

**Section 5.01. Shared Maintenance and Repair Responsibilities.**

(a) **Private Access Road.** The Owners of Lots 3, 4, 5, 6, 7, and 8 as shown on the Subdivision Map shall collectively share in the expense and responsibility for all maintenance, repair, upkeep and replacement within the shared areas of the Subdivision, including:<sup>4</sup>

- (i) the interior private roadway providing access to those respective Lots in the Subdivision;
- (ii) assuring unrestricted use and access to the interior private roadway;
- (iii) posting and maintaining at the entrance to the Subdivision signs required by Vehicle Code Section 22658.2 to permit the towing of improperly parked vehicles as well as standard City "no parking" signs or designated as fire lanes and marked in accordance with the requirements of the Fire Department and the California Fire Code, enforceable by the Declarant, Owners or City;
- (iv) the removal of vegetation overgrowing the private road and infringing on the roadway to clear vertical height of 13'6" or width of 20';
- (v) assuring the legibility and permanent embossment of "NO PARKING – FIRE LANE" signage or striping;
- (vi) all vehicular and pedestrian access gates and opening systems, including any and all electrical components therein;

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<sup>3</sup> See Condition of Approval No. A34.

<sup>4</sup> See Condition of Approval Nos. A11, A47.

- (vii) all fire protection systems, including but not limited to hydrants, fire alarm systems and fire sprinklers.

The Declarant declares Lots 1 and 2 and their Owners are exempt from sharing in the maintenance and expense obligations of this Section 5.01(a) because the interior private roadway does not service either Lot. Instead, Owners of Lots 1 and 2 access their Lot off public street "North Avenue."