

GRASSY RUN HOMEOWNERS' ASSOCIATION

OPERATING RULE 17-02

UTILIZATION OF ROADWAYS AND ROAD EASEMENTS

ARTICLE I – PURPOSE AND AUTHORITY

GRHA is responsible for the construction, improvement, maintenance and control of passage on, upon, over and/or adjoining all roadways and road easements constituting and/or relating to the private road network within the boundaries of Grassy Run.

In addition to the authorization for this Operating Rule 17-02 as set forth in Resolution 17-01, further authorization for this Operating Rule 17-02 exists by reason of certain provisions of that Judgment entered by the United States District Court, Eastern District of California, on August 15, 2008, in Case No. Civ. 96-1414-JAM-JFM, and recorded in the Official Records of El Dorado County, California, on September 16, 2008, as Document No. 2008-45397, as follows:

"The Grassy Run roads are private roads, and no person or entity claiming any legal or equitable right, title, estate, lien or interest in or over the Grassy Run roads adverse to the right, title, estate, lien or interest of the owners of parcels of property within the boundaries of Grassy Run has any right to travel upon those roads to obtain access to the Shingle Springs Rancheria for any purpose.

"The Grassy Run Homeowners' Association, and/or the Grassy Run Community Services District, have the right, power and authority to regulate the use of the Grassy Run roads.

"All persons claiming any legal or equitable right, title, estate, lien, or interest in or over the Grassy Run roads adverse to the right, title, estate, lien or interest of the owners of parcels of property located within the boundaries of Grassy Run, are hereby permanently restrained and enjoined from acting in any manner contrary to the rights of the District and of the Grassy Run Homeowners' Association as determined and declared by the Court pursuant to paragraph 2(a) hereinabove.

"The Grassy Run roads are not open or available for use by any person or entity for any purpose, including but not limited to access to the real property comprising the Shingle Springs Rancheria, without either (i) the express written consent of the President of the Grassy Run Homeowners' Association or any authorized representative of such Person, or (ii) the express or implied consent of any parcel owner and/or resident of the Grassy Run community for purposes of ingress and/or egress from the parcel owned and/or occupied by that person. Accordingly, [a]ll persons, including but not limited to the Shingle Springs Band of Miwok Indians and its members, and the residents of the Shingle Springs Rancheria, are permanently restrained and enjoined from using the Grassy Run roads for any purpose

whatsoever, without either (i) the express written consent of the President of the Grassy Run Homeowners' Association or any authorized representative of such Person, or (ii) the express or implied consent of any parcel owner and/or resident of the Grassy Run community for purposes of ingress and/or egress from the parcel owned and/or occupied by that person."

The County of El Dorado does not enforce the California Vehicle Code on Grassy Run roadways. Those roadways are private and are not highways or streets as defined in the California Vehicle Code. To the contrary, the Grassy Run roadways are private roads as defined in that Code.

The Board has determined it to be in the best interest of the users of the roadways and road easements for the protection and safety of the roadways, road easements, and the users thereof, that specific standards and controls regarding the use of vehicles on, upon, or over the roadways and road easements of Grassy Run be established by the Board.

ARTICLE II - USE OF ROADWAYS

GRHA roadways and road easements are maintained for the use of the residents and non-resident parcel owners of Grassy Run and their guests, agents, service, utility, and emergency agencies. No motor vehicles with a gross vehicle weight in excess of thirty thousand (30,000) pounds, or a length of fifty (50) feet, or a width of nine (9) feet, are permitted to travel on the Roadways without a permit issued by the Board, in a form and manner administratively specified by GRHA, other than those enroute to the provision of emergency or utility services to residents and/or parcel owners of Grassy Run. GRHA reserves the right, in its discretion, to require a designated fee for such uses in appropriate situations. Notwithstanding the foregoing, no double trailers of any size, weight, length or width are permitted to travel on the roadways without a permit issued by the Board. See also Article IX, below.

ARTICLE III - UNLICENSED OFF-ROAD VEHICLES

The operation of any off-road vehicle on the roadways must comply with Article VI (Safe Vehicle Operations). Any such off-road vehicle must be equipped with a United States Forest Service approved spark arrester and muffler. No off-road vehicle may be operated on the private road network during hours of darkness unless such vehicle is equipped with functioning headlamps and tail-lamps.

ARTICLE IV - OBSTRUCTION OF RIGHT OF WAY

The placement of any materials or objects within the roadway or road easements that may impede, detour or prevent the passage of vehicles, pedestrians or animals is prohibited. No fencing may be constructed within the road easements without the express written consent of the Board. The Board must approve any alteration or construction within the road easements. Trees may not be planted within the road easements. Each parcel owner and tenant is responsible for weed control, keeping ditches and culverts clear on his and/or her portion of the road easements.

Required maintenance of said portion of the road easements includes (a) keeping leaves, debris, weeds, bushes, brush and trees trimmed back at least four (4) feet from the edge of the roadway, and (b) prohibiting all brush and trees from hanging over the roadway lower than fourteen (14) feet from the roadway surface.

ARTICLE V – PARKED AND ABANDONED VEHICLES

No motor vehicle may be left parked or unattended anywhere on the roadways. Any motor vehicle left on a roadway must be removed immediately, and the vehicle may be immediately removed by GRHA at the expense of the vehicle owner.

For purposes of this Article V of Operating Rule 17-02:

a. The term "Main Corridor" means (a) Grassy Run Road between Grassy Run Court and Rolling Rock Road, (b) all of Rolling Rock Road, and (c) Reservation Road between Rolling Rock Road and Stones Throw Road; and

b. The term "Less Heavily Travelled Areas" means (a) Buck Mountain Road, (b) Grassy Run Road between Buck Mountain Road and Rolling Rock Road, (c) Castle Lane, (d) Reservation Road from Rolling Rock Road south toward Highway 50, (e) Turkey Track Road, (f) Stones Throw Road, (g) Little Brush Ridge Road, and (h) Reservation Road from Stones Throw Road to the north boundary of the Shingle Springs Rancheria.

No parking is permitted anywhere on the roadways or the road easements within or on the Main Corridor.

Except as otherwise permitted in this paragraph, no parking is permitted anywhere on the roadways within or on the Less Heavily Travelled Areas. Occasional short-term parking is permitted, however, on the road easements within the Less Heavily Travelled Areas, if, and only if, the vehicle(s) being parked thereon or thereat are located entirely off the roadways, so that no portion of said vehicle(s) extends on or over the roadways and the vehicle does not cross over any ditching. Parking is permitted on the road easements on both sides of the roadways in those areas if, and only if, those areas on both sides of the roadways in that location are wide enough to permit such parking in a manner whereby no portion of any vehicle(s) being so parked extends on or over the adjoining roadways.

Any motor vehicle left within the road easements for over twenty-four (24) hours, following the placement thereon of notification to remove said vehicle, will be considered abandoned and may be removed by GRHA at the expense of the vehicle owner.

ARTICLE VI – SAFE VEHICLE OPERATION

All motor vehicles utilizing the roadways of Grassy Run must be operated in a safe manner and no faster than the basic maximum speed at all times, and in no event may such speed be more than a maximum of fifteen (15) miles per hour. The operators of all motor vehicles utilizing the roadways shall adhere to all posted signs and/or regulations with respect thereto. The passing of moving vehicles is prohibited.

Unless otherwise expressly permitted by the Board, motor vehicles are permitted to travel only upon the surfaced area of the roadways.

Property owners are responsible for notifying guests and contractors of these requirements.

ARTICLE VII – DAMAGING OR REMOVING GRHA PROPERTY

No person(s) may damage, deface or remove any regulatory signage on the roadways and/or road easement. No signs may be affixed to any regulatory signage posts within Grassy Run.

Unless specifically permitted by the Board, the placement of signs or other advertisements on road easements is prohibited. Signs for parties, garage or lawn sales, weddings, or any other event held within Grassy Run may be placed within the road easements only after permission from the owner of the parcel where the signs have been placed has been obtained. Any signs placed in the road easements must be removed not later than Noon on the date after the event has concluded.

The depositing of any paper, rubbish, trash, junk or other material on the roadways and/or road easement is prohibited.

ARTICLE VIII – ACCESS TO ROADWAY

Culverts are required at each driveway entrance, at the parcel owners' expense. Culverts must be of sufficient size, length and design to handle water flow from upgradient areas adequately and in a manner which will not permit water to spill onto or underneath the roadway. The Board may exempt the need for culverts if the terrain slopes away from the roadway.

ARTICLE IX – PERMITS

The Board, in its sole and exclusive discretion, may grant permits for the use of the roadways by overweight, overlength and/or overwidth vehicles or for other purposes, upon the presentation of properly executed application for the same, in a form and manner administratively required by GRHA. GRHA reserves the right, in its discretion, to require a designated fee for such uses in appropriate situations. In no event, however, may any such permit be issued for any motor vehicle with a gross vehicle weight of eighty thousand (80,000) pounds or more, or a length of fifty (50) feet or more, or a width of twelve (12) feet or more. And in no event may any such permit be issued for any motor vehicle crossing the Larry Masterton (Slate Creek) Bridge with a gross vehicle weight of thirty-eight thousand (38,000) pounds or more. Any proposed deliveries to Grassy Run occupants which would require a crossing of the Bridge but would exceed those bridge-crossing limitations must be divided and separated into multiple deliveries which comply with those limitations.

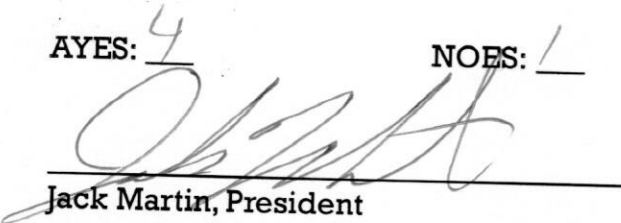
ADOPTED BY THE BOARD OF DIRECTORS OF THE GRASSY RUN HOMEOWNERS' ASSOCIATION
at a regular meeting of the Board held on the 28th day of June, 2017, by the following vote of said
Board:

AYES: 4


NOES: 1

ABSTENTIONS:

ABSENTS:



Jack Martin, President



Vivian Abplanalp, Secretary

History: Former Resolution 05-02, Adopted by the Board on September 28, 2005.