

WATERMARKE HOMEOWNER ASSOCIATION

PARKING RULES AND REGULATIONS

ADOPTED MAY 31, 2023.

WHEREAS, the Watermark Homeowners Association (the "Association") is a Nevada non-profit corporation, duly formed under and governed by the laws of the State of Nevada, including Nevada Revised Statutes ("NRS") Chapter 116, which governs common-interest communities in Nevada;

WHEREAS, NRS 116.3102 (1) (s) provides that "subject to the provisions of the declaration, the association may ... direct the removal of vehicles improperly parked on property owned or leased by the association, as authorized pursuant to NRS 487.038... and... if a vehicle is improperly parked as described in this paragraph, the association must post written notice in a conspicuous place on the vehicle or provide oral or written notice to the owner or operator of the vehicle at least 48 hours before the association may direct the removal of the vehicle, unless the vehicle: (1) Is blocking a fire hydrant, fire lane or parking space designated for the handicapped; or (2) Poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' owners or residents of common-interest community";

WHEREAS, pursuant to NRS 116.3013(1), the Board of Directors (the "Board") of the Association has a fiduciary duty to enforce the Associations governing documents and to exercise the ordinary and reasonable care of the directors of a corporation subject to the business judgment rule;

WHEREAS, the Board has installed signs in plain view throughout the Community declaring that public parking is restricted, which signs include the phone number of the police department, in accordance with NRS 487.038 (1);

WHEREAS, the Board wishes to adopt the following rule (the "Rules") in order to memorialize the parking policy within the Community and the procedures to be utilized by the Board in removing improperly parked vehicles from the Community;

WHEREAS, pursuant to NRS 482.283, each holder of a valid vehicle registration, upon changing his or her name or place of residence, shall notify the Department of Motor Vehicles of the change within 30 days after the change and shall include in the notice both the old and new names and residence addresses; and

WHEREAS, pursuant to NRS 484.185, public rules of the road applies to a residential community which is gated or enclosed or the access to which is restricted or controlled by a person or device.

A. REGISTRATION OF VEHICLES

1. All vehicles parked at any time on any street in the Community must have a valid current state-issued license tag/plate registration displayed on vehicle.
2. Each unit owner/resident (including tenants) who own any vehicle that is parked within the Community shall register such vehicle through the AXUUS App/Website (www.Axuus.com) if

the owner/resident intends on parking a vehicle within the Community. Simply registering a vehicle with AXUUS **does not** grant overnight Community Street parking.

3. If a vehicle is sold and is replaced with another vehicle, the owner/resident is required, within 45-days of such replacement, remit a copy of the vehicle's current license plate/tag to the AXUUS App/Website.
4. If the vehicle's license tag/plate information is not submitted to AXUUS, a letter shall be sent to the owner/resident requesting that the vehicle's license tag/plate be sent to AXUUS within fourteen (14) days of receipt of said notification. If the vehicle's license tag/plate is not received by AXUUS after the 14-day period, the Board may assess a fine against the owner/resident's non-compliance each week during the violation period.
5. Owners that lease their units must provide EPIC and AXUUS a current copy of the lease which identifies all tenants and all vehicles that the tenants intend to park in the Community. Failure of an owner to provide EPIC and AXUUS with a current lease and proper registration of all tenants' vehicles in AXUUS may result in sanctions being imposed on the owner. Owners may verify that the lease and tenant vehicle registrations are current by contacting the Association's management company (EPIC or AXUUS).

B. Parking Rules/Towing Policy

1. All vehicles, including motorcycles, must be registered with AXUUS. Non-AXUUS-registered vehicles may be towed at the owner's expense.
2. As stated in the CC&R Declarations (Section 10.11), garages shall be used exclusively for the parking or storage of vehicles and shall not be used solely for the storage of items other than vehicles. All vehicles properly registered with AXUUS shall be parked in their respective owner/resident's garage. Garages may not be used for any purpose that would prevent the owner/resident from parking their registered vehicles in their own garage. A hardship waiver of this rule may be granted by the Board pursuant to Section B (3) below, to avoid the owner/resident being sanctioned.
3. **Owner/resident/tenant parking.** The following rules apply to owner/resident/tenant parked vehicles:
 - a. A resident/owner who cannot fit their vehicles in their garage because the garage is not being used exclusively for the parking and storage of vehicles, is prohibited from parking such vehicle overnight (between the hours of 11:00pm to 7:00am) within the Community.
 - b. If the Owner/Resident has a vehicle that will not fit within the garage, they may apply to the Board for permission to use street parking in non-red zones. The Association does not guarantee that there will be sufficient parking for additional vehicle(s) nor does the Association guarantee that street parking will be granted.
 - c. Other than guest parking (see (4) below), all owner/residents must receive Board approval **prior** to parking additional vehicles associated with their Unit overnight (11:00pm to 7:00am) within the Community. **Simply registering vehicle with AXUUS does not grant overnight Community Street parking.**

- d. Other than properly registered Guest vehicles (see (4) below), AXUUS registered vehicles parked overnight (11:00pm to 7:00am) within the Community **will be towed** if the vehicle tag/license plate is not on file as having been approved for overnight parking by the Board.
4. **Guest Parking.** Guest Parking on the Community streets in non-red is permitted. Clubhouse parking is for Clubhouse and Pool use only and is not available for overnight parking (11:00pm to 7:00am). Other parking spaces may be used overnight (11:00pm to 7:00am) pursuant to the Rules set out in (3) above. Failure of the owner/resident to comply with these rules will result in the vehicle being towed at the owner's expense.
 - a. Guest vehicles parked on any Community Street between 11:00pm and 7:00am must be registered with AXUUS and may not exceed seven days within a 30-day period without written permission from the Board.
 - b. The Board reserves the right to suspend for a reasonable time a unit owner/resident's street guest parking if the unit owner/resident is delinquent in the payment of assessments for 90-days or more, or for other violations of the Association's governing documents.
 - c. Extensions for guests may be granted by special request through AXUUS in writing and must be submitted 7-days prior to proposed extension.
5. Any vehicle parked on the street overnight (11:00pm and 7:00am) which violates the Association's CC&Rs or Rules & Regulations will receive a 48-hour plate-specific written notice of the parking violation. The notice shall include:
 - a. Date of Violation
 - b. Time of Violation
 - c. Nature of Violation
 - d. Specific CC&R or Rules & Regulations violation
 - e. 48-hour cure notice
6. The following actions do NOT negate a parking violation:
 - a. Ripping the Notice from the vehicle or otherwise disposing of it;
 - b. Moving the vehicle to another parking space within the Community streets;

The only way to comply with the Association's Parking Rules and Regulations are to (1) Properly register the vehicle with AXUUS and (2) Receive Board approval to park on the community streets prior to overnight parking (11:00pm to 7:00am).

7. Repair work, oil changes, and similar work on personal vehicles must be done within garages or off premises. Inoperable vehicles, vehicles without current registration plates displayed, or abandoned vehicles will be issued a 48-hour tow notice. Any vehicle not moved within a 72-hour period shall be considered abandoned or inoperable and is subject to towing at the Owner's expense.
8. Garage doors are to remain closed except for vehicle ingress and egress or during those intervals when an Owner or resident is working in the garage.
9. Pursuant to Watermarke Declaration of CC&Rs, Section 10.13, RVs, buses, trailers, boats and other similar type vehicles may not be parked anywhere within the Community unless the vehicle fits entirely within the Owner/Resident's garage. Parking an RV, boat, commercial vehicle or

other similar vehicle in the garage is not permitted if parking that vehicle in the garage can only be accomplished by moving more than (1) passenger vehicle or other common type car or truck from the garage into the street. Camper trucks and similar vehicles up to and including one (1) ton, when used for everyday-type transportation may be kept or parked within the garage.

10. Parking in any cluster or Common Driveway is limited to 15 minutes for loading and unloading only and the vehicle's hazard lights must be turned on as a notification. Overnight parking in any cluster of Common Driveway is not permitted and these vehicles are subject to immediate tow at the Owner's expense.
11. If a Violating Vehicle is parked in such a manner as to (1) block a fire hydrant, fire lane and/or red curbs, or parking space designated for the handicapped; or (2) pose an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' Owners or Residents of the Community, the Board may direct the immediate removal of the Violating Vehicle from the Community. For the purpose of this provision, the natural flow of street traffic, including blocking the entrance way into or the exit out of the complex, blocking a garage driveway, or overnight parking in the Common Driveways, poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the Owners or residents of the Community. The vehicle is subject to immediate tow at the Owners expense.
12. Any fees and expenses associated with towing a Violating Vehicle from the Community shall be at the sole cost and expense of the Owner of the Violating Vehicle.
13. The owner/resident of a Unit is responsible for providing notice of the Rules, as well as any other provisions of the Association's governing documents to the tenants, guests, invitees and contractors. For the purpose of these Rules, notice to an owner/resident shall be deemed to be notice to that owner/resident's tenants, guest, invitees, contractors or family members of the foregoing.
14. The sanctions and penalties set forth herein are cumulative in nature and do not prevent the Association from taking all necessary administrative or legal action to enforce any violation of the Association's governing documents, including seeking injunctive relief or imposing fines after notice and a hearing.

NOW, THEREFORE, BE IT RESOLVED, that the following Policy regarding parking is hereby adopted by the Board.

IN WITNESS WHEREOF, this Parking Policy has been executed by the Association as of this 19th day of August 2021. The undersigned hereby certify that this Parking Policy has been adopted and approved in accordance with the NRS 116 and the Associations governing documents.

This 31 day of May, 2023

By:

DocuSigned by:



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Hope Nielsen
President