

**REGULATIONS OF NEIGHBORHOOD OF  
FRACCIONAMIENTO RESIDENCIAL MALANQUIN  
AUGUST 2007**

*The Development Residential Malanquin is a residential community with high architectural standards surrounding the first golf club in San Miguel de Allende, which is one of the most desirable travel and retirement destinations in the world. Each resident's vision is to work for the common good so that we may enjoy a safe, beautiful, clean, tranquil and private place where property values appreciate and neighbors treat each other respectfully as friends so that infrequent differences are resolved amicably together.*

**Article 1:** All owners of lots or homes located within the Development Residential Malanquin should belong to the Association of Residents of Residential Malanquin. However if they don't belong, each owner is obligated to respect the following Regulations and if the owner rents or sells his property, he is required to pass down to the next owner or renter of his property this obligation.

**Article 2:** Because our Development is exclusively residential in nature, it is prohibited that a home or land be used for other activities other than as a dwelling, with the exception of specifically authorized commercial areas.

**Article 3:** The owners of lots or homes are obligated to pay the Association and community maintenance quotas. Those of the Association are paid in the office of the Treasurer of the Association. Those of maintenance are paid in the first five days of each month in the offices of the Administration of the Development. Owners of lots and homes who delay their payments impede efficient service and adequate maintenance of our community. The Administration in these cases will take necessary measures to assure the payment of the owners who are delinquent in payments.

**Article 4:** The residents should not participate in activities that would bother neighbors or alter the tranquility of the area. Following are examples of activities that should be avoided:

- a. The use of instruments or machinery that make excessive noise should be avoided; sound equipment, televisions and musical instruments should be played at a volume that does not bother the neighbors in their homes.
- b. Domestic machinery as grass cutters, edgers, drills, etc should be used during the day time hours to not disturb the tranquility of the neighbors.
- c. Activities that would compromise the security of the Development and of the homes within should be avoided, as recreational explosives, fireworks and the use of substances that because of their quantity or reactive nature would be considered dangerous.

**Article 5:** When reunions, fiestas or other social events are planned, the residents should take precautions that the functions do not alter the tranquility of the neighbors or spill over to the neighbors homes whatever hour that the functions are held.

- a. Musical instruments should be maintained at a sound level that will not bother the neighbors.
- b. When the residents of the Development organize special events in their homes, events of more than 50 guests, they should inform and coordinate with the Association and the Administration, giving sufficient notice to inform of the names of the musical groups, of all of the service personnel involved, the quantity of guests, the means of identification of the invited, and of all that would be considered relevant to facilitate the event without putting the security of our Development at risk.

**Article 6:** For the usage of the streets and sidewalks for foot traffic as well as for vehicles within the Development, the following rules will be observed:

- a. The maximum speed within the Development is 20 kilometers per hour.

- b. It is prohibited to park on the sidewalks or to block the garage or car port of other residents.
- c. For courtesy towards the neighbors, the residents should avoid parking their vehicles in front of homes that do not belong to the owner of the vehicle.
- d. Permanent parking of automobiles, bicycles, motorcycles, four-wheelers, trailers, or any other type of vehicle or material in the public streets is prohibited.
- e. Likewise, it is not permitted to park, leave or store on the vacant lots or common areas of the Development automobiles, bicycles, motorcycles, four-wheelers, trailers or any other type of vehicle or material.
- f. It is strictly prohibited to park in the public streets, paths or common spaces trailers and vehicles used for habitation, bathrooms or places to eat or cook.
- g. It is prohibited to make mechanical repairs to vehicles in the streets of the Development or to produce noise which bothers the neighbors as those produced by motorcycles, loud exhausts, or blowing a car horn.
- h. It is prohibited for minors to drive gas motorized vehicles in the Development. Likewise, all standing laws of the city in regards to driving should be respected.
- i. Considering that the stone streets are very irregular, bicycles can circulate on the sidewalks of the streets of the Development, remembering that the pedestrian has the right of way.

**Article 7:** In relation to the solid wastes that are produced by the houses and gardens within the Development, the following rules should be observed:

- a. It is prohibited from throwing trash from the house or garden in the common spaces and vacant lots.
- b. Trash should be deposited in opaque plastic bags, maintained within the home site, and deposited in appropriate containers that will prevent odors and the access of animals.
- c. The trash will be collected by the maintenance personnel of the Development. The trash should be taken to the street as close as possible to the hour and day that the trash pick-up will occur. The pick-up days and times will be published in writing to all of the residents, and will be repeated should changes occur.
- d. The regulations for solid wastes contained in the Regulations for Neighbors and in the adjoining Regulations for Construction should be respected by anyone who builds or remodels. The person in charge of the worksite is required to reach an agreement with the Administration regarding the process to manage the wastes generated by the workers. All of the other waste products of the construction site must be removed from the Development by the contractor using his own resources.

**Article 8:** With the purpose to preserve the beauty and harmony of our Development, as well as to avoid visual contamination of our environment, the following regulations should be followed:

- a. It is prohibited to alter or interfere with the plan of the common areas.
- b. It is prohibited to place any type of sign, announcement banners or placards, including the promotion of real estate. The exception to this regulation would be discrete placards for the sale of one's home and the placard for a jobsite as detailed in the Regulations for Construction. To insure the increased value of properties within our Fraccionamiento, a benefit for the sellers, it is recommended that instead of using signs on the houses that the announcement of the home for sale be placed on a board which will be located at the entrance of the Fraccionamiento.
- c. It is not permitted to hang clothes in visible exterior areas.
- d. The painting and finishing of the exteriors of the houses must be maintained in good conditions at all times.
- e. The roof of the homes must be well maintained and can not be used for storage or abandoned objects that could be seen from other houses or from the exterior. Likewise the roof tiles must be well maintained.
- f. It is not permitted to install on the sidewalks pot plants that could cause through their humidity problems with the underground cable that exists. The residents who have received previous authorization from the Administration to install pot plants on the sidewalks are responsible for the maintenance of the plants.

- g. All of the owners and residents share the responsibility of caring for the common spaces and should contribute when possible to their enhancement and beauty. Likewise, they should inform their visitors of the requirements and help them to understand and comply with the regulations of the Development.
- h. The responsibility for the ecology is a priority for all in the Development, including the protection of the plants and trees, the usage of the water, and the maintaining of the common areas, street, sidewalks, gardens and lots without construction.

**Article 9:** Regarding the mascots and pets that are owned by the residents, the following regulations must be observed:

- a. It is absolutely forbidden to possess animals that present a potential danger to the community, including all type of wild animal as lions, crocodiles, felines (except cats), serpents, etc.
- b. The birds and all the species that inhabit the Development and its surroundings are the patrimony of the Community. They should not be taken into captivity, abused or killed.
- c. All animals that inhabit the homes of the Development should be up to date with their vaccines and should wear a collar containing the pet's name and the owner's name.
- d. Any mascot that is considered violent, that attacks other pets or people, will be taken from the community.
- e. All dogs must be walked with their leashes and if the animal requires it with a muzzle.
- f. The excrements that the dogs make in the common areas (streets, sidewalks, gardens, etc.) must be picked up by the person who is walking the dog and put in a plastic bag to be disposed of in the owner's home.
- g. It is strictly prohibited to allow the pets to run loose in the streets, sidewalks or common areas. Any pet that is found loose will be captured and if it can be identified returned to the owner. If it is not possible to identify the pet, it will be turned over to the agency for lost or abandoned animals.
- h. In no manner will it be permitted for animals to permanently live in a home that is not permanently inhabited, unless there are service personnel who live in the house when the owner is away.
- i. If an animal inflicts harm to a person, another animal or to other things, the owner of the animal will be responsible for the cost of the repairs.

**Article 10:** All owners should adhere to and respect the Regulations of Construction, the contents of which will be delivered as part of the Buy/Sell Agreement or of the Deed Agreement. The Administration will deliver this Regulation just as soon as a property is contracted for sale. Following are a few of the basic regulations:

- a. It will not be permitted to build or remodel a home without the previous approval of the Architecture Committee, who in is charge of monitoring the architectural style and concept of the Development.
- b. The Architecture Committee is lead by one member of the Association and one member of the Developer and requires the signature of both for the approval of plans.
- c. Before a construction site begins, the plans of the project must be reviewed by the Architecture Committee of the Homeowner Association. The plans will be signed as accepted if they comply with the Building Regulations or they will be revised with comments by the Architecture Committee.
- d. The owner must be current in their dues with the Community Maintenance quotas and with their Homeowner Association dues.
- e. The owner is obligated to begin construction within a maximum of two years after buying the lot and to finish construction within four years.
- f. In case of damages caused to the common areas or to neighbor's properties by the worksite, the Architectural Committee will determine the repairs that the owner must immediately carry out.

**Article 11:** All property owners, whether they have built a home or not, are obligated to comply with the following regulations:

- a. All owners must inform the Administration and the Homeowner Association their names, telephone number, e mail address and mailing address. This information will be part of the Directory of Owners and Residents maintained by the Administration.
- b. If the property is ceded or transferred to a third person, the original property owner is obligated to inform the new property owner of all of the rights and obligations that are contained in this set of regulations as well as the Regulations of Construction. All of the debts that the owner has with the Administration and/or the Homeowner Association that are not cleared up and liquidated before the property is transferred to a third person, will be the responsibility of the new owner to liquidate.
- c. Everyone interested in buying a property should, before closing on the sale, go to the office of the Administration of the Development to request a written statement of the debts that could be outstanding on a particular property, in terms of the maintenance quotas or of the dues of the Homeowner's Association.
- d. The seller of a property must communicate in writing to the Administration and to the Homeowner's Association the complete name of the new owner as well as his telephone, email address and mailing address.
- e. All residents who rent their homes must communicate in writing to the Administration and to the Association the complete name of the renter. The resident is also obligated to inform the renter of his rights and obligations in accordance with this Regulation.

**Article 12:** Anyone who encounters in the Development infractions of these Regulations is empowered to make this known to the Homeowner's Association, to the Administration or to the guards if the matter is urgent. This communication must be made in writing; the actions taken in relation to the infraction will be likewise communicated in writing. In the same manner, the residents who have concerns regarding the work or services of employees of the Development must make the concerns known to the Administration of the Development in writing rather than by direct contact with the employees.

**Article 13:** Mandatory. The present regulation is to be observed by all of the property owners and buyers of lots or fractions that constitute the Development Residential Malanquin, as well as all those who lease a property. This obligation must be transferred to the deed of any third party who acquires the property or lot.