

Aptos Knoll Mobilehome Owners Association

Home Removal and Replacement Procedures

1. Introduction and purpose

Aptos Knoll Mobilehome Owners Association, Inc. (AKMOA) owns fee simple title to all of the real property known as Aptos Knoll Mobilehome Park, located at 600 Trout Gulch Road, Aptos, California, 95003. Members own a membership in the Association and are allowed to place their home in a specific numbered space within the park. The following procedures for removal of an existing home and replacing it with another are intended to maintain the peace, health, comfort, safety and general welfare of the Members.

In addition, these procedures are designed to clarify and unify the requirements stated within AKMOA Bylaws and its Rules and Regulations. The park is over 40 years old and has many unique lot shapes and sizes which limit the size and other attributes of replacement homes. Due to a history of varying rules and multiple park owners, not all existing sites and structures conform to the current standards. Replacement of an existing home provides an opportunity to upgrade the site to meet these newer standards.

All work must comply with applicable federal, state, and local laws and codes, and with all provisions of AKMOA's official documents.

Guiding Principle: We want to preserve, protect, and, where possible, enhance the features of Aptos Knoll that are valued by our entire community. Such features include landscaping (including use of landscaping to create visual separation between homes), protecting our environment (including the forest and Monterey Bay), shared common areas, and walkability.

2. Definitions

2.1 Common area: the area within the park not considered to be sites, including, but not limited to, lawns, paths, streets, clubhouse and pool.

2.2 Footprint: outline of the existing home including permanent accessory structures.

2.3 Home: livable unit placed on a homesite.

2.4 Homesite (also called "site" and "lot"): area under the home and around it not considered common ground. Usually this includes the space between the street and the home, space on each side up to the established lot line, and up to 7 feet of landscaping area at the end of the home facing the common area or the perimeter.

3. Roles and responsibilities

Any move of this type requires close communication, from beginning to end, among the homeowner, the home installation vendor and contractor, and AKMOA.

3.1 AKMOA Board, Manager and Architectural Committee

3.1.1 It is the responsibility of AKMOA management and the Board to keep the plans for home retaining walls up to date and on file. Any cost associated with this will be passed on to the member who is replacing their home.

3.1.2 The Park Manager and a designated member of the Architectural Committee will stay in close contact with the homeowner and vendor throughout the project. They will also be responsible for communicating with the Board about timelines and approvals.

3.2 Member / Homeowner

3.2.1 The homeowner is responsible for meeting the requirements set forth in this document, and for requesting any modifications or exceptions to AKMOA procedures.

3.2.2 AKMOA requires a \$3,000 refundable deposit from the homeowner before any work may begin. This is to cover possible damage to park or personal property that may result from the move, which is caused by the homeowner or is a result of decisions made by the homeowner. If damage exceeds \$3,000, the homeowner is responsible for the entire cost of necessary repairs.

3.3 Vendor

As used in this document, the “vendor” is the company from whom the homeowner is buying the home (e.g., Ideal, Alliance).

3.3.1 AKMOA requires a \$3,000 refundable deposit from the vendor of the replacement home before beginning any work for removal and replacement. This is to cover possible damage to park or personal property that may result from the move. If there is damage that involves greater cost than the \$3,000 deposit, the vendor is responsible for the entire cost of necessary repairs.

3.4 Removal and Installation Contractors

As used in this document, “contractor” is a company or individual that the vendor or the homeowner hires to do the actual work of demolition, installation, concrete, electrical, plumbing, landscaping, or other tasks that are part of the new home project.

3.4.1 All contractors involved in removal and replacement of homes in Aptos Knoll must be qualified and licensed. Before beginning work in Aptos Knoll, the contractor must provide to AKMOA (1) Certificate of Insurance for workers compensation insurance, and (2) Certificate of Insurance for commercial general liability insurance, naming AKMOA as an additional insured.

3.4.2 The contractor shall work only during the hours of 8:00 am to 6:00 pm.

3.4.3 The contractor and/or his representatives, as well as the homeowner, must determine the exact underground location of all utilities, before any site preparation. There are a number of phone, TV, and electric cables, as well as water, gas, sewer, and storm drain pipes underground, so any digging, grading, or earth movement on the site must be done with extreme care. Please consult first with the Park Manager, who will make available any information we have.

3.4.4 The home installation contractor accepts responsibility for immediate repair of any damage to utility lines (wires, cables, pipes, etc.) resulting from their work on the site, especially as these may affect service to others in Aptos Knoll. The contractor is responsible for scheduling final connection of all services to the new home.

4. Requirements

There may be situations not covered by the following list. These will be addressed individually. Open communication, thoughtful consideration, and thorough planning should make the entire project as smooth as possible for everyone concerned: the homeowner, other homeowners in the park, the home installation vendor and contractor, and AKMOA management.

4.1 Setbacks

Since homesites in the park are varying in size and shape, the footprint of the existing home should serve as the basis for the replacement home. If space allows, changes may be made based on the following standards, with approval by the Architectural Committee and the AKMOA Board.

Setbacks are subject to state law and AKMOA regulation, and must include all roof overhangs and any extensions such as bay windows.

4.1.1 New houses must be set back a minimum of 4 ft. from the street (at the closest point of the house to the street).

4.1.2 New houses must have a minimum of 3 ft. from the outside edge of the driveway to the lot line, or no closer than the existing house.

4.1.3 New houses must be a minimum of 6 ft. from the lot line on the non-driveway side of the property, or no closer than the existing house. This space may include a sidewalk to the entrance.

4.1.4 New houses should be oriented in the same direction as the existing unit. Most currently face the common area, with exceptions on Trailwood and lower Knollwood.

4.2 Home

4.2.1 Replacement houses must be new, double-wide (maximum width 24 ft.), and one story high. Maximum height may not exceed 13 feet from the finished floor to roof ridge.

4.2.2 Most homes in Aptos Knoll are sub-set in order to maintain as low a profile as possible. Finished floor of the new unit shall be placed no more than 18 in. above the highest finished grade.

4.2.3 The contractor shall consult with the Park Manager to establish site lines and grades.

4.2.4 Materials, siding design, and colors must be compatible with existing homes. Exterior siding for new houses may not be aluminum and must be fire-resistant.

4.2.5 All houses must have gutters and downspouts. Downspouts should be connected to drains or paved ditches to the street or natural drainage channels, as directed by the AKMOA Board, through its Architectural Committee.

4.2.6 Electric box must be upgraded to meet current standards.

4.2.7 All new homes shall have Earthquake Bracing installed.

4.2.8 There should be at least one architectural feature on the side facing the street to add to curb appeal of the house and neighborhood. As an example: double windows each measuring at least 36 inches by 60 inches.

4.2.9 All homes must be skirted. Skirting material should match materials and color of house. Structural components and plumbing should not be visible.

4.3 Driveways, steps, and access paths

4.3.1 Driveways must be long enough to accommodate two cars. AKMOA does not allow double-wide driveways.

4.3.2 Replacement sidewalks should be a minimum of 3 feet wide.

4.4 Additional buildings: Sun rooms and storage buildings

4.4.1 Buildings attached to the house should be made of the same siding material as the house, and should be the same color scheme. They should not be any higher than the eaves.

4.4.2 Any storage building not attached to the house, and set within 3 feet of a lot line, must be made of non-flammable material.

4.4.3 There may be no more than two storage buildings at any homesite, and the total combined size may not exceed 120 sq. ft.

4.5 Fences

4.5.1 Fences between houses may not be taller than 6 ft. Fences facing the common area may not exceed 42 inches in height.

4.5.2 Fences should not extend beyond the ends of the home.

4.6 Patios and decks

4.6.1 We recommend that patios or decks be made of wood, stone, paver blocks, or other permeable or semi-permeable materials to lessen run-off effects on nearby creeks and the Monterey Bay. Height, size, and privacy for neighbors will be considered in the approval process.

4.7 Landscaping

4.7.1 The general landscaping plans for all homesites in Aptos Knoll are subject to approval in advance by AKMOA.

4.7.2 Street-side setback area should be planted with living green landscaping. Landscaping plants and materials must be approved by the Landscape Committee.

5. Process

5.1 Homeowner, vendor, park manager, and a representative of the Architectural Committee should meet before any plans are submitted to review the terms of this document.

5.2 Prior to applying for approval to replace a home, the homeowner and vendor should have a meeting with the Park Manager and Architectural Committee representative to discuss the overall project requirements and any specific site limitations or considerations. Architectural Committee and Board meeting schedules will be provided. Copies of this document and associated forms will be distributed and discussed.

5.3 Application for project approval will be done in four phases:

5.3.1 At least three days before the Architectural Committee meeting, the homeowner submits drawings showing proposed size, placement and appearance of the new home (along with a drawing of the footprint of the existing structure), to the Park Manager for distribution to the Architectural Committee.

5.3.1.1 The height of the new home, including all height requirements above natural grade as listed in section 4, must be shown on the elevation drawing.

5.3.1.2 Plans must also include siding materials, paint color(s), roof color and materials, skirting, decks, storage buildings, driveway, patio, and walkways.

5.3.2 Homeowner and Park Manager, and ideally the vendor as well, will meet with the Architectural Committee to discuss the new plans and seek committee approval. Initial inspection of the site will be included in this meeting.

5.3.3 Once approved by the Committee, the Park Manager will submit the plans, with drawings showing elevation, to the AKMOA Board for approval during a Board Meeting that is open to the entire community.

5.3.4 Plans must have final approval by AKMOA before any removal, demolition, or construction may begin. The new home vendor and homeowner must each post a \$3,000 refundable deposit, to cover any damage that may occur to park or personal property during the demolition or installation.

5.4 At least three days before removal of the existing home, and at least three days before arrival of the new home, AKMOA must be notified so that proper notice can be given to others in Aptos Knoll. Impediment of traffic on the park's streets should be kept to a minimum. The notice should be given to the Park Manager.

5.5 Plan Revisions: All revisions to an approved plan must be submitted to the Park Manager for consideration by the Architectural Committee. If approved by the Committee, the revisions must be approved by the Board during an open Board Meeting. *Until revisions are approved, construction work cannot proceed.*

5.6 The project will be considered finished when final Housing and Community Development (HCD) approval has been given for the homeowner to move in. The homeowner, the vendor, and the Park Manager will walk around the property to determine if any damage has occurred to park property requiring repair or replacement. If there is no damage, the Park Manager authorizes the return of deposits.

6. Timeline

6.1 Because home purchases involving tearing out and replacing a home are infrequent events, AKMOA will try to work with prospective buyers to keep the process under fourteen (14) days, if necessary, to accommodate the purchase schedule. Ideally, plans can be submitted prior to and discussed during a regular meeting of the Architectural Committee, and during the regular monthly Board meeting. If that is not possible, we will attempt to find a quorum of the Architectural Committee, and then a quorum of Board members, to discuss and vote on the plans.

6.2 The following is the minimum suggested timeline for the approval process (the suggested timeline does not include the initial meeting to discuss the terms of this document):

Day 1: New home plans are submitted to the Park Manager to be shared with members of the Architectural Committee.

Day 4: Prospective homeowner, vendor, and contractor meet with Park Manager and at least one member of the Architectural Committee. The purpose of this meeting is to have a preliminary review of the new plans, discuss of the goals of the homeowner, explain AKMOA policies, and answer any questions.

Day 5: Final drawings are submitted to the Park Manager for distribution to the full Architectural Committee. These drawings should include an overlay of both the old and new houses on the site, and all information required in 5.3, step I above.

Day 8: Architectural Committee meets to review and discuss the plans. The committee will forward the plans, if approved, to the Board for consideration. The vendor and the homeowner will each give the \$3,000 deposit, payable to AKMOA, to the committee.

Day 12: Board meets to discuss and approve the new home plans.

6.3 The elapsed time from demolition or removal of the old home to completion of the new one must be no more than 90 days. A \$250 penalty may be assessed for each day beyond 90 that the project remains unfinished.

Approval Form—Home Removal and Replacement

This form will be signed and dated at various points in the process of removing and replacing a home. The Park Manager will be responsible for seeing that the signatures are obtained. When the process has been completed, the form will remain part of the documentation for the unit, and a copy will be given to the homeowner.

1. Initial Meeting (refer to Section 5.1)

The homeowner and vendor agree to abide by the park's procedures.

Homeowner _____ Date _____

Vendor _____ Date _____

Park Manager _____ Date _____

Architectural Committee _____ Date _____

2. Initial Plan Submission (refer to Section 5.2.I)

Park Manager _____ Date received _____

3. Architectural Committee Approval (refer to Section 5.2.II) *

Park Manager _____ Date _____

Architectural Committee _____ Date _____

Architectural Committee _____ Date _____

4. AKMOA Board Approval (refer to Section 5.2.IV) *

Board Member _____ Date _____

* If plans are not approved for any reason, the homeowner will be given a letter explaining any deficiencies. Once those have been corrected, revised plans must be submitted for approval.

Home Removal and Replacement Deposit Form for Vendor

The Vendor, _____, has submitted a deposit of \$3000.00 to Aptos Knoll Mobilehome Owners Association (AKMOA) to ensure satisfactory work will be completed related to property belonging to the park and other residents affected during the installation of a manufactured home located at _____.

The Park Manager as representative of the park shall inform the Vendor of satisfaction with property belonging to the park and other homeowners affected by the contractors' work when the job is complete and inform the Park Office Administrator that the deposit may be returned the next business day.

The Park Manager shall inform the Vendor in writing of any instance of damage to the park infrastructure, landscape and/or roads. Such notice will require a written response from the Vendor and must include the Vendor's proposed remediation with time frame not to exceed two weeks from date of notification. Repair and restoration methods and materials shall be agreed to by both parties. Deposit will be released upon approval of the Park Manager. Should repairs exceed \$3,000, the Vendor will be responsible for the entire cost.

In no event is AKMOA or its representative involved in or responsible for the private property of the manufactured home.

Receipt for Deposit by Vendor

AKMOA has received the \$3,000 deposit (payable to AKMOA).

Park Manager _____ Date _____

Vendor _____ Date _____

Deposit Refund to Vendor

The deposit of \$3,000 is hereby refunded, less any expenses for damages or any penalties, as agreed to. See attached Reason(s) for deduction, if applicable.

Amount to be refunded _____

Park Manager _____ Date _____

Vendor _____ Date received _____

Home Removal and Replacement Deposit Form for Homeowner

The Homeowner, _____, has submitted a deposit of \$3000.00 to Aptos Knoll Mobilehome Owners Association (AKMOA) to ensure no damage to property belonging to the park and other residents during the installation of a manufactured home located at _____ as a result of decisions or actions by the Homeowner.

The Park Manager as representative of the park shall inform the Homeowner of satisfaction with property belonging to the park and other homeowners affected by the installation when the job is complete and inform the Park Office Administrator that the deposit may be returned the next business day.

The Park Manager shall inform the Homeowner in writing of any instance of damage to the park's or other residents' property. Such notice will require a written response from the Homeowner and must include the proposed remediation with time frame not to exceed two weeks from date of notification. Repair and restoration methods and materials shall be agreed to by both parties. Deposit will be released upon approval of the Park Manager. Should repairs exceed \$3,000, the Homeowner will be responsible for the entire cost.

In no event is AKMOA or its representative involved in or responsible for the private property of the manufactured home.

Receipt for Deposit by Homeowner

AKMOA has received the \$3,000 deposit (payable to AKMOA).

Park Manager _____ Date _____

Homeowner _____ Date _____

Deposit Refund to Homeowner

The deposit of \$3,000 is hereby refunded, less any expenses for damages or any penalties, as agreed to. See attached Reason(s) for deduction, if applicable.

Amount to be refunded _____

Park Manager _____ Date _____

Homeowner _____ Date received _____