

April 2017

Nepenthe Association



LARGE ASSOCIATION OF THE YEAR NORTHERN CALIFORNIA

# THE NEPENTHE NEWS

## Every vote – including yours – is needed

My topic this time is parking. It's something that has received much attention here in recent months. We've had three meetings and two surveys designed by your board to elicit your opinions. What we know is that the large majority of residents park their vehicles in their garages overnight. That has been the tradition here

since our founding in the 70s. That majority feels garage parking should be the norm.

Even so at present, on a typical night about 90

vehicles are parked on our streets. Those 90 cars and trucks do not represent 90 of our 590 residences. We know several owners and tenants park multiple vehicles outside their garages. And some vehicles are those of guests. So it's clear, based on those numbers that less than 10 percent of residents park on

streets. That number is corroborated by survey results. And unfortunately overnight street parking is concentrated in a few areas.

So we have concluded we have strong backing from the membership to reduce the number of vehicles parked on our streets and to relieve their concentration in certain areas.

Accordingly your board, in consultation with our attorneys, has written a proposed amendment to Section 3.3 of our Covenants, Conditions & Restrictions (CC&Rs) that we hope you will vote for no later than

Wednesday, May 17. It will be mailed to you April 14. It makes it clear Nepenthe Association will regulate parking on public streets adjacent to the development by owners, tenants and guests. It clarifies that garage parking is expected, but it provides

*(Continued on page 5)*



## Town Hall Meeting with Councilmember Eric Guerra

Please join us on Monday evening, April 17th, from 5:30 - 7:30 pm at the Nepenthe Clubhouse for a Town Hall Meeting with our City Council representative, Eric Guerra. In addition to updating us on the "State of the City", Councilmember Guerra will address questions and concerns raised at our recent Resident Forum. There will be particular emphasis on the issues of parking, traffic, our environment and commercial development as they impact our community.

A 20 year resident of Sacramento, Councilmember Guerra holds both a Bachelor's and Master's degree from CSUS. In addition to extensive expertise in community service and local government, he brings with him a dedication and passion to protect and improve our beautiful city and its neighborhoods.



The Town Hall is a presentation of the Nepenthe Outreach Committee. All residents are welcome and encouraged to attend. Refreshments will be served at 5:30 pm. The program will begin promptly at 6:00 with a short, formal presentation followed by an extensive, open question and answer period. The Town Hall will end at 7:30. Be sure to mark your calendars and be there at the Nepenthe Clubhouse for an enjoyable and informative evening. Councilmember Guerra looks forward to meeting us and hearing what's on our minds!



# Guest Speaker Series

A new guest speaker series for Nepenthe residents will begin in May. The speakers will include both reputable professionals from the community and Nepenthe residents who have expertise and experience in different areas that should be interesting and relevant for the members of the Nepenthe Association. The presentations will be held 10:30am to 11:30am on the first Saturday of the month at the Nepenthe Clubhouse. Questions and open discussion will follow each presentation. Coffee and refreshments will be available as usual.

The first three speakers are scheduled for the following dates:

May 6<sup>th</sup>, Jeffrey Galvin, Attorney at Law, Downey Brand LLP

“Sibling Rivalry in the Courtroom- Tips for Avoiding a Fight over Your Estate Plan”

June 3<sup>rd</sup>, Ann Conway, Nepenthe resident and former antique dealer

“Antiques for Fun and Money”

July 1<sup>st</sup>, Joe Hart, Vice President Parisi Insurance Co. and President, Sacramento Health Underwriters

“Recent Changes in the Medical Insurance Industry”

**Charles B. Schaffer, Nepenthe Outreach Committee**

## Architectural Review Committee

The Architectural Review Committee gained six new freshmen members this January. We now total seven. We are committed to helping homeowners make improvements to their homes, while keeping the architectural and aesthetic standards of the community. We live in a very special place with beautiful full-grown trees, ample green space and serenity.

The two primary requests the committee reviews are replacing single-pane windows for more efficient, double-pane and upgrading heating and cooling systems. Our residents also have interest in adding solar panels, skylights, increased outdoor lighting and satellite dishes.

In the coming months the committee will refine the Architectural Review Committee Guidelines and Application procedures. We want to offer residents a guidebook that clearly identifies architectural criteria and a process for approval. Besides the interested areas already mentioned, the committee will be looking into window coverings, mailbox plates, dryer vent exhaust outlets, and house number design.

Sometimes we must deny a request; rest assured these are not easy decisions. If a project is denied, the committee will provide an explanation and suggestions to modify a project which would be acceptable within the guidelines.

If submitting an application, we recommend personally attending the monthly meeting. The committee may have a question which a resident could easily answer alleviating a potential approval delay. We meet the second Tuesday at 5:30pm in the Clubhouse.

The committee is excited to keep our community a great place to live. Take a few moments and look around our neighborhood. Along with the explosion of spring color and new green growth, our homes look harmonious and fresh.

Happy Spring!

**ARC Members: Jenny Smith, Chairperson; Cheryll Cochrane, Bill Henle, Jan Summers, Diane Vanderpot, Alan Watters, Secretary; and Joel Weeden.**



# Outreach Committee

If you attended the Resident Forum on March 4 you had the opportunity to hear a brief description of the purpose of each of the committees. You also had the opportunity to ask questions of our area council person, Eric Guerra. And after the brief introductions there were manned tables to visit with handouts and committee members to ask questions of. This is an annual event that we encourage all residents to attend.

Look for an article in this newsletter with information on Mr. Guerra's town forum to be held on April 17

The ever popular **Saturday morning coffees** continue. If you haven't tried it, do stop by to meet some of your neighbors. There is always information to be shared.

You will also find an article in this newsletter with information on something new that we will be trying. One of our committee members is making arrangements to have 15-20 minute presentations on the first Saturday of the month at the Saturday coffee. He has located persons who will share information on topics that should be of interest to all of us.

The next **Happy Hour Social** will be on April 13 at 5 PM. These gatherings are also low-key, fun get-togethers. We ask that you bring whatever you would like to drink. And if you would like to bring a snack to share, that's fun, too.

Next month we will be having a Cinco de Mayo Eve party. As we did last year, margaritas and food will be provided.

**May 4th at 5 PM - in the Nepenthe Clubhouse**

If you do not want to commit to being on a committee, consider being available to help with some of our projects. The committee has fun working together and would love to have you join us occasionally. You can let me know by phone or email or introduce yourself at one of our gatherings.

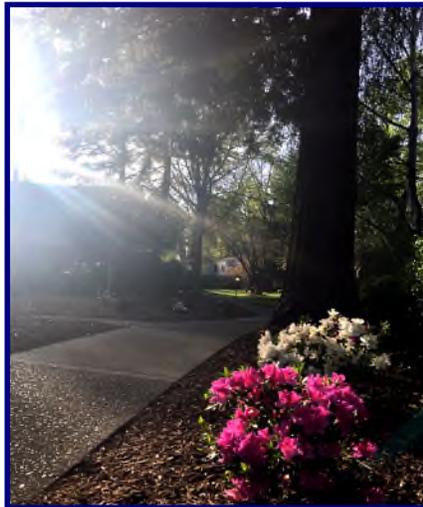
Gerry Gelfand, 916 900 4613, gerisg@pacbell.net



# Manager's Report

First, let's talk grounds. If you have contacted my office for plantings near your unit, please be a little patient.

It's spring and everyone is peeking up out of their little den noticing the need for improvement! We're keeping GP Landscape very busy! In addition to the fun things like planting, your Grounds Committee is also very busy working on irrigation improvements and tree care. You may have noticed that we had sprayers out on boom trucks recently- they were applying an anti-fruiting agent to the liquidambar. We should see a significant reduction in liquidambar "prickly balls" over the coming months.



Of course, Mother Nature continues to send us lots of rain, so that does slow up some of the projects. Can you believe we are still cleaning off the roofs?! That work should be done shortly and then we'll have our roof cleaner, Randy Ross Services, target moss on some of the hardest hit roofs. The product he'll be using is called Wet & Forget. This is applied with a pump-type sprayer and requires no scrubbing. The moss will die and eventually flake off.

We anticipate good results and hope to incorporate this into our regular maintenance schedule.

Related to grounds is concrete! Precision Concrete Cutting will be on the property in April to address 72 areas of lifted concrete that can be cut level with their proprietary patented concrete saw. The savings of this method over the traditional remove and re-pour method is considerable and the finished product is quite nice. Now that that work has been identified, we will put the rest of the concrete work out to bid.

Lastly, at the end of this newsletter, please see the candidate statements submitted by Steve Huffman and Christina George, who have graciously volunteered to serve on your Board of Directors. Steve, as you know, is our current president and Christina is a long-time owner here and a force on the tennis court! Please take a minute to read their statements and become familiar with their visions for Nepenthe. Your ballots will be coming to you in the mail very soon, but we've included it with this newsletter so you can begin to get familiar with the proposed amendment to the CC&Rs.

As always, the association is committed to protecting, maintaining and enhancing the property values and this amendment is one part of honoring that commitment. We know that these things are important to you, too and we encourage your "yes" vote. The voting period ends on May 17<sup>th</sup> so please take a minute to complete your ballot as soon as you get it and return it to the Clubhouse. Thank you for your commitment to your community! YOU make Nepenthe great!



Nepenthe Association  
1131 Commons Drive  
Sacramento, CA 95825

Phone: 916-929-8380  
Nepenthe.HOA@FSResidential.com

Office Hours:  
Monday–Friday 9:00 AM to 6:00 PM  
Closed for lunch, 1:00 to 2:00 PM  
Saturday–Sunday (Winter) 9:00AM to 1:00 PM  
Saturday–Sunday (Summer) 12:00 PM to 4:00 PM

[www.NepentheHOA.com](http://www.NepentheHOA.com)

### Management Staff:

Betsi Ledesma, General Manager, [betsi.ledesma@fsresidential.com](mailto:betsi.ledesma@fsresidential.com)

Crystle Rhine, Assistant Community Manager [crystle.rhine@fsresidential.com](mailto:crystle.rhine@fsresidential.com)

Roshuna Creswell, Administrative Assistant, [roshuna.creswell@fsresidential.com](mailto:roshuna.creswell@fsresidential.com)

Roger Work, Facility Administrator, [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

FirstService Residential Customer Care Center: 1-800-428-5588

PayLease (Auto pay assessments): 1-866-729-5327 or [support@paylease.com](mailto:support@paylease.com)

### Other Important Contacts:

Lyons Security: 916-844-2912 or [sacramentosecuritycompany.com](http://sacramentosecuritycompany.com)

Power Outage: 1-888-456-SMUD

Nepenthe Insurance: Farmers Insurance, Ryan DeShong, 916-636-0115

### Board of Directors:

Steve Huffman, President, [steve@huffmanstrategy.com](mailto:steve@huffmanstrategy.com), 916-214-4500

Joan Haradon, Vice-President, [joanh3860@gmail.com](mailto:joanh3860@gmail.com), 916-993-5344

Will Vizzard, Treasurer, [vizzardw@gmail.com](mailto:vizzardw@gmail.com), 916-923-9308

Linda Cook, Secretary, [linda\\_cook@att.net](mailto:linda_cook@att.net), 916-847-8996

## Committees

Every vote – including yours – is needed cont.

**Board of Directors** - 5:30 PM, Clubhouse,  
May 17th, 2017

**Architectural Review**— Jenny Smith, 5:30  
PM, Clubhouse, 2nd Tuesday of the month

**Elections**—Yvonne Del Biaggio, meets ad  
hoc

**Finance**—Ken Butler, 4:00 PM, Dunbarton  
Cabana, 4th Monday of the month

**Grounds**—Pamela Livingston, 3:00 PM,  
Dunbarton Cabana, 2nd Thursday of the  
month

**Insurance, Legal & Safety**—Nancy Arn-  
dorfer, 5:00 PM, Clubhouse Library, 2nd  
Tuesday each month

**Outreach/Social**—Gerry Gelfand, 5:00 PM,  
Clubhouse, the 3rd Wednesday of the month

*Dates and times may vary, check calendar  
on website*

*(Continued from page 1)*

that the board may grant variances to those who can show garage parking causes them undue hardship.

In voting YES to the proposed amendment you will be giving the board new power to reduce street parking. The benefits will be a more attractive neighborhood and preservation of home values. Assuming the amendment passes, the new board will back up the new CC&R provision with detailed rules. Before the rules become final, all members will be able to give their opinions during a comment period of at least 30 days.

So let's get behind this. The quality of our community is at stake. **Every vote – including yours – is needed**



\* For calendar of events please see the Nepenthe website (address above). Event Calendar is also located on the bulletin board in front of the office.

## **Christina George**

I have been a homeowner in Nepenthe since 1982. As a past resident of some of the busiest cities in the world, I am constantly amazed at the beauty and calm of this affordable, yet centrally located community. And I am impressed by the amount of community feeling and cooperation that the Nepenthe Board and Management have maintained.

My goals as a Board Member would be to foster this community feeling while protecting the advantages we have and protecting our property values. Being mindful of the Board's responsibility to ensure the most efficient use of our dues, I pledge to do everything possible to keep our community viable and affordable. My work experience includes being in charge of the opening of large London-managed hotels in the Middle East which honed my organizational skills, my ability to assess contracts and work within a budget, and my ability to assess honesty and work-ethic in prospective employees from around the world. I think this experience would help me work with the Board and the Finance Committee to ensure that we are wise in all expenditures. I subsequently put these skills to use in my position with the defense company, Lockheed-Martin as Manager in International Sales and Business Development, based in London. One of the most exciting but also demanding parts of my work was organizing sales/technological support for several international airshows in Paris and in London. In this capacity, I worked with various departments and personnel ranging from salespersons to engineers to military. Fielding these competing interests and areas of expertise helped me understand how to bring disparate parties together for a common purpose.

I have been retired since 2006 and I confess to mainly traveling and playing a lot of tennis in my last ten years in Nepenthe. I have recently served on the ad hoc parking committee where I have come to appreciate all the hard work that goes into this community. I also might mention that I understand the issues here for both homeowners and renters. At one time my late husband and I owned three homes here, two of which were rentals and our work took us abroad frequently so we at times rented out our own home. But for the last 10 years I have owned one home in Nepenthe where I have been continually in residence.

I would be honored to be selected to serve this beautiful community where walking one's dog can easily become a social occasion.

### **Candidate Questionnaire**

The Nominating Committee is asking each candidate to answer the following questions. The responses will be provided to homeowners in the newsletter to assist them in evaluating candidates. In addition, each candidate is asked to provide a personal statement. The committee realizes that there may be some overlap between the two; however, the questionnaire assures that certain basic information is addressed for home owners. The questionnaire is voluntary. If you do not wish to fill it out, only that information will be provided to home owners.

Your name: CHRISTINA GEORGE

If you decline to fill out the questionnaire, mark here: \_\_\_\_\_

1. Please relate your experience with Nepenthe committees or other Nepenthe activities.

AD HOC PARKING COMMITTEE

2. Are you able and willing to devote 4 to 8 hours a week to association business?

YES

3. Will you provide a phone number and email address that home owners can contact?

YES

4. Are you able and willing to serve as liaison to one or more committees?

YES

5. Will you be able to regularly attend monthly board meetings?

YES

6. Will you be willing to be listed on the association financial accounts and available to sign checks and authorizations?

YES

7. Will you be willing to respond to inquiries from homeowners?

YES

8. What are your top three priorities for Nepenthe during the next two years?

1. Preserve property values in our ideally located, beautiful and caring community where most residents respect the Association and each other.

2. Ensure that our rules are reasonable and have a clear purpose. And then ensure that these rules, their rationale, and the penalties for violation are clearly communicated, understood and enforced. As new owners and tenants enter the community, it is especially important to ensure that they understand the rules so they become aware that they are joining a special community, not just moving to a new house or rental. Communication and consistent enforcement of the rules is the key to unity in what we all want: a thriving community where property value is preserved. We can find creative ways to welcome change while at the same time ensuring that the values and advantages of this special community are not lost.

3. Explore ways to enhance and spread the community feeling that is already there for most Nepenthe residents. Bring more residents new and old, on board so they will feel committed to preserving what we have.

## Candidate Information

### Steve Huffman

1. Please relate your experience with Nepenthe committees or other Nepenthe activities.  
I bought here in 2009. A year later I joined the Finance Committee. In 2014 I chaired the Ad-hoc Grounds Vision Committee. The document we produced, and the board approved, continues to be used by the Grounds Committee. I ran successfully for the board in 2015 and was elected vice president. When President Ivan Gennis died last fall, I became president.
2. Are you able and willing to devote 4 to 8 hours a week to association business?  
Yes.
3. Will you provide a phone number and email address that home owners can contact?  
Yes.
4. Are you able and willing to serve as liaison to one or more committees?  
Yes.
5. Will you be able to regularly attend monthly board meetings?  
If the board continues to meet the first Wednesday of each month, I foresee I would miss only one meeting between now and May 2018.
6. Will you be willing to be listed on the association financial accounts and available to sign checks and authorizations?  
I do that now, and I am willing to continue to be a signer.
7. Will you be willing to respond to inquiries from homeowners?  
I consider that essential to a director's job. I will continue to do that.
8. What are your top three priorities for Nepenthe during the next two years?
  - Implement and consistently enforce the new parking policy.
  - Continue the transition to reduced water use.
  - Reduce energy use and improve security with new lighting.





# NEPENTHE ASSOCIATION

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## Notice of Meeting to Count Ballots for Vote on Amendment to CC&Rs

Date: **May 17, 2017**

Time: **5:30 pm**

Location: **Nepenthe Clubhouse**

Dear Homeowners:

As you may know, your Board of Directors has approved a first amendment to the Association's CC&Rs, which amends Article III, Section 3.3, Parking and Vehicles Restrictions; Use of Private Streets.

Please find enclosed the proposed first amendment to the CC&Rs attached to the enclosed ballot, and the envelopes in which to return the ballot.

At least 296 owners, which is a majority of the 590 owners, must vote affirmatively in order for the Association to adopt the first amendment to the CC&Rs.

**Every vote --- including yours --- is needed.**

Please consider the following information regarding the proposed first amendment to the CC&Rs.

Updating the Association's parking restrictions has been under consideration by the Board for almost a year, based on the heavy volume of complaints from homeowners. The Association has long struggled with homeowners, residents, and guests not complying with the parking restrictions in the CC&Rs, especially as it relates to overnight parking. The other big issues raised are the inconsistency of the restrictions on private streets as compared to public streets adjacent to the community.

Recently, the Association conducted two surveys and several Town Hall meetings to solicit member input. The surveys received over 250 responses each and approximately 50 people attended each of the meetings. Member residents overwhelmingly supported a policy requiring that residents park in their garage overnight. More specific information about the process to date can be found on the Nepenthe Association website here: <http://nepenthehoa.com/2017/03/14/parking-policy-update/>.

Residents living on cul-de-sacs (Colby, Vanderbilt and Swarthmore) and public streets adjacent to Dunbarton and Elmhurst appear to be the ones most impacted by residents parking or storing vehicles on the public streets. The Board is concerned about the ability of fire trucks having proper ingress and egress to and from the cul-de-sacs. The Board and many homeowners feel that excessive street parking adversely affects the value of the homes. When only a few vehicles are parked on the street, a prospective home



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buyer can easily see the attractiveness of our homes and landscaping. Streets largely clear of parked vehicles convey an upscale community.

The purpose of this proposed amendment is to (1) preserve neighborhood character, public health, safety and welfare and property values; (2) allow all residents the reasonable use of and opportunity to enjoy their property; (3) minimize the nuisances and the adverse effects of street parking; and (4) provide clarity about parking enforcement.

In an unpublished California court case, the court ruled that an association had the authority to enforce its parking restrictions on public streets. (*Lake Forest Community Association v. Paul R. Noble* (1978) 4 Civil 12458).

The fact that a local government has regulations that affect homeowners does not preclude the Association from regulating the same matter. As provided in the CC&Rs, Article VI, Section 6.5.(a), the Association and its Board of Directors shall exercise any of the express powers of the Association for the peace, health, comfort, safety or general welfare of the Owners.

The proposed first amendment to the CC&Rs provides that homeowners and residents with legitimate reasons for parking outside of their garages will be able to apply for permits and waivers from the Association. There are some homeowners who have legitimate reasons for not being able to comply with the parking restrictions requiring homeowners to park their vehicles in their garages.

Please vote to approve the first amendment to the CC&Rs. Every yes vote is needed. Voting instructions can be found on the enclosed ballot.

Sincerely,

Your Board of Directors

encs.



# NEPENTHE ASSOCIATION

## Ballot for the approval of the First Amendment to the Third Amended and Restated CC&Rs (Please see enclosed amendment.)

*Please indicate your approval or disapproval by placing an "x" in the appropriate box.*

**Approve**       **Disapprove**

### **Due Date**

Owners must either (1) mail or deliver ballots to the Inspector of Elections in the pre-addressed envelopes so that they are received no later than May 17, 2017 at 5:00 p.m., or (2) deposit the ballots in the ballot box during the balloting period on May 17, 2017, at 5:00 p.m., at the meeting at the Nepenthe clubhouse. All ballots, once received by the Inspector of Elections or placed in the ballot box, are irrevocable.

### **Extension of Balloting Period**

The Board may extend the balloting period. If the Board extends the balloting period, the Association may deliver new ballots to members who have not previously returned a properly completed ballot.

### **Please read and follow these instructions**

1. Mark the ballot with your vote. Do not indicate your identity on the ballot.
2. Place the ballot in the small envelope. Do not indicate your identity on the small envelope. Seal the small envelope.
3. Place the sealed small envelope in the large envelope. Print your Lot address or Lot number and indicate and sign your name on the upper left-hand corner of the large envelope. The large envelope is the **only** place where you indicate your identity.
4. Seal the large envelope and (1) mail it so that it is received no later than May 17, 2017 at 5:00 p.m., or (2) deposit the envelope in the ballot box during the balloting period on May 17, 2017, at 5:00 p.m., at the meeting at the Nepenthe Clubhouse.

**Failure to follow these instructions may result in rejection of your ballot!**

# NEPENTHE ASSOCIATION

## SOLICITATION MATERIALS

To accompany the ballot for the approval of the  
First Amendment to the Third Amended and Restated CC&Rs

**The following requirements must be satisfied for approval of the First Amendment to the Third Amended and Restated CC&Rs of Covenants, Conditions & Restrictions of Nepenthe Association: (1) 296 of the 590 owners must cast votes in approval of the First Amendment to the Third Amended and Restated CC&Rs; and (2) votes must be received by May 17, 2017. (CC&Rs, Article XVII, Section 17.1)**

# First Amendment to the Third Amended and Restated CC&Rs

The proposed amendment to the CC&Rs is as follows, where proposed additions are identified by ***bold italics*** and proposed deletions are identified by ~~bold strikeouts~~.

Article III, Section 3.3. Parking and Vehicle Restrictions; ~~Use of Private Streets~~

***All residents are required to park their vehicles in their garages overnight (any time during the hours of 2:00 a.m. and 6:00 a.m.) and may not park their vehicles overnight on the private streets, alleyways, common driveways behind the Residences, the Common Area, or the public streets adjacent to the Development without a parking permit issued by the Association. If special circumstances exist which prevent a resident from parking in their garage, they may apply in writing to the Board of Directors for a variance from the requirement. All variances will be granted on a case-by-case basis based on whether enforcement will either cause an undue hardship to the affected Owner or fail to preserve the common plan and scheme of development contemplated by this section.***

~~As long as applicable ordinances and laws are complied with, including but not limited to California Vehicle Code Section 22658 or comparable superseding statute, the Association may cause the removal of any vehicle anywhere within the Development which is in violation of the Association's vehicle and parking restrictions. No portion of the Development may be used for the repair, construction, reconstruction and/or maintenance of any vehicle.~~

(a) Parking Restrictions

Except within areas designated by the Association, there shall be no parking, keeping and/or storage outside of garages within the Development or ***public*** streets, of trailers of any kind, vehicles and trucks larger than ~~a medium-duty, Class 4 truck as defined by the Department of Transportation Federal Highway Administration as set forth in the Association Rules~~, mobile homes, non-operational vehicles, golf carts and/or recreational vehicles, including motorhomes, trailers, campers, boats or similar vehicles. No vehicle shall be parked or left in the alleyways or on the common driveways behind the Residences, except for the active and immediate loading and unloading of the vehicle. Service contractors may not leave or park their service vehicle(s) in the common driveways or alleyways without the express written consent of the Board or its authorized property manager.

Garages are to be used for the parking of standard passenger vehicles and trucks ~~not to exceed Class 4 trucks as defined by the Department of Transportation Federal Highway Administration~~ and shall not be converted to living quarters or

workshops or used for the storage of boats, campers, or recreational vehicles which will preclude the parking of ~~Resident~~**Owner's** authorized vehicles within the garage. Personal property other than authorized vehicles shall not be stored in garages, if such storage will result in the parking of vehicles on **the private streets, alleyways, common driveways behind the Residences, the Common Area, or the public streets adjacent to** ~~within~~ the Development without a parking permit issued by the Association.

(b) Guest parking

Designated guest parking areas within the Common Areas are to remain open for use by guests only and are not to be used by Owners or other residents, either permanently or temporarily, for the parking of any vehicles, boats, or trailers.

(c) Non-operational vehicles

All vehicles parked within the Development shall have a license plate and exterior evidence of valid California vehicle registration. No emission of unreasonable levels of exhaust fumes and/or noise and/or the parking, keeping and/or storage of dilapidated, non-operational and/or disabled vehicles shall be permitted within the Development. **No portion of the Development may be used for the repair, construction, reconstruction, and/or maintenance of any vehicle.**

(d) Towing

The Association shall have the authority to tow, at the ~~Owner's~~ expense **of the owner of the vehicle**, any vehicle parked or stored in violation of this Section, **other than on public streets**. The Association shall post such notices or signs within the Common Area as may be required by law to effectuate this towing provision.