



Heritage at Cadence Homeowners Association Rules and Regulations

Amendment adopted by the Board of Directors on November 15, 2022

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I. INTRODUCTION

The Heritage at Cadence Homeowners Sub-Association Board of Directors (HOA BOD) within the Cadence Residential Community Master Association (CMA) establishes the following *Heritage at Cadence Homeowners Association Rules and Regulations* pursuant with the authority granted under Heritage Declaration of Covenants, Conditions and Restrictions (CC&Rs) Article 5, Section 5.2. Heritage at Cadence is a unique, age qualified (55 Plus), guard gated community within Cadence Community Association. The purpose of the Heritage Rules and Regulations document is to provide "plain language" explanations of the CC&Rs. The Rules expand on the concepts and provisions of the CC&Rs. In the event of a conflict, the CC&Rs, Development Standards, Development Agreement or Design Guidelines (these are Cadence documents) prevail. After proper notice of proposed action, these rules may be amended by a majority vote of the HOA BOD and any amendments shall become effective upon thirty (30) days written notice to the members. The rules and regulations are designed:

- to ensure that the Association serves the best interests of the greatest number of Residents while protecting the rights of the minority; and
- to preserve the common facilities for the safety, convenience, and enjoyment of the Association's members in Good Standing and their Guests.

The HOA BOD is tasked with ensuring the rules apply to Residents in an equitable fashion. The rules are promulgated and enforced to maintain members in Good Standing and their Guests have the right to enjoy the Association's Common Elements. It is important to emphasize, our Residents are a diverse, aging population, which necessitates special attention to access if the Association facilities are to be properly utilized and enjoyed by all.

The Association efforts are designed to provide for the comfortable use of the facilities by Residents and their Guests. Guests are accommodated only when such accommodation does not infringe on Residents' convenience or enjoyment. Heritage facilities are not intended to serve the general public except for events specifically reserved and advertised as "open to the public."

All members in Good Standing have the right to enjoy Heritage's Common Elements and must do so while respecting the rights of others. Members shall be responsible for the conduct of their Guests.

The Heritage at Cadence Community Management and/or security staff shall direct the attention of members and invitees to violation of Heritage Rules and Regulations and, when necessary, report such actions to the HOA BOD. Individuals who violate the Rules shall, after notice and hearing before the HOA BOD or an appropriate hearing panel, be subject to fines and other continuing or progressive sanctions as more fully outlined in the Heritage at Cadence CC&Rs and/or CMA Violation Enforcement Policy.

Capitalized terms as used herein shall have the meanings set forth in the CC&Rs. Definition of Terms is included at the end of this document. The *Heritage at Cadence Homeowners Association Rules and Regulations* will be reviewed and amended periodically commensurate with CMA's Rules and Regulations revisions. The most current revision takes precedent.

II. GENERAL

MANAGEMENT STRUCTURE

Governing Board is the HOA Board of Directors of the Association which consists of a minimum of three (3) Directors, not more than seven (7) Directors who are elected by the members to conduct the affairs of the Association.

The Community Management Company serves as the Manager of the Association's day-to-day operations. This company has a full scope of management authority by effectively and efficiently implementing the policies and procedures of the Board.

Association Management consists of employees hired by the Association.

Management Staff is responsible for the operation and maintenance of recreation facilities and common areas. Responsibilities include staffing; fiscal and physical management; compliance program management; administration and service to Residents.

CLUBHOUSE

The Clubhouse, known as The Club at Heritage (Club) is a day use facility to be used by Heritage Residents and their Guests. The rules and regulations for the Club are explained in a document entitled The Club at Heritage. This policy is available on the Community Management Company website.

ARCHITECTURAL REVIEW COMMITTEE (ARC)

The Heritage BOD has developed and adopted guidelines for making improvements to the exterior of your home and improvements to your yards. Refer to the Architectural Guidelines for Heritage at Cadence Homeowners Association for specific information. Approval for any improvements is required before starting any project.

Additionally, approval from the Cadence Community Association Design Review Committee (DRC) is also required before starting any project. Refer to the Cadence Community Association website for complete information.

<https://www.cadencecommunityassociation.com> (Design Review)

AGE RESTRICTION POLICY (HOPA)

Heritage at Cadence (Community) is a 55+ age restricted active adult community, generally intended, and operated as housing primarily for persons 55 years of age or older, pursuant to HOPA (Housing for Older Persons ACT of 1995). As and to the extent as may be required from time to time by HOPA (and as may be set forth in further detail in the declaration and/or other Governing Documents) Dwelling Units in the Community shall be restricted to occupancy by an Age Qualified Occupant.

An Age Qualified Occupant shall usually mean an Occupant of a Unit who is 55 years of age or older. All Owners, by ownership of a Unit (and all Residents, by residing within a Unit), shall be required and deemed to have agreed to cooperate periodically and from time to time as may be required by Declarant and/or Association in their respective HOPA reporting and compliance surveys. Residents of Units in the Community must periodically produce evidence of age.

Evidence of age is obtained through the HOPA Survey of Age Verification form that is required to be filled out and submitted to the Association by not later than the Close of Escrow (and, if applicable, at lease inception) of the Home, and thereafter periodically or as may be required by the Association, but not less frequently than once every two (2) years.

The HOPA Policy Manual (55+ Age Restriction Policy) explains the restrictions for residing in a Unit in Heritage at Cadence, such as:

- At least 80% of the occupied units must be occupied by at least one person who is 55 years of age or older.
- No one under the age of 19 may permanently reside at Heritage at Cadence.
- Each dwelling unit to be **leased, must have at least one person 55 years of age or older**, occupying the dwelling unit, at all times.

Heritage CC&Rs Sections 1.2 & 20.1

The HOPA Policy Manual is available on the Association website.

CHILDREN

- Heritage at Cadence is an age restricted community. *Heritage CC&Rs Section 20.1*
- **Supervision of Children** - Guests under the age of 12 (children) must be accompanied by their hosting Resident or adult Guest when using Common Elements (sidewalks, streets, grassy areas, etc.) not associated with the Community Recreational Areas.
- Refer to the HOPA Policy Manual (Age Restriction Policy) Part 1 Occupancy Age Restrictions
- Refer to "The Club at Heritage" for Community Recreational Area use. Part 2.7
 - Children 18 years of age and under are not allowed to use the Club facilities other than the pools during established children's use hours.
 - There are specific hours for children 4 thru 18 years of age to use the pools.
 - Children under the age of 4 may not use the pools or any other amenities.

III. ANIMALS

Animal Restrictions  See *Heritage Good Neighbor Approach, Section XXVII.*

Breeding – No animals of any kind shall be raised, bred, or kept for any commercial purposes on any Unit. Livestock, poultry, farm animals and exotic animals are prohibited.

Concern – Residents who are disturbed by another Resident's pet(s) are urged to **contact the Owner of the pet**. If this effort does not resolve the issue, a complaint should be filed by email with the **City of Henderson Animal Control Department at ContactHenderson@comcate.com, or by calling (702) 267-4970.**

Control – Animals belonging to Owners, Residents (or their respective families), licensees, tenants or invitees within the Properties, must be either kept within an enclosure, an enclosed yard or on a leash or other restraint being held by a person capable of controlling the animal, at all times. No animal shall be permitted to roam at large in the Common Elements. Pet enclosures or structures must be approved by the Heritage ARC and Cadence DRC.

Feeding Wildlife – Residents and their Guests shall refrain from feeding or harassing wildlife. To avoid attracting unwanted wildlife, vermin and insects, pet food should not be left outdoors. For similar reasons, household garbage must be kept indoors in sealed bags or containers until placed at the curb for collection.

Injury or Damage – Residents and their Guests are responsible and liable for any personal injury or property damage caused by their pets.

Litter – It is the absolute duty and responsibility of each Owner and Resident to clean up after his or her animals. Any and all droppings or waste deposited by such animal; deposited on lawns, sidewalks, paths, or other Common Elements must be removed immediately by the Owner of the animal. Owners

and Residents are encouraged to carry litter bags when walking with pets. Residents shall maintain their yards to be free of pet debris and odors.

Nuisance – Excessive dog barking loudly at night or early morning, for long durations could constitute nuisance or unreasonable annoyance to the neighbor(s). The Board can prohibit the keeping of any animal that constitutes, in the reasonable opinion of the Board, a nuisance or danger to any person.

Number of pets – A reasonable number of normal household pets (generally including dogs, cats, or household birds) may be kept in a Unit. No household may keep more than three common household pets, unless approved by the Board.

Registration – All pets shall be registered, licensed, and inoculated as required by law.

CMA R&R (rev 10/18/18) III. Animals, pg 4

Heritage CC&Rs (Recorded 02/24/16), Section 10.4, Animal Restrictions, pg 46

IV. HOA AUTHORITY

As provided in the Declaration of Covenants, Conditions, and Restrictions for the Association, authority is granted to the Board to adopt, amend or repeal such rules and regulations as deemed reasonable and appropriate.

V. BUSINESS ACTIVITY (UNIT USAGE)

Use – No Residential Lot shall be used for any purpose other than single family residential occupancy, except that a Resident residing in a Residential Lot may conduct business activities within the Lot subject to all the following:

- The existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the Residential Lot.
- The business activity conforms to the applicable Development Standards, Design Guidelines and zoning requirements.
- The business activity does not involve regular visitation of the Residential Lot by employees, clients, customers, suppliers, or other business-related visitors, or door-to-door solicitation within the Master Association.
- The business activity is consistent with the residential character of the Master Association and does not constitute a nuisance or a hazardous or offensive use or threaten the security or safety of other Residents of the Master Association, as may be determined in the sole discretion of the Board.

CMA R&R (rev 10/18/18) IV. Business Activity (unit usage), pg 5

Heritage CC&Rs (Recorded 02/24/16)

VI. CODE OF CONDUCT

Purpose: For the safety, convenience and enjoyment of the Residents and their Guests, the BOD has established the following rules pertaining to behavior of Residents and their Guests while using the Common Elements or participating in Association sponsored events.

- Individuals shall conduct themselves in a safe, respectful, common sense manner. Individuals will not jeopardize or interfere with the rights and privileges of other Residents or their Guests and shall not compromise the safety of others by their actions.
- Individuals shall not physically abuse, harass, or reprimand any Resident, Guest, Board member, Community Management staff, Security guard, Clubhouse staff or Association contractor.
- Residents and their Guests shall obey all safety rules and shall discontinue all unsafe activity immediately upon direction from the responsible party.

- Individuals shall refrain from loud, profane, indecent, or abusive language or acts at Association meetings and events.
- Intoxicated individuals will not be tolerated at Association meetings or events and will be directed to leave.
- Any inattention to duty or lack of courtesy on the part of any Community Management staff, Clubhouse staff, security guards or Association contractor should be reported to the Manager.
- Residents shall be held personally and financially responsible for intentional or negligent damage to Association property inflicted by themselves or their Guests.
- Residents shall not profit financially from their membership by charging Guests for the use of facilities.
- Proper and appropriate attire is required when using the facilities.

VII. COMPLIANCE AND ENFORCEMENT

It is the individual's responsibility to understand all Rules and Regulations, CC&Rs, CMA Design Guidelines, Bylaws and other Governing Documents by which both Communities are managed. It is to the benefit of all that everyone follows the rules. It is the responsibility of the Association to inform and disseminate the applicable Governing Documents. Heritage at Cadence references the fines for violations of the: CMA Design Guidelines, CMA Rules and Regulations and Heritage at Cadence Rules and Regulations outlined in the Cadence Master Association Violation Enforcement Policy, NRS 116.310305 "Construction Penalties" and NRS 116.31031 "Violations and Fines."

Leniency is inherent in our policy concerning violations that are not flagrant, willful, intentional, purposeful or repetitive.

1. A First Notice ("**Courtesy Letter**") is usually the first official letter of violation. It explains the violation or circumstance and requests cooperation within a 15-day period. It is incumbent upon the resident to respond to this letter at the earliest opportunity to correct or explain the alleged violation.
2. A Second Notice ("**Violation Letter**") is mailed as a follow-up after the initial 15-day time period if there has been no contact by the resident with proof of correction or Association acceptance of the explanation. The second notice details the process of this policy, including hearings and fines and will allow another 15-day period for a resolution prior to scheduling of a hearing.
3. Finally, a "**Hearing Notice**" – If there has been no response or the resident's explanation unacceptable, this notice will be sent, scheduling a date and time for a violation hearing. It will be mailed 10 to 30 days in advance of the hearing date and state the hearing will be held regardless if the resident attends. Final disposition of the matter will be settled at this hearing.

Violations that constitute a threat to the health, safety and welfare of the Association and/or residents are not subject to this process and will be handled with all expediency allowed by law, including but not limited to issuing "cease and desist" orders, enlisting law enforcement assistance and filing for injunctive relief. *CMA Violation Enforcement Policy, November 1, 2014*

Under compliance and enforcement policy:

- The Homeowner has a Right to Notice of Violation.
- The Homeowner has a Right to a Hearing.
- The Homeowner has a Right to Appeal.
- The HOA decisions must be reasonable and non-discriminatory.
- The HOA and resident must comply with notice and hearing requirements.
- Dispute resolution occurs through arbitration or mediation.
- Enforcement lawsuits are the final steps without resolution.

VIII. CONSTRUCTION / MAINTENANCE HOURS

Construction and/or maintenance on any Residential Lot (other than that completed by Participating Builders) is limited to the hours of 6:00 a.m. to 6:00 p.m. Monday through Saturday per the City of Henderson Municipal Code.



Good Neighbor: *Try and minimize early morning gardener and construction noise. Work out a considerate schedule with your affected neighbors.*

IX. COMMON ELEMENT USE

Common Elements shall mean all real property or interests owned or leased by the Association other than Lots. This includes, but not necessarily limited to private entry monumentation, private entry gate areas for the Properties, Entry Gate Facility, Private Streets, and certain common area landscaping, drainage and easements, as well as the Community Recreational Areas. The Community Recreational Areas include, but not necessarily limited to the Clubhouse, with all its internal and external amenities (indoor and outdoor swimming pools, outdoor spa, tennis courts, pickleball courts, bocce courts, horseshoe pits, barbecue area, fire pit area, sitting areas, parking areas), as well as any ancillary areas (pavilion, dog parks).

Use - Association Common Elements are for the use and enjoyment of Residents and their Guests and are not open to the general public. However, the Declarant may use the facilities for marketing events which are open to the general public.

Attire - Individuals shall be properly dressed for the activity in which they are participating.

Assumption of Risk – All persons using the Common Elements to so at their own risk. Residents are responsible for their Guests at all times when on the Association property.

Quiet Hours – Quiet hours of use are from 10:00 pm to 7:00 am daily except as posted in certain Common Elements.

Community Recreational Area - The Community Recreational Areas are the Clubhouse and its amenities and any ancillary areas. The Heritage Rules and Regulations are specified in a document entitled "The Club at Heritage." This document is available on the Community Management Company website.

Report of Injuries - Injuries, accidents or other serious incidents shall be reported to an Association management staff member as soon as practicable.

Photography - Photography is not permitted inside locker rooms or restrooms of the Common Elements. Commercial photography is prohibited unless specifically granted in writing by the Declarant or Boards.

Smoking Prohibited – Smoking of tobacco and other products are prohibited within the Common Elements. Associated use of tobacco or other products is prohibited within the Common Elements.

Parking – Parking at Common Elements is on a first come, first served basis. No overnight parking is allowed. Exceptions must be authorized by the Community Manager.

Use and Scheduling - Refer to "The Club at Heritage" for use and scheduling of Common Elements.

Reservations - Refer to "The Club at Heritage" for reservations of Common Elements.

Music - Music may be played for the enjoyment of the Resident and their Guests but must not interfere with the enjoyment of the Common Elements by other Residents. Loud volumes are not permitted.

Food/Beverages – Food and non-alcoholic beverages are permitted in the Common Elements unless otherwise noted. No glass containers are permitted.

X. GARAGE / ESTATE SALES

Individual garage and estate sales are not allowed. Community garage sales will be at the discretion of the Master Association. *CMA R&R (rev 10/18/18) IX. Garage Sales, pg 8*

XI. HOLIDAY DECORATIONS / FIREWORKS

Decorations - Seasonal holiday decorations may be displayed no more than thirty (30) days prior to the day of the holiday and shall be removed within thirty (30) days after the holiday.

Residents should make an effort to ensure that lights, particularly blinking lights or very bright lights, do not disturb other Residents.

Holiday decorations may not be placed on any structure, tree or plant in any Common Element unless approved by the Community Management Company.

Fireworks – Use and discharge of firecrackers and other illegal fireworks are prohibited, except that the Master Association or Declarant may sponsor or otherwise permit structured and supervised fireworks displays from time to time.

Only fireworks labeled as "Safe and Sane" are legal for use on private property for one week of the year, from June 28 until 11:59 pm on July 4. Safe and Sane fireworks can only be used on private property and cannot be used on the street or sidewalk, or on public property such as parks, schools, or federal land. Fireworks that fly through the air, explode, or rotate on the ground are illegal throughout Clark County, including the City of Henderson.

CMA R&R (rev 10/18/18) X. Holiday Decorations and Activities, pg 8
Heritage CC&Rs (Recorded 02/24/16), Section 10.20, Holiday Lights, pg 53

XII. ILLEGAL ACTIVITY (INCLUDING FIREARMS)

Any illegal activity that violates local, state, or federal laws or regulation is prohibited; however, the Board shall have no obligation to take enforcement action in the event of a violation.

Firearms – The discharge of firearms within the Property is prohibited. The term firearms include "B-B" guns, pellet guns, and other firearms of all types, regardless of size.

XIII. IMPROVEMENTS AND MODIFICATIONS

All improvements and/or modifications to a Unit and/or any landscaping require approval of both HOAs:

- Heritage at Cadence (Sub Association)
- Cadence Community Association (Master Association)

The guidelines for each of the Associations can be found in the following documents on their respective Association websites:

- Heritage: "Architectural Guidelines"
- Cadence: "Cadence Community Association Design Guidelines"

ANTENNAS AND SATELLITE DISHES - These are permitted devices. They do not need Heritage ARC approval, but subject to Master Design Standards and Cadence Design Review Committee (DRC) requirements, subject to applicable law, provided:

- Antennas and Satellite Dishes shall be no larger than 39" in diameter or diagonal measurement.
- Cable/cords/wiring shall be painted to match the color on the surface it is mounted on.
- Cable/cords/wiring must be installed in a professional manner and cable/cords/wiring and dish must be properly and tightly mounted and secured without gap.
- Antenna/Satellite Dish must be located in an inconspicuous location near the roof eaves.

CMA R&R (rev 10/18/18) XII. Improvements, pg 9
Heritage CC&Rs (Recorded 02/24/16), Section 10.16, Satellite Dishes, pg 50

TEMPORARY STRUCTURES - Temporary structures including, but not limited to, any trailer, tent, shack, garage, barn, motor home or mobile home or other outbuilding, and any prefabricated or relocated structure used as a residence, either temporarily or permanently are prohibited unless approved by both HOAs.

SOLAR EQUIPMENT – No solar equipment, including, but not limited to, solar collectors and solar panels, shall be constructed or installed until approval of the Reviewer has been obtained.

WIND EQUIPMENT - No wind power systems, wind energy systems or other structures or systems that use wind energy may be installed on any lot, except to the extent permitted by applicable law and Reviewer approval.

DOORS / WINDOWS / SCREENS

- No screen, “burglar bars”, steel or wrought iron bars or similar features, whether designed for decorative, security or other purposes, shall be installed on the exterior of any door or window of any Residential Lot unless
 - Such fixtures are installed by Declarant or Builder, or
 - Such fixtures are expressly permitted by applicable law and comply with the Development Standards and Design Guidelines.
- No signs, numbers, or other writing shall be written or placed in the doors or windows of an occupied dwelling unit except as otherwise specifically permitted under the CC&Rs, the Design Guidelines or this document.
- All windows of the dwelling on a Residential Lot which are visible from the street or other Residential Lots shall have draperies, curtains, blinds or other permanent interior window treatments and all portions which are visible from outside the dwelling shall be white or off-white in color, unless approved otherwise in writing by the Board. Sheets or similar temporary window treatments in white or off-white may be used for a short time after the transfer of the Residential Lot provided they are removed and replaced with permanent window treatments within one hundred twenty (120) days after the date the deed transferring record title to Residential Lot is recorded.

XIV. LEASING OF UNITS

Purpose: The Association has a need to know who is occupying the units within the Property for the purpose of communicating with Residents regarding the Community and its rules and regulations.

Minimum Lease Term: All leases shall be in writing and for a term of not less than six (6) consecutive months in duration for each tenant. No more than two (2) consecutive leases are permitted per Unit per calendar year.

Entirety to be Leased: Residential Lots shall be leased only in their entirety. No fraction or portion of a Residential Lot (for example, next gen, rooms, or garages) may be leased. No structure on a Residential Lot, other than the primary residential dwelling shall be leased or otherwise occupied for residential purposes, except next gen which may be occupied, but not independently or separately leased.

Obligation to Provide Governing Documents: The Owner shall provide Lessee copies of the Governing Documents as an attachment to the lease agreement. Copies of the Governing Documents may be obtained from each of the respective HOA (Heritage and Cadence) offices for a fee. If Lessee does not receive a copy of the Governing Documents, documents will be provided to the Lessee and the cost added to the Owner’s account.

Obligation to Comply with Governing Documents: Any lease shall provide that the tenant and all occupants of the leased unit are bound by and obligated to comply with the Governing Documents.

Obligation of Provide Copy of Lease: The Owner shall provide a signed copy of any lease (with the exception of monthly lease charges), and such additional information as may be required, to both Associations within ten (10) days of its execution.

Lessee Privileges: Lessees enjoy the same privileges as Owners except for those rights excluded in NRS 116 or the Governing Documents, such as the right to vote in either Association affairs. If the Association issues Membership Cards, such cards shall not be issued to a **lessee until a copy of a valid lease and then only to those individuals listed as occupants on the lease.**

CMA R&R (rev 10/18/18) XIII. Leasing of Units, pg 10

Heritage CC&Rs (Recorded 02/24/16), Section 10.1 [Residential Use] & 10.2 [No further Subdivision; Rentals], Use Restrictions, pg 45

XV. MEMBERSHIP CARDS AND FOBS

Purpose: Only Residents possessing valid Master Association Membership Cards are entitled to use the Master Association's facilities or participate in Master Association sponsored events, subject to the rules and regulations established by the Master Association. Master Association Membership Cards are issued at the Master Associations office during regular business hours and available online at the Cadence Master Association website. One card will access all Master Association private amenities. Residents receive their initial card free of charge. There is a fee for to replace lost, stolen, or damaged cards.

CMA R&R (rev 10/18/18) XIV. Membership Cards, pg 11

Heritage CC&Rs (Recorded 02/24/16), Section 10.11, Implementing Rules and Regulations, pg 91

Proof of Residency - Proof of residency in the Master Association is required to obtain a Master Association Membership Card. Residency may be established by providing federally recognized identification documents showing current Heritage legal residence.

For the complete information explaining the Cadence HOA Membership Cards, please refer to the Cadence Community Association Rules and Regulations on the Association website.

Heritage at Cadence Membership Cards - "Cadence Master Association Card, Heritage Resident" is the designation of our "Membership Card." Heritage HOA will be utilizing the Membership Card for identification, access, and POS capabilities. Heritage Residents are required to obtain this Membership Card in order to use the Heritage HOA Common Elements, the Cadence Master Association Common Elements and/or participate in either HOA's sponsored events.

FOBs are issued to each qualifying Heritage resident. The FOB permits entry at certain pedestrian gates and access at specifically programmed doors at the Clubhouse and pool for entry. Each legal Heritage at Cadence resident will receive an individually assigned FOB.

XVI. NUISANCES / NOISE CONTROL

Residents and Guests are asked to be considerate of surrounding dwelling units. Noise that disrupts the tranquility of the Community or interferes with the quiet enjoyment of other Residents and Guests will not be permitted. The Board shall have the right to determine if any noise reasonably constitutes a nuisance.

CMA R&R (rev 10/18/18) XV. Noise Control, pg 13

Heritage CC&Rs (Recorded 02/24/16), Section 10.5, Nuisances, pg 47

XVII. PROPERTY MAINTENANCE STANDARDS

Dwelling Maintenance – Each Resident is required to maintain the exterior of their Residential Lot and any improvements, including but not limited to patios and other structures, decks, walkways, walls and wrought iron fencing and gates, in good condition. This includes making repairs in a timely manner or replacing any damaged elements as necessary. Faded, rusty, dilapidated, chipped or peeling surfaces or structures are prohibited and must be promptly repaired and/or repainted.

Lighting – Coach lights (house number and exterior lights on the Owner’s dwelling) shall be maintained by Homeowners and must include timers to keep the lights activated during nighttime hours. Owner maintenance shall include, but not be limited to, immediate replacement of burnt-out light bulbs (with new bulbs of like wattage and appearance) and broken coach light fixtures, and prompt periodic replacement of photoelectric cells (if applicable). No Owner may delete, modify, or change any front facing coach light or part thereof as initially installed without ARC approval.

Equipment Storage – All garden and maintenance equipment shall be stored out of sight of neighboring Units when not in use and shall not be stored in the front and side yard areas visible to the public.

Fuel Storage – On-site storage of fuel is prohibited on the Residential Lot, except that up to five (5) gallons of fuel may be stored on the Residential Lot for emergency purposes and for the operation of lawn mowers, and similar tools or equipment.

Exterior Fires – There shall be no exterior fires whatsoever, except fires contained within receptacles commercially designed therefore such that they do not create a fire hazard, and except as specifically authorized in writing by the Master Association (and subject to applicable City and/or County ordinances and fire regulations). Examples include, but are not limited to, barbecues and firepits installed in accordance with the Cadence DRC and Heritage ARC Guidelines, with written approval given by both Committees.

Graffiti Removal – The Associations shall have the right, but not the obligation, to remove or paint over any graffiti in the Common Elements. The costs of such removal or painting shall be a Common Expense.

Maintenance – Landscaping must be kept neatly trimmed, properly cultivated, and weed-free. Trees and shrubs should be regularly pruned to avoid creating a maintenance nuisance to surrounding Residential Lots or Common Elements. All tree canopies that abut or overhang community walkways, common areas and private streets shall be kept trimmed to assure that seven (7) feet of space above said walkways, common areas and private streets are kept clear of foliage and limbs. Rockscape, stones, and rock mulch, must be contained and maintained within planter beds and not allowed to encroach onto other Residential Lots or Common Elements.

Landscape Installation Requirement – To the extent not previously installed by the Builder of the Residential Lot, each Owner shall install landscaping approved by the Reviewer in their side and rear yards within one year of closing escrow. Consistent effort to control dust and weed nuisance is expected at all times. Owners shall not change or interfere with the established drainage of the property. Per the City of Henderson natural turf is limited to rear yards only. Only artificial turf is allowed in the front yards.

Backyard Landscaping - Each Owner shall have, following the Close of Escrow on his or her Lot, a period of not more than one (1) year within which to have applied for and obtained approval of plans for initial landscaping and to have commenced and completed installation of such permitted landscaping on his or her Lot (Owner Installed Landscaping”). *Heritage CC&Rs, Section 9.8*

Prohibited Plants - *Heritage CC&Rs, Section 10.18, CMA Design Guidelines 4.1*

- **Heritage:** Common Mulberry, Common Olive, Cottonwood, Weeping Willow, Poplar
- **Cadence:** Common Olive, Mulberry (*Morus alba*), Oleander (*Nerium oleander*), Desert Broom (*Baccharis sarothroides*), Palm Trees of all varieties, Tamarisk (*Tamarix*)

Sight Visibility Zone – Certain sight visibility zones have been created and established as set forth in the Plat to prevent obstructions of sightlines of the roadways within the Community. No fence, wall, hedge tree, shrub planting or other Improvement shall be placed or permitted to remain on any Residential Lot within the sight visibility zone which is higher than twenty-four (24) inches above the top of the curb on such Residential Lot.

Storms Drains; Water Pollution – Each Resident shall comply with and assume responsibility for anything done or required to be done in compliance with the plans filed by Declarant and/or Builders with

respect to the National Pollutant Discharge Elimination System (NPDES) and Declarant and/or Builders Storm Water Pollution Prevention Plan (SWPPP). Each Owner shall assume all responsibility and liability relating to the prevention of pollutant discharge including soil materials, from the Owner's Residential Lot.

CMA R&R (rev 10/18/18) XVI. Property Maintenance Standards, pg 13

Heritage CC&Rs (Recorded 02/24/16), Article 9, Maintenance and Repair Obligations, pg 39, & Heritage CC&Rs (Recorded 02/24/16), Section 10.10, No Unsightly Articles, pg 48

XVIII. SIGNAGE AND FLAGS (Subject to NRS 116.320)

Flags and Flagpoles – The United States flag may be displayed on a portable pole attached to the Dwelling. Maximum length of the flagpole may not exceed eight (8) feet in length and no part of flag or pole may extend beyond four (4) feet past any eave when attached to the Dwelling. One free-standing flagpole will be allowed in the rear yard of the Lot. Installation shall be a minimum of ten (10) feet from any property line. Height of the pole from grade level of the Lot shall not exceed twenty (20) feet. Lines and metal clips shall be shrouded or tied in a manner that will eliminate noise caused by being windblown. The United States, Nevada State, Official Military branch or seasonal flags (political, sports, holiday, etc.) may be flown without prior approval. Seasonal flags may only be flown during said specific season. Any flag shall be displayed from a pole and the size of the flag shall not exceed four (4) feet by six (6) feet in dimension. If lighting is installed, all due care must be taken to use a fixture and bulb wattage that will not cause a nuisance to adjacent Lots.

Campaign Signage (or Political Signage) – Campaign signage is limited to one (1) sign per candidate or issue. Campaign signs may not exceed 24 x 36 inches and political flags may only be displayed no more than ninety (90) days prior to the day of the election and shall be removed within ten (10) days of the end of the campaign. Such signs may only be posted on the Resident's private property or on a limited common element, such as porches, that are exclusively for the use of the Resident.

Open House Signage – "Open House" signs are permitted only on the day of the open house event and may be posted only in the front yard of the open house. Signs may not be posted anywhere on the Common Elements including but not limited to grounds, streets, medians, streetscapes or walls. Signs found on these areas will be removed and disposed of. All signs must be constructed of weather resistant material and must not exceed 18" x 24" in size.

Sale or For Rent Signage – Only one (1) sign, conforming to the guidelines as set forth in the Cadence Residential Community Master Association For Sale Sign Policy advertising the unit FOR SALE or FOR LEASE will be allowed and may be placed only on or in the Unit. All signs must be professionally manufactured.

NO HAND LETTERED SIGNS ARE ALLOWED. All signs must not exceed 18" X 24". Signs may only be posted on the Resident's private property or on a limited Common Element, such as balconies, that are exclusively for the use of the Resident.

Only the approved signage may be used. Owners/Agents are responsible for purchasing the approved signage. For your convenience, the approved Cadence Residential Community Master Association signage specifications have been provided to Total Sign Master. Signage may be purchased at the following locations if desired: *Total Sign Systems, 6275 W Post Road, Las Vegas, NV 89118, (702)247-8982.*

Sold signs may be displayed only for thirty (30) days after the sale.

Security Signs – A maximum of one security sign is permitted in the front yard. Security signs may not exceed 8" x 8" and placed no more than three feet away from the house and no more than three feet above the foundation level. Window decals are permissible without prior consent of the Board.

CMA R&R (rev 10/18/18) XVII. Signage, pg 14

CMA Design Guidelines (rev 04/14/20) Section 4.3, Flags/Flagpoles

Heritage CC&Rs (Recorded 02/24/16), Section 10.14, Signs; Flags, pg 49

XIX. PLAY EQUIPMENT AND BASKETBALL HOOPS

Commercially constructed play equipment can be installed in the rear yard, PROVIDED

1. No portion of the equipment exceeds the height of ten (10) feet at its highest point,
2. The maximum platform height cannot exceed six (6) feet and
3. The equipment is adequately screened from street view

Basketball hoops shall not be mounted onto the dwelling. Portable basketball hoops are allowed but must be stored out-of-sight when not in use. They do not require prior ARC approval from either HOA.

CMA R&R (rev 10/18/18) XXIII. Sports Apparatus, pg 15

Heritage CC&Rs (Recorded 02/24/16), Section 10.15, Improvements, pg 50

XX. SWIMMING POOLS

Purpose: State and County Law regulates the safe operation of pools and spas. In order to operate the facility in compliance with these laws, rules have been established.

Heritage at Cadence Swimming Pools/Spa

Refer to The Club at Heritage document, located on the Community Management Company website, for the complete rules. The following is a partial list of rules."

- Residents and their Guest(s) must check-in at the Clubhouse registration desk prior to using the pools and/or spa.
- A Release and Waiver Form must be completed for each Guest prior to using the pools and/or spa.
- Swim at your own risk. The pools and spa are not supervised by lifeguards.
- Glass containers and/or breakable objects of any kind are strictly prohibited in the indoor pool, outdoor pool and spa areas.
- Indoor pool and locker rooms: Food and drinks (except water) are strictly prohibited in these areas.
- Outdoor pool and spa areas: Food and drinks are permitted in designated areas. Eating and drinking is not permitted within four feet of the outdoor pool and spa.
- All persons must shower before initially entering the pools and/or the spa.
- Persons with open cuts, wounds, sores and/or blisters may not use the pools and/or spa.
- Appropriate swimming attire must be worn at all times.
- Only Service Animals as defined by the ADA are allowed on the pool deck areas. They are not allowed in the pools or spa.
- The pools/spa will close during electrical storms. Everyone must leave the pools/spa areas when instructed to do so by the Clubhouse staff.
- Children under the age 4 may not use the pools or spa.
- Persons 4 - 18 years of age may use the pools when accompanied by their hosting resident.
- Persons 4 - 14 years of age may NOT use the spa.

Swimming Pools - See 'The Club at Heritage' document Part 4.6

Cadence Central Park Swimming Pool

The Cadence Central Park swimming pool, located in Central Park in the Cadence Community, is available for Heritage Residents and their Guests. The pool area consists of the following:

- Six-lane lap pool
- 2,000 square foot splash pad
- Turf area
- Picnic area

The Cadence swimming pool is available from May 1 - October 31, dawn to dusk. Refer to the Central Park Pool Rules and Regulations on the Cadence website for complete rules and regulations.

XXI. TRASH REGULATIONS

Burning - Outside burning of trash, leaves, debris, or other materials are prohibited, except for during the normal course of permitted construction.

Container - Trash cans shall have tight fitting lids to minimize the possibility of animal intrusion and blowing trash. Trash cans and recycling containers shall be placed behind the gate or inside of the garage and kept in sanitary condition.

Debris - Residents and Guests are responsible for picking up trash that is spilled, blown, or otherwise deposited onto the Common Elements or other Residential Lots. No trash or debris may be left in any area that is visible from neighboring Residential Lots, Common Elements, or streets.

Trash Pickup – Trash/recycling containers and trash bags may be placed by the curb for pick up the day before scheduled pickup and must be removed from the curb and placed behind the gate or inside of the garage no later than the next morning after pickup.



Good Neighbor: *If you will not be available to either put out your garbage or remove empty containers off the street ask a neighbor for assistance. You can help each other. In windy conditions, limit the time the garbage cans are out.*

*CMA R&R (rev 10/18/18) XX. Trash Regulations, pg 17
Heritage CC&Rs (Recorded 02/24/16), Section 10.5, Nuisances, pg 47*

XXII. USE OF ALLEYWAYS

Purpose: Alleys within Heritage at Cadence are a Common Element maintained by the Heritage Association for the safety and welfare of the Residents. They are the narrow streets accessing the garages on the Duet and Courtyard properties. Alleys must be kept clear of obstructions and street number signs illuminated at all times as this is a primary means of emergency access to homes.

No Parking or Standing - Vehicles shall not park or stand in the alley. Vehicles parked in violation of this rule will be subject to immediate towing. Repeated violations shall be subject to increasing sanctions and fines.

Driveway Parking - The paved area of the Alley is generally 17 feet or 23 feet wide respectively for the Courtyard or Duet properties. However, an additional four feet on either side of the pavement is set aside as an easement for the use of emergency vehicles. No parking shall be allowed in an alley or on a driveway apron less than 18-feet long accessed from an alley. Any Vehicle parked on a driveway must be parked wholly within the driveway and must be within their own property line. Vehicles must not be parked parallel to the alley way. Vehicles parked in violation of this rule will be subject to immediate towing.

Other Obstructions - Residents shall not store or place any other items, including but not limited to, trash cans, recreational equipment, construction materials or decorative pots in the alley or the three (3)

foot easement area. If the alley is established as the trash or recycling pickup location, trash and recycling containers may be placed in the easement area or along the alley for pickup and then promptly returned to their regular storage location.

Repair of Motor Vehicles - Residents shall not repair or service motor Vehicles on the driveway or alleyways. Oil and other chemicals damage asphalt and pavers.

Speed Limit - The speed within Heritage is 25 miles an hour unless otherwise posted. The speed limit at each gate is reduced to 15 miles an hour for safety, RFID recognition and to enable the guards to perform their required duties.

CMA R&R (rev 10/18/18) XXI. Use of Alleyways, pg 17
Heritage CC&Rs (Recorded 02/24/16),

XXIII. PARKING AND VEHICULAR REGULATIONS

- No Person shall park, store or keep, anywhere within the Properties, any inoperable or similar vehicle, or any large commercial-type vehicle (including, but not limited to, any dump truck, cement mixer truck, oil or gas truck or delivery truck); any Recreational Vehicle (including, but not limited to, any camper unit, house car or motor home); any bus, trailer, trailer coach, camp trailer, boat, aircraft or mobile home; or any inoperable vehicle or any other similar vehicle; provided that:
 - A pickup truck or van up to and including one (1) ton, when used for daily transportation (and occasional incidental personal hauling of items) of the Owner or Residents or Family respectively thereof, may be kept or parked entirely within a driveway (so as not to extend beyond the driveway) or an enclosed garage (note: the preceding portion of this subsection shall not be construed to permit other commercial type vehicles of one (1) ton or less); and
 - "RV" is hereby defined as a Recreational Vehicle, boat, camper, vehicle or item specifically designed or intended for recreational use and not for normal everyday transportation. An RV shall not be permitted to be kept in the Community unless the RV is specifically allowed for certain designated Lots with RV garages as initially installed by Declarant or subsequently installed subject to prior written approval by the ARC (if any) and by the Cadence DRC, and subject to all applicable Rules and Regulations. Notwithstanding the foregoing, RVs and RV parking must also comply with all applicable requirements of the Master Governing Documents and all requirements of the Cadence DRC, subject to applicable law.
- No parking of any vehicle shall be permitted along any curb or otherwise on any street within the Properties, for any uninterrupted period longer than seventy-two (72) hours, subject to such further rules and regulations as may be established from time to time by the Board; subject to the foregoing, street parking is to be utilized only after the full capacity of the driveway (without extending beyond the driveway) has been achieved.
- Without limiting the foregoing, or any other provision herein, no Owner or any other Person may park or keep any motor vehicle, boat, trailer, or similar item on any landscaping (including, but not necessarily limited to desert landscaping on a Lot adjacent to a roll-up curb) in view of a street, without the specific prior written approval of the ARC in its sole discretion.
- No Person shall park, store, or keep anywhere within the Properties any vehicle mobile or otherwise, which is deemed by the Board to be a nuisance. Garages shall normally be kept closed at all times, except as reasonably required for ingress to and egress from the interior thereof.
- No Person shall conduct repair or restoration of any motor vehicle, boat, trailer, aircraft, vehicle upon any portion of the Properties or on any street within or abutting the Properties; provided that repair and/or restoration of one (1) such item only shall be permitted within an Owner's garage so long as the garage door remains closed; provided further that such activity may be prohibited entirely by the Board if the Board determines in its reasonable discretion that such activity

constitutes a nuisance. Vehicles owned, operated or within the control of any Owner or of a resident of such Owner's Dwelling shall be parked in the garage of such Dwelling to the extent of the space available therein. All garages shall be kept neat and free of stored materials so as to permit the parking of at least one (1) standard sized sedan automobile therein at all times. Garage doors shall not remain open for prolonged periods of time and must be closed when not reasonably required for immediate ingress and egress. The Association, through the Board, is hereby empowered to establish and enforce any additional parking limitations, rules and/or regulations (collectively, "parking regulations") which It may deem necessary, including, but not limited to, the levying of fines for violation of parking regulations, and/or removal of any violating vehicle at the expense of the Owner of such vehicle.

- The Board shall have the power, but not the obligation, from time to time to establish rules further governing parking and/or vehicle restrictions.
- Notwithstanding the foregoing, these restrictions shall not be interpreted in such a manner as to permit any activity which would be prohibited by Applicable Law (or to prohibit any activity which is mandatorily required by Applicable Law); including, but not necessarily limited to, statutorily permitted parking related to the following (subject to definitions and requirements set forth in NRS 116.350): (i) law enforcement vehicles; (ii) emergency services vehicles; and/or (iii) utility services vehicles; provided that, with regard to such vehicles, any person parking or seeking to park any such vehicle must first provide written confirmation from his or her employer that such person is qualified to park such vehicle in Association areas in accordance with Applicable Law; and provided further that such vehicle parking reasonably does not comprise a safety hazard (as, for example, to neighbors backing in or out of their respective driveways). Notwithstanding the foregoing (absent irreconcilable conflict with Applicable Law) such vehicles shall not be entitled to park in private parking areas owned and/or controlled by Declarant related to Declarant's sales offices, management offices, and/or models, inasmuch as such private parking areas are owned and/or controlled by the Declarant and are not Common Elements and not Association areas.
- These vehicle and parking rules may be enforced on any Private Street or other Common Element within the Properties. Notwithstanding any of the foregoing, the Association shall not have jurisdiction over, and these restrictions shall not be enforced on, any public road, street or other thoroughfare, the right-of-way of which is accepted by the State of Nevada or a local government for dedicated public use.

Stored / Inoperable Vehicles - Stored vehicles and vehicles that are obviously inoperable or do not have current registration or operating licenses shall not be permitted on the Heritage at Cadence Association except within enclosed garages. A vehicle will be considered "stored" if it is put on blocks or covered with a tarpaulin and remains on blocks or so covered for fourteen (14) consecutive days without prior approval of the Board. An inoperable vehicle is defined as a vehicle that cannot operate on public streets because it does not run or is not legally licensed.

Common Elements - All vehicles parked in the Common Elements, including bicycles, Golf Carts, and Slow Moving Vehicles shall be parked only in designated parking areas such as marked parking spaces and bicycle racks. Overnight parking in any Common Element is prohibited. Vehicles parked in violation of this rule will be subject to immediate towing.

Temporary - The HOA Board or City may designate "No Parking" areas from time to time.

Lot - Residents should make every effort to keep their vehicles in their garages and driveways. Parking on any part of the front yard landscape/rockscape areas is prohibited. Any vehicle parked on any driveway must be parked wholly within the driveway and may not extend beyond the driveway onto any portion of a Residential Lot or over service areas, be in violation of handicapped parking laws, over the curb, on the grass or sidewalk or along facility access roads.

Street - Residents, and/or Guests shall not block any garage access, driveway, alleyway, mailbox, or fire safety area. Vehicles parked in these areas in violation of these rules shall be subject to towing, fines, and other sanctions.

Garages - Garages shall be used exclusively for the parking or storage of vehicles. There shall be no parking in the driveways if the Resident's garage is not being utilized to the maximum designed capacity for the parking of authorized vehicles, or if to do so obstructs free traffic flow, constitutes a nuisance, violates the rules or otherwise creates a safety hazard.

Ordinary household goods may be stored in addition to vehicles provided that:

- No flammable, dangerous, hazardous or toxic materials shall be kept, stored or used in the garage
- Doors to garages shall be kept fully closed at all times except for reasonable periods during the removal or entry of vehicles or other items therefrom or thereto.
- No garage may be used for a permanent or temporary dwelling, and no animal shall be kept in any garage.

Driving on Common Elements - No Vehicle of any kind is permitted in the Common Elements unless authorized by the Association for the purpose of repair, maintenance or operations.

Unlicensed Vehicles and Operators - Operating unlicensed motor vehicles or driving motor vehicles of any type without an operator's license are not permitted on the Cadence property. This prohibition includes without limitations: motorized scooters (including Go-Peds) mini-motorcycles (including Pocket Bikes), all-terrain vehicles of any kind, dirt bikes and golf carts. The use of Golf Carts and Slow Moving Vehicles on the Heritage at Cadence Property is governed by the Heritage at Cadence Golf Cart and Slow Moving Vehicle Rules and Regulations.

Vehicle Repair - Vehicle or other equipment repair or service must be confined to the garage. Leaks from Vehicles in the street and on driveways must be cleaned up within 24 hours.

Damage to Property – Any vehicular impact to a common element or property within the community, including but not limited to vehicle gates, barrier arms, buildings, landscaping, private residences, and block walls, will result in an immediate hearing before the Board of Directors. The cost of all damages will be billed back to the owner and/or a fine will be assessed. Should the damages or vehicular collision pose an unreasonable risk to the health, safety, and welfare of the community, the board, in its sole discretion, may impose fines commensurate with the violation's severity.

Proper Entrances and Exits – Residents, and/or Guests shall enter only through designated vehicular entrances and only exit through designated vehicular exits. The board may impose fines commensurate with the violation's severity if the board, in its sole discretion, determines that the violation is an unreasonable risk to the health, safety, and welfare of the community.

Traffic Signs – Residents, and/or Guests shall obey all traffic signage in the community. Examples include but are not limited to stop signs, no parking signs, speed limit signs, thru traffic and alleyway signs. The board may impose fines commensurate with the violation's severity if the board, in its sole discretion, determines that the violation is an unreasonable risk to the health, safety, and welfare of the community.

Roadway Traffic Striping – Residents/and or Guests shall obey all road markings, such as crosswalks, stop sign striping and no parking red striping, at all times. The board may impose fines for such violations and, should the board determine that the violation presents an unreasonable risk to the health, safety and welfare of the community, may impose fines commensurate with the severity of same. Any vehicles parked in red zones or which otherwise pose a risk to the health, safety and welfare of the community will be subject to immediate tow.

CMA R&R (rev 10/18/18) XXII. Vehicle and Parking Regulations, pg 18
Heritage CC&Rs (Recorded 02/24/16) Section 10.19, pg 52

XXIV. VEHICLE WASHING

Washing of vehicles from time to time may be prohibited in the Properties, in accordance with applicable ordinances, and/or drought/water conservation measures of the Southern Nevada Water Authority or other authority with jurisdiction.

Heritage CC&Rs (Recorded 02/24/16) Section 10.21, pg 53

XXV. GOLF CART AND SLOW MOVING VEHICLE RULES AND REGULATIONS

The following rules and regulations regarding Slow Moving Vehicles (SMV) which include: golf carts, Low Speed Vehicles (LSV) as defined by NRS 484B.637, and current and future global SMV products apply within the confines of Heritage at Cadence. The word "SMV" in this document refers to golf carts, Low Speed Vehicles and other qualifying motorized craft.

Compliance: The complete set of Rules and Regulations concerning Golf Carts and Slow Moving Vehicles is contained in the Addendum to this document titled: *Heritage at Cadence Slow Moving Vehicle Addendum, date October 18, 2020*. Compliance is mandatory.

DISCLAIMER: The HOA, Lennar or future Declarant, the Community Management Company employed, nor any other similar entity assume any responsibility for the conduct or operation of SMVs within Heritage at Cadence. Operate at your own risk.

Requirements:

1. SMVs must comply with all NV DMV rules of the road when operating on Heritage streets.
2. SMVs must stay as far right as practicable.
3. SMVs must stop at all stop signs and yield to pedestrians in crosswalks.
4. SMVs must use proper hand signals or turn signals when required.
5. SMVs must be operated in a safe manner at all times. (Consideration of weather and traffic conditions must be taken into account.)
6. SMVs are NOT permitted on sidewalks. Mobility devices and mobility scooters may be used on sidewalks.

SMVs must be equipped with the following.

1. Headlamps or similar forward facing white light.
2. Tail lamps, reflectors, stop lamps or hi-visibility markings and an emblem, reflective triangle and/or placard for Slow Moving Vehicles. The Vehicle must be visible to others when approaching from behind.
3. A mirror or side mirrors.
4. Brakes or sufficient device capable of cessation of movement.

SMVs operated outside of Heritage at Cadence on public roads, for instance, travelling to Cadence facilities, must be licensed in accordance with NV DMV Law.

If violations occur and reported to the Community Management Company. The HOA Board will review said violation and act accordingly to include, but not limited to fines, liens, and criminal prosecution.

XXVI. BICYCLES AND E-BIKES

Share the Road. Bicyclists have the same rights and the same responsibilities as other drivers in Nevada. Cyclists must ride to the right unless they are preparing to turn left or are able to match the speed of traffic. Cyclists must obey all traffic signs and signals and use hand signals for turns and stops.

Rules for Motorists

- When passing, you must move into an adjacent lane to the left if possible. If not, you must pass with at least 3 feet of clearance between your car and the bicycle. Safe passing is the motorist's responsibility. (NRS 484B.270 effective 10/1/2011)
- Yield to cyclists at intersections as you would for other vehicles and pedestrians.

Rules for Cyclists

- Always ride on the right and as far to the right as practicable. Cyclists may ride two abreast. Ride single file in traffic for courtesy.
- Obey all signs and signals.
- Use hand signals for turns and stops.
- Ride at least three feet away from parked cars.
- LISTEN for cars approaching from the side or rear.
- Do not follow cars closely or ride in their blind spot.
- Always be prepared to stop.

Night Riding

See and be seen. Wear bright clothing during the day and reflective clothing at night. Bicycles ridden at night must have:

- A white lamp in the front visible from at least 500 feet away.
- A red tail reflector visible in a Vehicle's low beams from 300 feet away.
- Reflective material on the sides of the bike visible in low beams from at least 600 feet away or a lamp visible from both sides from 500 feet away.

For more information, see NRS 484B Rules of the Road

NRS 484B.017 "Electric bicycle". The term does not include a moped or an electric scooter.

NRS 484B.018 "Electric scooter"

NRS 484B.763 Application of traffic laws to person riding bicycle, electric bicycle or electric scooter.

XXVII. HERITAGE GOOD NEIGHBOR APPROACH

(When you see this graphic, it suggests you try a "Good Neighbor" approach to address this issue.)

All neighborhoods have their own personalities. Some tend to be more open to street parties and socializing, while others are made up of people who prefer to stay to themselves. When people live side by side with common walls, a small nuisance can become a big deal. This is especially true in Homeowner Associations (HOAs) where sights, smells, and sounds intrude into the tranquility of our own homes.

Being a good neighbor in an HOA means more than a friendly wave or a quick chat at the mailbox. Sharing property with your neighbors brings social interactions that most people would never predict or think about. Regardless of the type of neighborhood you live in, there are still some basic etiquette rules you should follow to be a good neighbor.

1. **Read and Follow the HOA Covenants**

Be familiar with and follow your HOA covenants. Being a good neighbor is easier when everyone is playing by the same rule book.

2. **Work Out Your Problems Face to Face**

Our busy world consists of email, Facebook and texting—so we sometimes distance ourselves from actually communicating in person. But, in person is usually the best way to handle a disagreement. Sometimes all that's needed is a non-confrontational face-to-face chat to solve the problems.

3. **Reach Out to Your Neighbors**

The old adage that you catch more flies with honey than vinegar is doubly true when engaging your neighbors. Take the time to offer a little assistance when it's needed, learn different cultures, taste different foods, and explore different customs. Or offer a little help. You're building goodwill that will help you when your own emergencies arise. Focus on being a good neighbor.

4. **Offer Advance Solutions**

Most of us cook food that the smell permeates the air from time to time. Put yourself in your neighbor's shoes - and open the windows to let some of the odor escape. You may also want to invite your neighbors to a taste testing - it's a fun way to explore new foods, especially from other cultures.

5. **Involve Yourself in Your Community**

When you own co-joined property being a good neighbor means getting more involved in your Community. As a member of the association, it's your responsibility to stay involved in the neighborhood affairs. Pitch in where you can.

Love thy neighbor ... or at least try to be a considerate one. By doing this, you and your neighbors will reap rewards for years to come.

XXVIII. BULLYING

There shall be a fundamental overall "good neighbor" policy of courtesy and reasonability underlying and controlling this Declaration and the other Governing Documents and this Community, in which the Owners seek to enjoy a quality lifestyle. Subject to protected Constitutional and First Amendment rights and other Applicable Law, the following "Bullying" provisions are set forth. "Bullying" shall not be allowed during or related to any Association Membership or Board or ARC meeting or function or activity, or on any Common Element. "Bullying" extends to electronic transmissions and social media platforms. "Bullying" shall mean conduct (which may include oral harassment and/or intimidation, and/or physical act or gesture, by one or more person(s) ("Perpetrator(s)"), directed at one or more other person(s) ("Victim(s)"), that causes harm or serious emotional distress to the Victim, or places the Victim in reasonable apprehension of fear of harm or serious emotional distress to himself, or creates an unreasonably hostile environment for a Victim. These "Bullying" provisions apply to: Owners, Residents, and/or their respective Families, Guests, Association Directors, Officers, ARC members, Directors and Officers of the Master Association, Cadence DRC members; their respective committee members, Community Managers, contractors, and their respective employees (if any) and agents. Bullying will be deemed a nuisance that imminently threatens the health, safety, and welfare of the Community, subject to Applicable Law. Note: NRS 116.31184 (entitled "Threats, harassment and other conduct prohibited; penalty), effective as of October 1, 2013, provides that violation of such statute will or may also comprise a misdemeanor under Nevada Law. In the event of any irreconcilable conflict between this section and applicable statute, the statute shall prevail.

Heritage CC&Rs (Recorded 02/24/16), Section 10.23, Conduct in the Community; Bullying Not Allowed, pg 53

XXIX. DEFINITION OF TERMS:

Age Qualified Occupant - Shall usually mean an Occupant of a Unit who is 55 years of age or older, and thus qualifies under HOPA; subject to such supplemental definitions, if any, as Declarant may deem reasonable from time to time, provided that any and all such supplemental definitions shall be fully compliant with HOPA.

Age Restriction Policy - HOPA Policy Manual

Alleys/Alleyways - shall mean the narrow streets for entry into garages on the Duets and the Courtyard homes.

ARC - Architectural Review Committee

Association - Heritage at Cadence Homeowners Association

Board of Directors, Board, or BOD - The Heritage at Cadence Community Association Homeowners Association Board of Directors

Cadence Master Association Card - An identity card issued by the Master Community Association that identifies an individual entitled to use the Master Association's facilities or participate in Master Association sponsored events, subject to the rules and regulations established by the Master Association.

CMA - shall mean Cadence Residential Community Master Association

CMA CC&R - shall mean Cadence Residential Community Master Association Covenants, Conditions, & Restrictions

CMA R&R - shall mean Cadence Residential Community Master Association Rules and Regulations

Club/Clubhouse -The Clubhouse, known as 'The Club at Heritage' (Club) is a day use facility to be used by Heritage Residents and their Guests. The rules and regulations for the Club are explained in a document entitled "The Club at Heritage". This policy is available on the Community Management Company website.

Common Elements - All real property or interests for which the Association has the right of use for the benefit and enjoyment of the Residents.

Community – Heritage at Cadence

Community Management Company - A company hired by the Association to manage all operational aspects of the Community Association including its activities and the relationship between Heritage Residents, Guests, employees, vendors and its Board of Directors.

Community Recreational Area(s) - The Community Recreational Areas are the Clubhouse and its amenities and any ancillary areas which include fitness area, indoor and/or outdoor swimming pool, (lighted) tennis courts, pickleball courts, bocce courts, horseshoe pits, barbecue area, game room, and such other amenities. The recreational rules and regulations are specified in a document entitled *The Club at Heritage*. This document is available on the Community Management Company website.

Declarant – Lennar Corporation

Domestic Partner - As defined in NRS 122A, persons who have registered a valid domestic partnership and have not terminated this partnership with the Secretary of State.

Good Standing - A term that describes a property Owner whose account with the Association is current (not delinquent). A property Owner, who is not in Good Standing, may have benefits associated with property ownership suspended until the account is brought current.

Governing Documents - The Heritage CC&Rs, Articles of Incorporation, Bylaws, Age Restriction Policy, Architectural Guidelines, and the Rules and Regulations of the Association. This also includes the Master Governing Documents; Articles of Incorporation, Bylaws, Design Guidelines and the Rules and Regulations, as they may be amended.

Guest - An invitee of a Resident. A Clubhouse Guest is defined in the document entitled *The Club at Heritage* section 2.6.

Heritage – is Heritage at Cadence Homeowners Association.

Heritage CC&R - shall mean Heritage at Cadence Covenants, Conditions, and Restrictions

HOPA - Federal Housing for Older Persons Act of 1995

HOPA Policy Manual - The Age Restriction Policy for Heritage at Cadence. The policy explains the restrictions for residing in a Unit in Heritage at Cadence.

Managing Staff - Staff hired by the Community Management Company or Board for management of the Community and its Common Elements.

Master Association – The Cadence Residential Community Master Association.

Membership - Each Owner (including Declarant, by virtue of owning title to any unit) upon acquiring title of a unit, shall automatically become a member of the Association, and shall remain a Member until such time as his or her ownership of the Unit ceases, at which time his or her membership in the Association shall automatically cease. Section 3.3

Owner – Shall mean the Person or Persons, including Declarant, holding fee simple interest of Record to any Unit.

Recreational Vehicle (RV) - The Association recognizes a Recreational Vehicle as defined by the City of Henderson Municipal Code 17.02.010; a Recreational Vehicle means a self-propelled vehicle or vehicle pushed, towed or carried by a self-propelled Vehicle designed as temporary living quarters when recreating or on vacation. Vehicle contains at least four of the following, two of which must be 1, 2 or 3:

1. Liquid propane gas for cooking;
2. Potable water including sink and faucet;
3. Separate 110- to 125- volt electric power;
4. Heating or air conditioning;
5. Electric or propane refrigerator; or
6. Toilet (self-contained or connected to a plumbing system)

Residents – An Owner, Lessee, or other **person aged 19 or older legally residing in a Unit.**

Rules – Regulations or restrictions regarding private and common element property use and conduct.

Slow Moving Vehicle (SMV) - Also known as a golf cart, qualifying motorized craft, or Low Speed Vehicle (LSV), is defined as follows:

- Four-wheeled motor Vehicle
- Top speed of between 20 to 25 mph.
- Gross Vehicle weight rating is less than 2,500 pounds.

Spouse - Legal spouse as currently described in Nevada Law. Note: A Domestic Partner has the same rights as a spouse (NRS 122A).

Vehicle - The term "vehicles" as described in Section 10.19 of the Heritage CC&Rs shall include, without limitation, automobiles, trucks, boats, trailers, motorcycles, campers, vans and Recreational Vehicles.

ADDENDUM 1

HERITAGE AT CADENCE GOLF CART AND SLOW MOVING VEHICLE RULES AND REGULATIONS

The following rules and regulations regarding Slow Moving Vehicles (SMV) which include: golf carts, Low Speed Vehicles (LSV) as defined by NRS 484B.637, and current and future global SMV products, apply within the confines of Heritage at Cadence. The word "SMV" in this document refers to golf carts, Low Speed Vehicles and other qualifying motorized craft.

DISCLAIMER: The HOA, Lennar or future Declarant, the Community Management Company employed, nor any other similar entity assume any responsibility for the conduct or operation of SMVs within Heritage at Cadence. Operate at your own risk.

Requirements:

1. SMVs must comply with all NV DMV rules of the road when operating on Heritage streets.
2. SMVs must stay as far right as practicable.
3. SMVs must stop at all stop signs and yield to pedestrians in crosswalks.
4. SMVs must use proper hand signals or turn signals when required.
5. SMVs must be operated in a safe manner at all times. (Consideration of weather and traffic conditions must be taken into account.)
6. SMVs are NOT permitted on sidewalks. Mobility devices and mobility scooters may be used on sidewalks.

Equipment:

1. Headlamps or similar forward-facing white light.
2. Tail lamps, reflectors, stop lamps or hi-visibility markings and an emblem, reflective triangle and/or placard for slow moving vehicles. The vehicle must be visible to others when approaching from behind.
3. A mirror or side mirrors.
4. Brakes or sufficient device capable of cessation of movement.

SMVs operated outside of Heritage at Cadence on public roads, for instance, travelling to Cadence facilities, must be licensed in accordance with NV DMV Law.

NRS 482.398 Issuance in a county whose population is 700,000 or more; conditions under which permits are required. Clark County population is over 2.6 million.

1. In a county whose population is 700,000 or more, a permit for the operation of a golf cart may be issued by the Department of Motor Vehicles if the golf cart is equipped as required by subsection 2 and evidence of insurance as required for the registration of a motor vehicle is submitted when application for the permit is made.
2. A golf cart must have the following equipment:
 - a. Headlamps
 - b. Tail lamps, reflectors, stop lamps and an emblem or placard for slow moving vehicles
 - c. A mirror
 - d. Brakes

ADDENDUM 1

Each of these items of equipment must meet the standards prescribed for motor vehicles generally.

3. A permit is not required for the operation of a golf cart during daylight, by a person holding a current driver's license, if the golf cart is:
 - a. Equipped with an emblem or placard for slow moving vehicles; and
 - b. Operated solely upon that portion of a highway designated by the appropriate city or county as a:
 - 1) Crossing for golf carts; or
 - 2) Route of access between a golf course and the residence or temporary abode of the owner or operator of the golf cart.

Heritage at Cadence SMV Registration and Responsibilities

- The SMV shall be registered with the Community Management Company in the same manner as a motor vehicle in the Resident/Visitor Management Software.
- Registration with the HOA only permits the owner to operate SMVs within Heritage at Cadence, unless properly equipped and registered with the Nevada DMV.
- The owner of the SMV will not hold Heritage HOA, HHG, Lennar or residents responsible for damages, theft or otherwise to his/her SMV left unattended.
- The SMV owner will be responsible for any damages or injury caused by the SMV. The SMV owner shall have the appropriate insurance if damages or injuries are done with the SMV whether by the owner or any driver of the SMV.
- Speed limit within Heritage will be a maximum of 25 miles per hour (mph). All traffic rules and regulations will be followed and obeyed.
- The SMV shall stay to the right and not intentionally hold up vehicle traffic in any way. Hand signals or turn signals to turn or brake shall be used for braking or turning.
- Driving on sidewalks is not allowed at any time.
- SMVs shall use a parking space in the clubhouse parking lot and not park near the entrance of the clubhouse.
- No more than the maximum allowable number of persons, usually 4, shall be on the SMV when in motion.
- Driving an SMV while intoxicated will not be tolerated and fines may be levied for such conduct.
- Road rage or misuse of the SMV to damage or injure anyone will not be tolerated. Fines may be levied for such conduct.
- The SMV cannot be parked on the street overnight.

If violations occur and reported to the Community Management Company. The HOA Board will review said violation and act accordingly to include, but not limited to fines, liens, and criminal prosecution.

Heritage CC&Rs (Recorded 02/24/16), Section 20.2, Implementing Rules and Regulations