of 2-3 inches, use of proper weed barrier material under the desert rock or decomposed granite that surrounds the plants and bedding areas, and an efficient irrigation system that applies water to the plants without watering the entire area. Use of plastic sheeting is not permitted due to the possibility it will affect drainage.
2. Homeowners are encouraged to coordinate any desert landscape project with the Las Vegas Valley Water District prior to submitting plans to the ACC. The Water District can provide contractor and/or plant recommendations and may have an ongoing program of homeowner compensation for which a homeowner may be eligible. If a homeowner takes advantage of a Water District program, a copy of the District's acceptance form must be included for the record. Water District approval of a landscape plan applies only to water conservation requirements. The ACC retains approval authority for design and aesthetic consistency with the plan of the community.
3. Before commencement of installation of desert landscaping, an owner must submit a landscaping design displaying plot dimensions, plant type and placement to the ACC, and receive written approval of the landscaping design from the ACC. Commencement of installation without said written approval will be considered a violation of this provision. The Board of Directors interprets "desert landscaping" to mean a desert garden, not a yard of concrete and rock. Water-efficient plants and planting areas must be included. A minimum of ¾" size stone/rock is required from the curb to three feet into the property.

D. FENCING AND GATES

1. All fence and gate construction require review and approval of the ACC. Acceptable materials for construction, extension or repair of fencing are:
 - a. ½ inch square tubular wrought iron pickets on 4 to 4 ½ inch centers attached to 1 inch square tubular top and bottom rails
 - b. with tan slump stone block base and pilasters (base blocks not to exceed three rows) or 2 inch square tubular wrought posts set in concrete

- c. wrought iron to be painted to match the common area fences. The Los Prados beige fence color is available from Sherwin-Williams, Dunn Edwards or the color can be matched from any paint supply store but must match the Los Prados approved beige color.
2. No double property line fences may be constructed. Should a neighbor adjacent to the property line install a fence, said fence shall be the only fence.
 3. Fencing will not be constructed lower than three feet nor higher than six feet. Fencing used in common areas to narrow upright spacing for pet areas is acceptable but must be made of same material as the existing fence. Chicken wire, bamboo, lattice, perforated metal screening or plastic netting may not be used on common area fences under any circumstances.
 4. Materials used for modification of common area wrought iron fencing to restrain small pets must be approved by the ACC. Chicken wire, bamboo, lattice, perforated metal screening or plastic netting may not be used under any circumstances.
 5. Plans for a fenced-in area to be utilized as a dog run must be submitted to the ACC for review and approval. Fencing for dog runs still must match Los Prados' fencing design as outlined herein. Metal mesh may be approved from 24" to 36" in height depending on the height of the fence. Chicken wire, bamboo, lattice, or plastic netting may not be used under any circumstances.
 6. Installation of wrought iron gates and gate screening requires ACC approval. All gates must be wrought iron, matching the Los Prados square tubular-type material and must be maintained and painted as required to match common area fences.
- E. PROTECTIVE SCREENING DEVICES - Owners of lots bordering the golf course may erect suitable fencing to protect the home's outdoor living areas from errant golf balls. Such fencing must be as unobtrusive as possible to neighbors and golfers. 1¼" galvanized metal mesh, which is commercially available, has proven to be the most effective, durable, and least visible of the various mesh screens. Posts should be galvanized steel and must be set in concrete. Post and eye caps, top and bottom rails, tension bars and post straps must be used and have galvanized metal finish. Fencing should be the minimum height and width commensurate with safety. When submitting plans, show a diagram of the house, lot lines, and location of the proposed fencing. Provide dimensions of fencing, maximum height above ground, distances from lot lines and house, and materials to be used. It is preferred that the posts and fencing be located three (3) feet inside the owner's property line to reduce the chance of a ricochet into a neighbor's yard or house. However, for homes with current landscaping or lots whose size renders this not feasible, the ACC may approve fencing 6" inside the property line of the applicant on a case by case basis.

F. PATIO COVERS AND GAZEBOS

1. Complete submittal forms, including the Patio Cover Checklist (Exhibit B). Permits are required prior to the commencement of construction of any patio cover or gazebo. Minimum finished size for wood, Alumawood, or a stucco post is 6" x 6".
2. Structures may be of wood, Alumawood, or stucco construction. All natural wood surfaces must be finished and weatherproofed, and stucco painted to match the house.
3. Metal and wood gazebos must be anchored to concrete piers or a concrete slab and be able to resist winds in accordance with City of Las Vegas building codes. ACC review and approval is required. Gazebos built of block or wood and stucco must conform architecturally to the residence. Construction requires ACC review and approval and must meet City Code requirements.
4. Patio covers in the front of residences are prohibited.
5. Exposed gutters and downspouts will be painted to match adjacent roof, post, and/or wall material.

G. RETRACTABLE PATIO COVERS

1. Canvas covers must be a color that is compatible with the home.
2. Covers must be inspected periodically by the homeowner and damaged canvas replaced or the patio covers must be removed.

H. POOLS, SPAS AND RELATED EQUIPMENT - These items may require specific permits and inspections by the City of Las Vegas. At a minimum the ACC requires the following:

1. Submittal of complete proposed construction plans showing placement of pool and equipment.
2. Proposed location of additional gates and fencing. Any gates and/or fencing must match Los Prados common area wrought iron in construction and color in addition to meeting city codes.
3. Equipment must be screened and located so as not to be a nuisance to adjacent properties. The ACC recommends that the applicant consult with neighbors regarding the proposed location.

4. The rear or side yard minimum setback for a pool or spa is 3 feet from the water line to the property line or fence.
5. Any Jacuzzi or spa will be considered the same as a pool and must be fenced or completely enclosed by a gazebo or lockable cover.

I. OTHER STRUCTURES

1. GARAGE DOOR replacements must be approved by the ACC prior to installation. Door style must match existing Los Prados garage doors and color scheme.
2. Garages may not be converted into living space.
3. ROOM ADDITIONS, EAVES AND BALCONIES or any other exterior alterations to any building are major construction items that require prior approval by the ACC in addition to City of Las Vegas permits. They shall be constructed with materials that conform to type, quality, character and detailing established in the existing dwelling.
4. CONCRETE projects, to include initial installation, expanding an existing pad, walkway, or driveway require prior approval. Expanding the width of driveways is allowed, but the overall width of the driveway may not exceed the architectural frontage of the garage face (foundation) itself.
5. GOLF CART PADS may be constructed on the side of a home if approved by the ACC and the property allows ample space for a golf cart pad. The decision and approval will be made by the ACC on a case by case basis.
6. SHEDS. No sheds of any kind shall be constructed on any lot. However, plastic type storage boxes and/or containers are allowed but must not be greater than 45 cubic feet, may not exceed 5' in height and may not be visible from the street. The color of the storage box should complement the existing color scheme of the residence.

V. ADDITIONAL MODIFICATIONS

- A. SOLAR SCREENS installation on windows requires prior approval of the ACC. They must complement the existing color scheme of the residence.
- B. PATIO SHADES OR SCREENS are considered permanent in nature and must be approved by the ACC prior to installation. Screens should be a neutral color solar screen type material that is capable of being rolled up and down and should accommodate a tie down to avoid excessive flapping. Suggested mounting is inside of the eaves or header and of sufficient width to span the distance between patio posts. If mounted on the outside, mechanisms should be boxed in.

- C. **LIGHTING:** Low voltage illumination landscape lighting does not require ACC approval. Higher voltage illumination landscape or exterior lighting does require ACC review and approval. Lighting on porches, garage exterior, or for security of homes is approved if it is placed so that it does not create an annoyance to neighbors.

Holiday decoration lighting, such as Christmas, Hanukah, or any other lighting the Board of Directors deems to be holiday or seasonal lighting, may only be placed on a homeowner's property 30 days before the holidays and must be removed within 20 days after the holiday. However, the Board of Directors may ask and require a homeowner to remove any light it deems an annoyance or nuisance at any time with a minimum of 15 days notice.

- D. **PLAY EQUIPMENT,** including but not limited to, swing sets, portable and permanent sports equipment, basketball backboards, including temporary basketball equipment and/or portable, gymnastic and climbing structures and playhouses require prior approval of the ACC. All portable basketball equipment must be removed and stored out of sight at the end of the day.
- E. **SOLAR ENERGY EQUIPMENT:** The installation of any system to accommodate solar energy must be submitted to the ACC for review of placement. Examples are attic fans, solar panels and skylights.
- F. **EXTERIOR PAINTING AND COLOR COATING:** Minor repairs (e.g. water damage, patched golf ball divots, etc.) do not require ACC approval. All other exterior painting requires ACC approval. Application must include one of the approved color schemes. The approved Color Scheme pallet is posted in the clubhouse by the front desk. Color coating of driveways and walkways in front of a home requires ACC review and approval and submission of a color sample.
- G. **ANTENNAE:** ACC review is required before installation of any type of receiving or transmitting antenna on the exterior of a residence.
- H. **WINDOW AWNINGS:** No window awnings are permitted.
- I. **SECURITY SHUTTERS AND DOORS:** Installation of security rolling shutters on windows and security doors requires ACC approval. Color must complement existing residence colors. The Association requires that homeowners ensure that proper emergency egress is incorporated in the design. Security bars on windows are prohibited.

- J. MAIL BOX NAME PLATES: The placement, size, and material, must be reviewed and approved by the ACC.
- K. MAILBOXES: All mailboxes will be mounted on the slump block posts, size 15 ½” x 11 ½” x 6” and be 6 blocks high, with 2 cap blocks, size 15 ½” x 5 ½” x 1 ½”. The slump stone colors must match the existing Los Prados’ slump stone colors. Mailbox replacements must be approved by the ACC prior to installation.
- L. LAMPPOSTS: Lampposts in front of a residence will be black in color and maintained as required. All lampposts must be permanently powered. The light must be a minimum of 800 lumens or equivalent of 60 watts. Replacement lampposts must be a minimum of 6’ above finished grade of the property. No solar powered lamppost lights are allowed.
- M. YARD DECORATIONS: Decorations placed in front yards, e.g., fountains, statues, floral containers, shall measure no more than 42 inches in any dimension. Decorations are to be artfully integrated into the design of the landscaping. Excessive decorations, as determined by the General Manager in conjunction with the ACC, shall be corrected to the satisfaction of the Association.
- N. HANDICAP INSTALLATION(S). Handicap installation or removal thereof must be reported to the ACC prior to installation or removal.
- O. FLAGPOLES: One (1) freestanding flagpole may be permitted on a homeowner’s lot. The height of the flagpole may not exceed 25 feet. The flagpole must be commercial grade and in accordance to rules of the City of Las Vegas code requirements. A flagpole may not be attached to common area walls or fencing. We encourage the United States Flag be properly illuminated from darkness to dawn and shall be submitted to the ACC for record. The Committee will consider larger flagpoles and flags on common areas should the particular common area be deemed sufficient to warrant such.

VI. ADDITIONAL INFORMATION REGARDING CONTRACTORS’ WORK TIME AND ENTRANCE INTO LOS PRADOS

Contractors (or service providers) are allowed to enter a guard gate from 7:00 a.m. to 6:00 p.m., excluding holidays. No exterior work may be performed by a contractor on Sunday. Entry for emergency repairs must be coordinated with gate Security – phone 702-645-8360.

ARCHITECTURAL COMMITTEE SUBMITTAL PROCESS

The below listed items are required to be included as necessary for review by the Architectural Control Committee. Applications must be submitted no later than one week prior to an ACC meeting to allow for administrative processing. Currently, ACC meetings are held on the first and third Thursdays of each month. It is strongly recommended that applicants read CC&R Articles VII and XII and the Los Prados Community Association Architectural Policies, Guidelines and Procedures prior to submitting requests to the ACC. Applications must be signed by the homeowner or contain a signed letter of authorization from the homeowner if signed by a person other than the homeowner.

- ORIGINALS OF APPLICABLE ITEMS BELOW ARE REQUIRED. ATTACH ADDITIONAL PAGES WHEN NECESSARY.

- A. APPLICANT INFORMATION FORM
- B. PATIO AND PATIO COVER CHECKLIST
- C. LANDSCAPE CHECKLIST
- D. NOTICE OF COMPLETION
- E. HOMEOWNER / CONTRACTOR ACKNOWLEDGMENT
- F. INDEMNITY AGREEMENT
- G. APPEAL PROCESS - REQUEST FOR VARIANCE
- H. PAINT AND COLOR COAT SAMPLES
- I. LANDSCAPE PLOT PLAN EXAMPLE

- PLANS AND PERMITS OF WORK TO BE DONE

Detailed drawings showing height, length, width, color, and what the improvement(s) will look like when finished. Please make sure all dimensions are shown, including house footprint and measurements to property lines. A copy of any required City of Las Vegas building permit must be submitted to the Los Prados Administrative Offices for filing prior to start of work.

- LANDSCAPING (Form - Exhibit C, must be completed)

Plans must show a detailed diagram of the house footprint, relationship to adjacent properties, lot, and where the landscaping improvements will be. Indication and location of plant types and tree types are required.

- MATERIAL SAMPLES

Color sample(s) of paint, screen material, synthetic grass and pictures of gazebo, pool, patio cover or spa should accompany plans for the same. Sample size of paint and materials should be large enough to give a true idea of the actual color.

- DEPOSIT

A \$250.00 check deposit is required. Deposit check will be cashed upon approval. This will be refunded provided the street and/or construction areas are left in a clean condition after work is completed and inspected.

Failure to follow these requirements and procedures may cause the request to be delayed pending submission of additional information and documentation. An incomplete application may affect the time limits for approval.

LOS PRADOS COMMUNITY ASSOCIATION, INC.

POLICY 3.0

COMMON AREA TREES, HOMEOWNERS' TREES, NEIGHBOR-TO-NEIGHBOR TREES, INCLUDING ROOT SYSTEMS

The purpose of this policy is to establish guidelines for the management of the trees on both common area property, homeowners' property, and Neighbor-to-Neighbor Trees, including the root systems.

The Association is responsible for reasonable maintenance of all the common properties for the benefit of the homeowners.

COMMON AREA TREES AND ROOT SYSTEM

There are specified trees that are a part of the common area, which are maintained by the Los Prados Community Association. Those specific trees, including the roots, are the Association's responsibility and are maintained routinely by the landscaping program, internally or externally, chosen by the Board of Directors and paid for using the Association's annual budget. In the event there is damage caused by the tree and/or its roots onto a homeowner's property, the Association shall be responsible for the damage of said tree and root system, including replacement of tree, if applicable. This also includes possible damage to the common area wall.

Any repairs to the homeowner's property will be where the specific damage is done. The Association cannot guarantee the match of the block wall if damaged. Any work will be done on the homeowner's property Monday through Friday during normal business hours.

HOMEOWNERS' TREES AND ROOT SYSTEM

When a tree is owned and maintained by the homeowner, including its root system, then the homeowner is responsible for all parts of the tree, including the roots and any damage caused by the roots onto Association's common area property. *See Article XI, Section 4, Owner's Responsibility and Article XII, Section 9, Lots to be Maintained, Los Prados CC&Rs*

The homeowner will only use a Nevada State licensed contractor for any repair to the common area caused by, but not limited to, the roots of the homeowner's tree. Before any repair or work begins by the homeowner to the Association's common area, the homeowner must submit the plans to the Architectural Control Committee (ACC) for approval and for the ACC shall have oversight on the project. The Association reserves the right to manage any repair of the common area or the replacement of a tree on the common areas.

In the event a homeowner does not comply with their duty to maintain, repair, or replace their tree and/or its roots accordingly, the Association may provide any such maintenance, repair or replacement at homeowner's sole expense. The Association may contract with an Arborist to review and approve the root cutting or any other professional recommendation at the homeowner's expense. Any expense, cost and/or fee incurred by the Association shall be added to and become a part of the assessment to such Owner, and shall become a lien against the Lot, Unit or Parcel of said Owner. Entry upon an Owner's

POLICY 3.0

COMMON AREA TREES, HOMEOWNERS' TREES, NEIGHBOR-TO-NEIGHBOR TREES, INCLUDING ROOT SYSTEMS

Lot, Unit or Parcel for such purpose shall not constitute a trespass. *See Article XI, Section 4, Owner's Responsibility and Article XII, Section 9, Lots to be Maintained, Los Prados CC&Rs*

The Association shall provide a ten (10) day written notice to homeowner to remedy the situation prior to the Association remedying the situation. In the event the situation is not remedied by the homeowner, or the Association is not contacted for any reasoning within this time frame by the homeowner, the homeowner will be called to a hearing before the Board of Directors. At that hearing, the Board of Directors may levy the expense, cost and/or fees that the Association incurred or will incur to the homeowner's assessment account as noted above, including possibly filing a lien against the Lot, Unit or Parcel.

NEIGHBOR-TO-NEIGHBOR TREES AND ROOT SYSTEM

At times, there are occurrences that are defined as "Neighbor-to-Neighbor" issues. The Association has limited ability to become involved in these types of situations, if at all.

If a homeowner's tree and/or its roots encroach onto the homeowner's property and causes damage to that homeowner's property, including but not limited to a sprinkler system, boundary wall, swimming pool, plumbing, deck or foundation, the homeowner subjected to any damage can file for civil action to include damages caused by the tree roots or a damaged wall. The matter is a civil action and not a situation that the Association adjudicate. The City of Las Vegas's Neighborhood Justice Center's Community Mediation process provides Clark County residents the opportunity to resolve neighbor-to-neighbor issues as an alternative to court action. This process is a voluntary process for both parties.

THIS POLICY RESOLUTION IS HEREBY APPROVED BY THE LOS PRADOS BOARD OF DIRECTORS ON
16th DAY OF June, 2020.

DATE	ACTIONS
06-16-20	<i>BOD first review of Proposed Policy at Open Board Meeting</i>
06-16-20	Board approved policy / Policy mailed to each homeowner in July 2020 newsletter
07-01-20	Effective date