

LA HACIENDA RESIDENTIAL COMMUNITY CONSTRUCTION REGULATIONS

GENERAL CONSIDERATIONS

- **GENERAL ASPECTS**

La Hacienda Residential Community is exclusively residential. The condominium as a whole and each individual lot shall comply with any urbanistic limitations.

All construction projects in *La Hacienda Residential Community* must strictly adhere to what is provided in the site design officially approved by the corresponding public institutions, as well as the provisions of these Construction Regulations and the provisions of the Condominium Bylaws.

These Construction Regulations contain specific rules with regard to setbacks, location of the construction work, exterior design, roofing, driveways/ walkways, installation of conventional and parabolic antennas, utility areas, divisions, gates, outdoor lighting, electrical wiring and telecommunications, among others involved in the building process of the different residences. These Regulations also offer general guidelines for the correct coordination of logistics in relation to the construction process, so that the different construction activities do not affect the homeowners' well being.

In order to design, build, enlarge, add or modify the residences and/ or adjacent structures, the respective property owner must strictly comply with all the public right-of-ways, setbacks and restrictions imposed on the property as provided in these Construction Regulations and must have the approval of the Architectural and Construction Committee (ACC) in order to begin construction work.

It is understood that all plans and other documentation submitted to the ACC for approval have been accepted and evaluated by all related government institutions and therefore, have all the necessary endorsements, seals and constructions permits to carry out the construction work in strict adherence to the applicable legislation.

- **URBANISTIC ASPECTS**

La Hacienda Residential Community has been designed in compliance with applicable urbanistic provisions that involve institutions such as the National Housing and Urban Development Institute (INVU), the Ministry of Health, the Department of Environment and Energy (MINAE), the Municipality of Santa Ana, the Association of Engineers and Architects (CFIA) and others. In turn, when designing and building their residence, property owners must take all binding aspects into account.

All construction projects in *La Hacienda Residential Community* must strictly adhere to what is provided in the site design officially approved by the corresponding public institutions, as well as the provisions of these Construction Regulations and the provisions of the Condominium Bylaws.

- **LA HACIENDA ARCHITECTURAL AND CONSTRUCTION COMMITTEE (ACC).**

The ACC shall ensure construction work in all individual lots and common areas that make up the Condominium comply with all urbanistic, architectural and constructive requirements.

This Committee shall consist of three members chosen by the Condominium Administrator with the approval of the Administrative Board. ACC members shall have professional training in engineering, architecture and construction, and shall be in charge of interpreting and applying the Construction Regulations and all related matters.

Until the Condominium's Administrative Board has been appointed, this Committee shall consist of representatives of the developer *Grupo Inmobiliaria Génesis*.

Property owners shall hire the services of a reputable professional to take on responsibility for the design, structural integrity, safety, structural code and standard compliance of the construction work to be carried out in their lots.

- **GENERAL PROCEDURE FOR CONSTRUCTION APPROVAL**

Property owners who wish to carry out new construction work or improvements or additions to an already existing construction shall comply with the procedure specified in these Regulations and shall submit the forms attached to this document.

1. **Concept Revision**

Owners shall submit the preliminary plan of his/ her residence, as well as a preliminary drawing of the architectural and landscape design. The preliminary plan shall specify the location of the construction work in the lot, complying with the guidelines established in these Construction Regulations regarding setbacks, driveways and exteriors. All trees located in the property shall be identified in the preliminary plan; trees with a trunk measuring fifteen centimeters in diameter (15 cm) or more must be identified as such (measurements taken at one meter above ground level). Trees that are to be cut down must be identified with an "X".

All proposed structures shall be included to scale (driveways/ walkways, construction area, exterior structures, pools, enclosures, air conditioning units, water tanks, gas cylinders, antennas, etc.)

The architectural preliminary plan for the residence shall specify the architectural distribution to scale showing the roofs, including at least two elevations (front, back and side); all proposed finishings must be specified.

ACC approvals or disapprovals shall take no longer than ten (10) working days from the date of submission of all necessary documentation and requirements by the property owner.

2. Approval to Begin Construction of New Residence

The ACC shall approve all architectural design-related aspects, including gardens and exterior structures and shall give the owner the go-ahead to begin construction work. Therefore, the owner shall submit to the ACC the corresponding construction plans approved by the CFIA, as well as construction permits granted by the corresponding government institutions (Ministry of Health, National Insurance Institute, Costa Rican Water and Sewer Institute, Municipality, etc.), as well as the application form for approval by the Committee.

Once the ACC has revised the plans and compared these with the previously submitted preliminary plan and architectural and landscape preliminary drawing, it shall issue the corresponding go-ahead within a period of ten (10) working days. This approval shall be valid for six months; if the approved construction work does not begin during this term, the interested party must re-submit his/ her application for approval.

3. Approval for Modification, Enlargement or Addition

In the case of modifications, enlargements or additions, all property owners must submit an application form for ACC approval together with plans showing the entire residence and the addition or area to be modified in detail. Symbols shall be used to indicate all finishings and materials to be used in compliance with these regulations.

The necessary plans must be presented to scale in electronic or printed format.

All modifications and enlargements must be located within the permitted construction area. Modifications or enlargements that exceed the approved construction area for the lot - in accordance with the applicable Regulatory Plan - shall not be approved.

4. Changes during the Construction Process.

Should it be necessary to modify previously approved plans or works during the construction process, the owner shall submit a written request for approval before proceeding.

GENERAL CONSTRUCTION REGULATIONS

GENERAL ASPECTS IN RELATION TO THE ARCHITECTURAL DESIGN.

There are no restrictions regarding the architectural design of the works and buildings; however, the property owner shall consider a design that harmonizes with the urbanistic and architectural concept of the common areas.

In order to achieve visual uniformity and architectural harmony throughout the entire project, the ACC and Administrative Board shall be responsible for ensuring strict compliance with what is provided in these Construction Regulations.

BUILDING HEIGHT.

Two stories is the maximum height permitted for all residences, with an inside height from floor to ceiling of two meters and fifty-five centimeters (2.55 m). Seven meters (7.00 m) is the maximum inside height for one-story residences. Nine meters (9.00 m) is the maximum exterior height.

A maximum height of 4 meters (from finished floor to ridge pole) is allowed for complementary structures such as terraces, decks, BBQ's, garages, sheds, warehouses, and others that are separate from the main residence.

The ACC shall be familiarized with all preliminary plans and shall ensure compliance with the terms provided in these Construction Regulations. This Committee shall consist of three members chosen by the Condominium Administrator with the approval of the Administrative Board.

The Committee members shall have the necessary training to allow them to control the construction work and apply and interpret these Construction Regulations and deal with all related matters.

Until the Condominium's Administrative Board has been appointed, this Committee shall consist of representatives of the developer *Grupo Inmobiliaria Génesis*.

COVERAGE AND CONSTRUCTION AREAS.

The Municipality of Santa Ana has defined a 70% maximum coverage per individual lot.

An obligatory maximum coverage has been defined at 60% of the lot (roof-covered area); a maximum of 70% shall be allowed when pools, decks, terraces and areas of circulation without roof are considered.

When calculating the maximum construction area, all protruding building parts shall be taken into account, as well as the area of structures such as sheds, decks, terraces, driveways/ walkways and others.

Property owners shall set aside at least 5% of their lot to grow native plants and tree species. In exceptional cases and prior formal request by the owner, the ACC shall evaluate a reduction of this percentage.

- **SETBACKS.**

Several minimum setbacks have been established to ensure homogeneity throughout the Condominium. The minimum front setback shall be 5 meters from the property line, the minimum rear setback for each property shall be 5 meters, and the minimum side setbacks have been set at 2 meters. In all cases, the setbacks indicated have been established as a minimum and property owners shall be able to increase these distances if so desired.

In the case of lots with two fronts, or lots that have been joined to create an island, the owner shall inform the ACC what property boundary is considered the front and the minimum 5 meter front setback shall be applied to this front. The minimum rear setback shall be 5 meters and 2 meters shall apply for the side setbacks.

The following obligatory minimum setbacks shall apply:

Front setback: five meters (5 m) from the property line.

Rear setback: five meters (5m); exterior structures such as terraces and pools may be built within this setback.

Minimum side setbacks: two meters (2 m).

- **RESIDENCE LOCATION.**

Property owners shall submit a residence location plan to the ACC for approval and comments. A drawing must be prepared indicating roof projections and perimeter walls, as well as the location of all types of exterior structures such as terraces, pool areas, sheds, driveways/ walkways and others.

Residence location shall entail the least amount of interference possible with the environment. Should there be trees within the property's setback lines, these must not be cut down unless proven unavoidable because of topographic reasons or lot shape. Trees may not be cut down without the consent of the corresponding government entity and the Condominium Administration; otherwise the responsible party shall be held liable.

- **BOUNDARIES AND HEDGES.**

In order to achieve visual uniformity and architectural harmony throughout the entire project, only hedges shall be allowed along the perimeter of each individual lot. Species allowed for this type of fencing are: small bamboo, flowering climbing plants, Ficus, Podocarpus, Ginger, Santo Domingo, Bougainvilleas, Jupiter, Narcissus, split-leaf philodendron (*Mano de Tigre*), ivy or similar plants. Other types of hedge shall be presented to the ACC and Administrative Board for approval.

Should the property owner have any type of pet able to cross over to the neighboring lots, mesh or railing shall be used together with the hedge, in such a way that the hedge fully covers the mesh or railing. These hedges shall be well pruned so as not to invade the adjacent properties and their height shall not exceed thirty centimeters (30 cm) above the mesh or railing. Mesh or railing height shall not be greater than one meter eighty (1.80 m).

Natural materials such as wood, brick, stucco, adobe and stone are recommended for exteriors; however, their specific use shall depend on the approval of the ACC.

Front walls and fences are prohibited. Only hedges shall be allowed, and these may be planted along the front wall of the residence. Hedges are not allowed in the front setback or along the front property line.

- **DESIGN OF EXTERIOR STRUCTURES.**

Structures that are separate from the main residence, including but not limited to BBQ's, decks, greenhouses, sheds, Jacuzzis, swimming pools, parking areas or garages, shall be located within the established property lines and setbacks. The architectural design of these additional structures shall be consistent with the main structure design and shall be reasonably out of sight of the adjacent lots.

A landscaping drawing shall be required for all lots to ensure design homogeneity and environment protection.

The ACC shall approve landscaping, as well as the architectural design; therefore, if elements such as mail boxes, fountains, pedestals, pergolas, or others are desired, these shall be acquired and installed following ACC instructions.

Recreational equipment, including but not limited to swings, slides, seesaws, dollhouses, etc. require approval prior to installation.

Tree houses are forbidden.

Trees - healthy or sick - with a trunk measuring fifteen centimeters in diameter (15 cm) or more (measurements taken at one meter above ground level) may not be cut down. Should the cutting down of trees be necessary, a formal request shall be submitted to the ACC or Condominium Administrator, together with the approval of the corresponding government entity.

Reinforcements and landscaping with stone elements, retention walls, gabions and deflectors shall be designed by a CFIA registered engineer and may only be built prior ACC approval.

For the purpose of these regulations, a pool is defined as a structure within a lot occupying a minimum area of 6.25 square meters, with a minimum volume of water ninety centimeters deep. Its area cannot exceed 4.5% of the total lot area. Pool design, construction, and location, as well as related equipment and accessory structures are subject to ACC approval. Should the pool be built after the main building has been constructed, the owner must obtain ACC approval and submit a drawing to scale of the lot showing the location of the existing structures, as well as the pool. One meter twenty (1.20 m) is the maximum height permitted for fencing surrounding the pool.

- **SPECIAL AREA ENCLOSURES.**

Areas where clothes are hung to dry, exterior portions of air conditioning units, water tanks, gas cylinders, warehouses, kennels, personal workshops, nurseries, and dumps shall not be visible from the common areas or neighboring properties and shall be built taking the established setbacks into account.

Only hedges shall be allowed for these special areas.

The ACC shall reserve the right to modify the design and finishings chosen for these areas should they differ from the Condominium's general design.

- **FRONTS.**

Residence fronts shall harmonize with each other, shall be similar or at least comply with the Condominium's design guidelines.

The architectural design, structural or decorative elements, and finishings (materials, textures, colors) of all residence fronts shall maintain the necessary balance, beauty and appearance to harmonize as a whole.

Owners shall comply with guidelines on finishings and use of materials, textures, and colors.

Materials with a natural texture such as wood, local sandstone (pink or crème), clay brick with a matte finish, stucco shall be used on main outside walls (front and rear). Different shades of beige shall be used on outside walls, combinations with white elements shall be allowed. Owners must ask the ACC approved color swatch.

- **DRIVEWAYS/ WALKWAYS.**

Materials such as concrete, dyed concrete, stamped concrete, brick, paving stone, asphalt or combinations of these have been approved for driveways/ walkways. Unpaved driveways/ walkways or the use of loose materials such as gravel, crushed stone, shavings, grass pavers are not allowed.

Access way width cannot surpass five meters with exception of direct driveways or at the radii where the access way joins the street where the width can be a maximum of seven meters thirty (7.30 m).

The recommended turning radius for a circular access way shall not exceed seven meters (7.00 m), and shall not be smaller than five meters (5.00 m)

Visitor parking areas and turn around areas may be built in the individual lots, provided these are located within the obligatory setbacks.

- **ROOFS.**

Reflective materials such as aluminum, zinc, or post-formed laminated materials may not be used for exposed roofs.

Aged earth-colored clay tiles are recommended.

The recommended roof gradient is thirty degrees (30) and the recommended maximum is forty-five degrees (45). If the owner wishes to use another gradient or type of material, he/ she must obtain ACC approval.

In the event of openings on the roof - including but not limited to plumbing entrances, air extractors, air conditioning units, smoke ducts and vents or others - these shall be located on the less visible portion of the roof. This indication shall not apply to chimneys.

Visible skylights shall not be located on the front elevation of residences.

- **GUTTERS.**

In general, the appropriate use of gutters is recommended, using drainpipes in those cases where these are required to prevent water from entering the residence or from pouring down the walls.

Gutters and drainpipes shall not be obligatory and designs with free falling water shall not be rejected provided the design has a water collection system leading to the general rainwater collection network of the Condominium.

Free falling water designs that allow rainwater to run freely, and which might affect neighboring properties, shall not be permitted.

- **EAVES.**

The eaves of the residences shall not exceed one hundred centimeters (100 cm) from the permitted setback.

All eave-type elements proposed must undergo fungicide treatment to control the appearance of stains due to fungus and humidity.

- **ANTENNAS.**

The location and installation of radio communication antennas and parabolic antennas shall be subject to ACC approval.

One meter (1.00 m) shall be the maximum diameter allowed for parabolic antennas.

The general criterion for ACC antenna approval shall be reduced visual impact at all times from any point within the Condominium.

- **WINDOWS.**

All side and rear windows must comply with the setbacks specified by the Regulatory Plan in force at the time of construction.

When the residence is located less than three meters (3 m) from the side and rear setbacks, the second floor side and rear windows shall be located at a minimum height of one meter sixty (1.60 m) – distance from the floor to the bottom of the window.

Anodized or bronze/ tobacco colored window frames are recommended, as well as wooden window frames treated against humidity and UV discoloration.

The use of natural anodized (mill finish) window frames and doors shall be forbidden.

Conventional louvers in aluminum and glass shall not be allowed for windows facing common areas. In these cases, awning, casement, double-hung, or gliding windows are recommended.

- **GLASS.**

The installation of colored, reflective or mirror-type glass shall not be allowed. In the event aluminum or pvc window frames are used, these must be tobacco or bronze colored. Wooden window frames are recommended.

Stained glass shall not be allowed in windows facing common areas.

Awning, casement, double-hung, or gliding windows are recommended. Louvers shall be forbidden.

- **BARS OR GRATINGS.**

The installation of bars or gratings shall not be allowed on access doors and windows facing common areas.

Bars and gratings shall be allowed at the back and sides of the residences, provided these do not face common areas. All bar and grating designs and materials shall be approved by the ACC.

- **FLOORING.**

Solid materials that harmonize with the pavement shall be used outside.

These materials may be continuous surface materials or pre-fabricated elements; however, in both cases, they shall be non-skid and in colors that harmonize with the Condominium as a whole.

Homeowners are free to choose inside flooring.

The inside floor level shall be no less than fifteen centimeters above the level of the surrounding terrain and, in general, variations in height may not exceed sixty centimeters (0.60 cm) to ensure the correct functioning of the rain and sewage water drainage systems.

- **WIRING, ILLUMINATION AND ENTRANCE CABLES.**

All interconnection and internal wiring - including electricity and telecommunications - of residences to be built and exterior structures going from the Condominium's general network to the load center of the individual property shall be underground and any structures related to it must be approved by applicable national regulations enabling checking and maintenance.

The use of any type of overhead cableway shall be strictly forbidden in the individual lots and common areas. When temporarily required, approval must be obtained from the ACC or Condominium Administration.

Indoor lighting within the individual lots shall not shine excessively onto the neighboring properties and common areas. The illumination of adjacent or adjoining properties shall be strictly forbidden.

Lighting systems that illuminate large portions of outside walls or direct lighting of the side and back areas of the property shall be forbidden. Also, lighting systems that do not have shades to keep light from shining on adjoining properties shall not be allowed.

The project has a general distribution network for electricity, telephone, and data systems that shall feed each individual lot and common area buildings. It shall be an underground distribution network and each individual lot shall have one or several junction boxes, depending on the case. Property owners shall make sure the design of their residence takes the location of the junction boxes into account. The ACC shall ensure all preliminary plans include correct location of junction boxes; in the event of error, the ACC shall reject the proposal.

The use of PVC material for wiring shall be prohibited in all lots, and EMT (electrical metal tubing) shall be used.

Customized electronic security systems for the different properties shall be evaluated and approved by the ACC and the Condominium Administration.

The use of protective domes or guards for individual perimeter security systems is recommended to reduce visual impact to a minimum and maintain design harmony. Wiring shall not be directly buried but contained in appropriate metal tubing and kept out of sight when surfacing.

- **RAINWATER AND SEWAGE DRAINAGE SYSTEMS.**

The project includes a rainwater drainage system, as well as a sewage system. All lots and common area buildings shall be connected to the system.

Each lot shall be allotted a connection point to each of these systems. In both cases, the property owner shall ensure the design of his/ her residence includes the direct connection to these points.

Independent rainwater or sewage drainage systems shall not be allowed.

Rainwater shall not be allowed to flow directly into the gutter; the only water allowed into the gutters is water draining off the gardens.

Owners shall make sure sufficient grease trap collectors are incorporated into the design and construction of their residence, and shall also ensure their correct maintenance to prolong the useful life of the sewage system and reduce chances of obstruction.

The ACC shall ensure all preliminary plans submitted include rainwater collectors, as well as grease trap collectors. Should these be incorrectly located or in the event of independent drainage systems, the ACC shall reject the proposal and necessary modifications shall be made to the plans, and implementation shall be verified during the construction process.

- **UTILITY AREAS.**

Utility areas shall be out of sight. The color of these structures shall combine with that of the main building.

- **GARAGES.**

Two and three wall garages facing common areas shall be closed so that the inside is not visible. Gates made of metal, wood or other material shall be approved by the ACC to ensure design blends with the Condominium in general.

Owners shall not be allowed to use open parking areas or garages facing common areas for storage.

Materials used for driveways and walkways leading onto common areas shall be identical to those of the sidewalk and gutter. Inside the limits of each individual lot, owners shall be able to modify material used for driveways and walkways.

- **GARDENS, FENCES, HEDGES AND EXTERIOR DIVISIONS.**

Homeowners shall be able to plant fruit or ornamental trees inside the limits of each individual lot. However, owners shall keep foliage invasion of adjoining properties to a minimum. Native tree species are recommended.

The rest of the garden shall include isolated bushes and plants or these can be grouped along walls and hedges by size and color.

Sidewalk green areas shall only be planted with grass in order not obstruct visibility and to facilitate surveillance.

Walls, fencing or divisions shall not be allowed to close, define or demarcate the individual lots that make up the Condominium.

However, fencing or divisions may be used to close service areas, patios, pools and other areas requiring privacy or protection from flora and fauna. These structures require ACC approval. As a general rule, these structures may be used to close a maximum of 4.5% of the total lot area. The maximum height allowed for these structures is one meter eighty (1.80 m) and they must harmonize with other structures within the individual property and Condominium as a whole.

Therefore, solid walls shall not be allowed.

Exposed block walls, as well as chains, razor wire, or similar material not compatible with the Condominium's architectural design shall be strictly prohibited.

Hedges shall be used to divide individual lots and shall not exceed one meter eighty (1.80 m) in height. Vegetation elements surpassing this height shall run the risk of being removed by the Condominium Administration at the owner's expense and shall be replaced by the owner within fifteen days using elements that comply with the design guidelines.

The installation of support structures for the hedges shall be approved by the ACC and approval shall depend on visual impact, type of vegetation used and implications for adjoining properties.

Vegetation with poisonous fruit or thorns shall not be allowed. Vegetation that inhibits the growth of grass shall not be allowed either. The use of dense foliage and tropical flower species shall be recommended.

- **TREES.**

The Condominium's trees may not be cut down no matter their location inside the individual lots and common areas, with the exception of very special cases where the Administrative Board or owner has obtained the respective permits issued by the Department of Environment and Energy.

Those who cut down a tree without the corresponding permits shall be held liable and sanctioned accordingly.

Therefore, projects shall be proposed, designed and built taking into account the existence and location of all trees with a trunk measuring fifteen centimeters in diameter (15 cm) or more (measurements taken at one meter above ground level)

- **DESIGN AND MAINTENANCE OF GREEN AREAS.**

The Condominium Administration shall hire the services of a landscaping company to design and give maintenance to the gardens and green areas. Homeowners shall not make modifications to common area gardens unless previously authorized by the Administration

The Administration shall approve the design or modification of gardens facing common areas.

In the event a homeowner does not give appropriate maintenance to his/ her garden, the Administration shall proceed to give it maintenance and shall include the cost of such maintenance work in the monthly maintenance fee.

Upon acceptance of these regulations, owners grant the Administration authorization to enter their property for the aforementioned purpose, for an indefinite and irrevocable period.

Lots shall adhere to the concept of **"green area continuity"**, which is why garden walls shall not be allowed.

The concept of green area continuity implies all owners shall ensure their lots are kept clean, free from weeds and litter, and shall keep all vegetation elements and tress located inside the lot well pruned. Owners shall make sure grass in their lots does not grow in excess of twenty centimeters (20 cm).

Hedges, wooden fencing or others may be used to separate lots at the sides and back. ACC approval shall be required and one meter eighty (1.80 m) shall be the maximum authorized height.

All plant types shall be allowed in interior gardens provided their height does not obstruct the view of other buildings and they do not invade or dirty adjacent properties.

Homeowners may plant fruit or ornamental trees inside their property; however, they shall not allow falling leaves to damage adjacent structures.

- **WALLS.**

Decorative front walls shall be allowed; 60 cm is the maximum height for these walls.

Should retaining walls be necessary in a lot, these may be built in terraces and the maximum height for each terrace is one meter fifty (1.50 m).

Wall design, materials and finishings shall be ACC approved. The ACC and Administrative Board shall reserve the right to vary the location, design and material of such a wall should it in any way disrupt the harmony and aesthetics of the Condominium.

CONSTRUCTION PHASE

INTERNAL PROCEDURES PRIOR TO RESIDENCE CONSTRUCTION PHASE

Next are the different procedures property owners shall comply with for project approval and construction.

- **PRELIMINARY PLAN SUBMISSION**

Preliminary plans of the residence or structures to be built shall be submitted for approval to the ACC or professionals appointed by the Committee. This shall be done before construction plans and technical specifications are prepared for each individual project. The following shall be included:

1. Residence location plan showing setbacks and boundaries
2. Ground plan showing residence and other exterior structures
3. Distribution plan of the different floors
4. Front, back and side walls
5. Longitudinal and transversal cross sections
6. Roof plan
7. Landscaping proposal

All plans shall be to scale - without corrections, blots or stains – on 60x90 cm sheets. The ACC shall have the authority to accept, modify or reject these plans if they do not comply with the provisions stated herein.

- **SUBMISSION OF PLANS TO THE ACC BEFORE APPLYING TO THE APPROPRIATE AUTHORITIES FOR CONSTRUCTION PERMITS.**

Once the preliminary plans have been approved, the owner may proceed with the construction plans. The owner shall submit the first draft of the construction plans to the ACC and shall hand in the following documents:

1. Two (2) complete sets of plans to scale including exterior structures (complete set of plans including architectural, electric, mechanic, and structural plans, air conditioning, pools, decks and other exterior structures)
2. Note specifying building materials to be used and proposed finishings.

This shall allow the ACC to ensure plans match the preliminary plans submitted or to identify any differences and/ or modifications and make sure these comply with the Condominium's Construction Regulations.

The ACC shall approve plans before owner applies to the respective government authorities for the necessary construction permits.

In spite of approving the documentation submitted, the ACC shall not be responsible for non-compliance on the part of the individual lot owners in relation to applicable urbanistic and construction regulations

The ACC shall not be responsible for owner observance of the required procedures to obtain the necessary endorsements, seals and constructions permits for each residence to be built in the individual lots that make up the Condominium. It is not the ACC's duty to verify compliance with these regulations.

No construction or modification work may begin without the corresponding approval and government permits.

These approvals and permits shall be presented to the ACC for approval and definition of the starting date for the respective construction work.

The maximum duration for new construction work shall not exceed eighteen (18) months.

Any modification, remodeling or addition affecting more than 20% of the original area of the residence shall be deemed new construction work and the owner must therefore follow the established procedures for ACC approval of new construction work.

All modifications and additions shall be completed within a maximum period of six (6) months. In the event of delays, the homeowner may request an extension of the term. Extensions shall only be granted once for each project and the maximum extension period granted shall be four (4) months.

• **CONSTRUCTION PROCESS AND INSPECTION**

Once plans have been approved and before construction work begins, the owner must sign a document in which he/ she agrees to the following:

- Comply with these regulations.
- Authorize the ACC and Administrative Board to suspend construction work in the event of non-compliance with any of the articles herein or if the construction work does not match the documentation submitted for approval.

Once this has been carried out and before beginning construction work, the owner shall inform the Construction Company of its obligation to keep common areas free from construction material and repair any damage caused to these areas.

The ACC shall visit the construction site to ensure construction compliance with the minimum required setbacks and that it matches the plans submitted for approval. This visit shall be conducted prior to the laying of foundations and building of walls.

The owner shall submit a note to the ACC in which the Construction Company accepts its obligation to keep common areas free from construction material and repair any damage caused to these areas, as well as an additional note stating Construction Company acceptance of these regulations.

• **CONSTRUCTIONS, MODIFICATIONS AND REPAIRS**

Property owners shall not be able to change or modify approved fronts and driveways/ walkways. They shall not be able to decorate outside walls without the Administrative Board's authorization.

No owner shall modify or make changes to the Condominium's common areas.

If necessary, homeowners shall be obliged to repair, change or replace - at their own cost - any damage caused during the construction process affecting or inconveniencing other homeowners. The homeowner shall have a maximum of thirty (30) calendar days to carry out the necessary improvements, otherwise the Administrative Board shall assume the costs and then charge these to the owner plus 30% of the total value by way of penalty.

• **CONSTRUCTION COMPANY OBLIGATIONS**

Construction companies hired shall provide the following documentation to the ACC or Administrative Board before starting any construction work:

- Copy of construction permit.
- Signed contract between the Construction Company and owner specifying term to conclude construction work and person in charge of paying the obligatory insurance.
- Copy of the National Insurance Institute's occupational hazards insurance policy.
- Letter accepting responsibility for any damages caused to public areas, common areas, and other areas of the Condominium and accepting the provisions of the Condominium's Construction Regulations.
- Supporting document for the four thousand US dollar (\$4,000.00) security deposit to cover the cost of any possible repairs for damage caused to the property. In the event of no damage, the entire sum shall be reimbursed.

Construction companies shall also:

- Register the name and i.d. card number of the engineers in charge, workers, contractors and suppliers.
- Immediately notify any personnel changes.

- Report working hours to the guard station.
- Ensure all personnel reports daily at the guard station.
- Keep list of construction personnel updated and give copy to security.
- Report daily the entry and exit of construction material, machinery and tools.
- Report construction workers, suppliers, etc. going to the construction site (lot number). This shall be done daily at the entrance and exit.
- All warehouses and provisional facilities shall be built within the boundaries of the lot where construction work is being carried out without affecting or inconveniencing neighbors.
- All constructions shall temporarily be enclosed using black saran to minimize the risk of impact or accidents affecting neighboring properties. The division shall be at least two meters high and shall surround the entire perimeter.
- Construction material, concrete mix, and debris shall be stored within the property. Adjacent lots, driveways and common areas shall not be invaded.
- Construction debris shall be removed every two calendar days – at the latest. The accumulation of debris shall not be allowed.
- The use of vibration compactors shall require ACC approval. Compactors shall not be used before 9:00 a.m. (including Saturdays, Sundays and holidays)
- Special attention shall be given to debris that can be picked up by the wind, or vehicles and fall in neighboring properties.
- Throughout the construction process, the Construction Company shall use ballast to protect the gutter and common areas between the street and construction site in order for heavy vehicles to be permitted entrance. Soil shall not be allowed. Upon termination of the construction work, these areas shall be returned to their original state, at the expense of the Construction Company.
- Make sure the residence has grease trap collectors in order not to damage or reduce the useful life of the treatment plant.
- Ensure all wiring - electrical, telephone and others – is underground.
- During construction work, the contractor shall provide an insurance policy for all workers.
- Make sure helmets, vests, gloves and necessary personal protective equipment are used in compliance with applicable occupational safety standards, and shall be held responsible for any accident occurring in the event of non-compliance.

Construction personnel may not:

- Access the Condominium's recreational areas.
- Remain within the Condominium's green areas.
- Litter adjacent properties. All waste shall be properly packed and collected every day.
- Enter or exit the Condominium while drinking any type of alcoholic beverage.
- Receive visits from people who are not involved in the construction work.

During construction of the residence, any infringement of the Construction Regulations shall be corrected within a maximum period of seven calendar days; otherwise, the Administrative Board or ACC shall have the authority to interrupt the construction work.

Construction Company employees and suppliers shall report at the guard station when entering and exiting the Condominium every day and shall specify the number of the lot they are going to.

Construction material and debris shall be stored inside the lot. Adjacent properties or common areas shall not be invaded. Debris shall be periodically removed and **shall not be stored in adjacent properties or common areas.**

Workers, visitors and suppliers shall only be allowed to park their vehicle at the construction site.

Construction work conducted in the different lots shall undergo inspection by a qualified professional. The ACC shall not be held responsible for non-compliance; therefore, in the event of differences between the approved plans and construction work, the owner and qualified professional in charge shall be held responsible.

• **MODIFICATION OF RESIDENCES AND ORIGINAL STRUCTURES**

Owners shall not be allowed to change or modify previously approved exteriors and outside walls, or driveways/ walkways.

Homeowners shall not be allowed to modify the Condominium's common areas without written approval from the ACC or Administration.

Homeowners shall repair or change - at their own expense - all things that somehow damage or inconvenience other homeowners or infringe what is provided herein. The Condominium Administration shall be able to hire and carry out any necessary work and shall charge the owner the expenses incurred in the following monthly maintenance fee. The homeowner shall be provided with a detailed breakdown of the costs incurred.

Any modification, remodeling or addition affecting more than 20% of the original area of the residence shall be deemed new construction work and the owner must therefore follow the established procedures for ACC approval of new construction work.

All modifications and additions shall be completed within a maximum period of six (6) months. In the event of delays, the homeowner may request an extension of the term. Extensions shall only be granted once for each project and the maximum extension period granted shall be four (4) months.