

Rancho San Joaquin

RANCHO SAN JOAQUIN HOMEOWNERS ASSOCIATION

PAVER PROGRAM POLICY AND RULES

An applicant wishing to install concrete pavers on a common area driveway and adjoining walkway in front of the applicant's home must obtain the written approval of the Architectural Committee ("ARC").

HOA Architectural Requirements for Pavers and Installation

To ensure a consistent look to our HOA community, concrete pavers installed on common area driveways and adjoining walkways must meet the following HOA architectural standards:

- **Concrete pavers:** [Antique Kobble Rectangle](http://www.ackerstone.com) made by Acker-Stone (www.ackerstone.com)
- **Paver size:** 5 ½ inches by 8 ¼ inches, 60mm thick
- **Color:** Terra Cotta Brown TM
- **Paver pattern:** Running Bond (*orientation runs along the width of the driveway and walkway*)

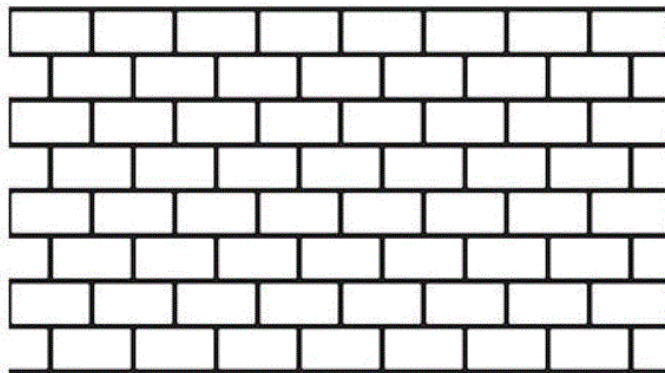


Image 1. "Running Bond" Paver Pattern

Also, the concrete paver installation must include the following steps:

1. Remove the existing concrete
2. Excavate 7-½ inches from the final grade
3. Install 4 inches of Class 2 base of crushed and graded aggregate, then compact it
4. Screed 1 inch of bedding sand
5. Lay the paving stones and cut in the borders
6. Set the border pavers in concrete
7. Compact the pavers into the sand base, area sweep the joints with high-quality polymeric sand, then compact the pavers again
8. Clean up and fine-tune the installation

HOA Architectural Application Required Before Proceeding

Applications made to the ARC must be submitted on the appropriate architectural approval form¹ with all required and necessary documentation. The procedures for submittal are set forth in Article V of the Association's Declaration of Covenants, Conditions and Restrictions.

An application fee of \$125² will be applied to the homeowner's billing account to cover the administrative cost charged by the Association's property management company to process the architectural approval form.

NOTE: Please also see "Paver Application and Installation Process" on page 5.

As part of the process to obtain approval from the ARC for paver installation on a common area driveway and adjacent walkway, the applicant must provide the following:

(1) Paver Type, Color, Size, and Pattern Design:

The applicant must provide the product name and manufacturer of the concrete paver, its size, color, and the name of the paver pattern that will be used along with a product specification document from the manufacturer. See HOA Architectural Requirements for Pavers and Installation on page 1.

The applicant must also include plans showing the specific areas that are being taken over with concrete pavers. Those plans should be proper architectural plans, or drawings from a contractor that contain exact measurements showing the area being modified and taken over with the pavers. This is so that the paver areas can be accurately described in the Paver Maintenance and Indemnity Agreement – see (4) *Indemnity* below.

(2) Contractor Information:

The applicant must provide the name, license number and contact information of the contractor installing the concrete pavers. The applicant must submit proof that the contractor currently holds the appropriate contractor license and has worker's compensation insurance. This information can be found on the California State License Board website at www.cslb.ca.gov.

See also Paving Contractor Reference List on page 4.

(3) Insurance:

The applicant must provide evidence of the applicant's contractor's current liability insurance providing coverage for the paver installation proposed. Applicant shall provide evidence satisfactory to Association that such coverages are not excluded for work or services performed by contractor for common interest developments and/or multi-unit or multi-family dwellings.

(4) Indemnity:

The applicant must sign and have notarized an indemnity agreement. The indemnity agreement will be created by the Association's attorney and will be recorded against the applicant's title at the applicant's cost and the applicant shall provide a copy of the recorded document to any prospective buyers or lenders of applicant's unit.

See "Paver Maintenance and Indemnity Agreement" on page 4.

¹ The Association's architectural approval form and procedure to submit the completed form and its supporting documentation is posted on RanchosanjoaquinHOA.com under [ARC/Home Improvement Application](#).

² Application fee charged by the Association's property management company is subject to change.

Responsibility for the Cost and Expense to Install Pavers

Who will pay for the cost and expense to convert a common area driveway and adjoining walkway to concrete pavers falls under one of the following two situations:

1) Existing Concrete Driveway and Adjoining Walkway Needs Partial or Full Replacement

If the Board determines that all or part of the common area concrete driveway and adjoining walkway are damaged, beyond repair and in need of replacement ³, the Association will replace damaged concrete at the Association's cost and expense (*as stipulated in the Association's CC&Rs*) – unless the homeowner chooses to convert the driveway and adjoining walkway with pavers.

If the homeowner chooses to replace the entire common area driveway and adjoining walkway with concrete pavers, the **Association will subsidize the paver installation cost** based on the dollar amount the Association would have paid to replace the damaged concrete with new concrete, **with the homeowner paying the balance of the cost and expense.**

If the homeowner chooses pavers, the homeowner then follows the instructions starting on page 2, with the cost and expense to remove the concrete and purchase and install the pavers, as well as application & legal fees for the Paver Maintenance Indemnity Agreement to be covered by the homeowner with the Association partially subsidizing the cost based on the dollar amount the Association would have paid to replace the damaged concrete.

2) Existing Concrete Driveway and Adjoining Walkway Are In Good Condition Or Need Only Minor Repairs

If the existing concrete driveway and adjoining walkway are still in good condition or need only minor repairs ⁴ and the homeowner wishes to convert to concrete pavers, the entire paver project – *i.e., concrete removal, site preparation and grading, and purchase and installation of the pavers* – **will be at the homeowner's cost and expense.**

The homeowner follows the instructions starting on page 2 with the cost and expense to remove the concrete and purchase and install the pavers, as well as application & legal fees for the Paver Maintenance Indemnity Agreement to be fully covered by the homeowner.

³ The Association will repair the concrete on common area driveways and walkways that it deems necessary to reduce the Association's liability risk by eliminating a trip-and-fall hazard. Repairs are based on these guidelines: (1) filling in non-cosmetic cracks that are wider than 1/4 inch; and (2) cutting down uplifted concrete panels that are higher than 1/4 inch. The Association will consult with a concrete repair vendor to determine if repairs are required, or if all or part of the concrete driveway or walkway is beyond repair and needs replacement.

⁴ If the common area concrete driveway and adjoining walkway needs minor repairs, the homeowner submits a maintenance request to the Association's property management company.

Paver Maintenance Is Homeowner's Responsibility

The applicant shall be responsible for any future maintenance, repairs, and replacement of the installed concrete pavers on the common area driveway and adjoining walkway in which the installed pavers must be kept in good condition at all times and not allowed to fall into disrepair.

Maintenance and future repairs and replacement of the installed pavers will be at the applicant's sole cost and expense.

Paving Contractor Reference List

As a convenience, the Association has listed names of paver contractor companies on our [Homeowner Vendor Reference List](#) on [RanchosanjoaquinHOA.com](#), who can obtain the required concrete pavers and install them according to the Association's architectural requirements on page 1.

Paver Maintenance and Indemnity Agreement

The Paver Maintenance and Indemnity Agreement requires the applicant to, among other things: (1) agree to maintain the concrete pavers at the applicant's sole cost; and (2) defend and indemnify the Association for any claims related to the installation and/or maintenance of the pavers.

Once executed, the Agreement will be recorded with the Orange County Recorder and will be binding on all subsequent owners of the applicant's property within the Association.

Paver Application and Installation Process

1) The applicant submits a completed Architectural Application to the HOA.

The application must include plans that show the specific areas that will be taken over by the concrete pavers. The plans should be proper architectural plans or they should be drawings from a contractor that contain measurements showing the area being modified and taken over by the pavers.

2) Indemnity agreement for the pavers is created.

Once the Architectural application is approved by the Board, the Association's property manager will forward the paver plans to the Association's attorney to draw up an indemnity agreement, which is then sent to the property manager.

The property manager will have the applicant sign and notarize the indemnity agreement, after which the Board then signs and notarizes the same agreement.

The property manager sends the signed agreement to the Association's attorney to be recorded by the Orange County Recorder's Office.

3) Homeowner issues payment for the Architectural application fee and indemnity agreement.

The property manager requests payment from the applicant for any Architectural application fee that is issued by the Association's management company, as well as the legal fee to create the indemnity agreement, and the fee to record the agreement at the Orange County Recorder's Office.

The expected list of fees are below, but the Association's property manager will verify with the applicant the exact fees to pay.

- Management company fee for Architectural application: \$125.00
- Legal fee to create the indemnity agreement: \$600.00
- Fee to record the indemnity agreement at the OC Recorder's Office: \$150.00
- **Total estimated fee payment: \$875.00**

4) Paver installation may proceed.

Once the above fees are paid by the applicant to the Association's management company, the applicant may proceed to work with the paving contractor to install the concrete pavers.