

NATIVA Condominium

GATED COMMUNITY

Community Rules

October 2018

Nativa Condominium

& the sub-condominiums

LAS BRISAS

LAS VISTAS

LAS LOMAS

EL JARDIN

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Introduction.

Residing in a condominium, whether horizontal, vertical or mixed requires that all of the Owners and residents- or users- reliably respect certain regulations and policies which permit the exercise of individual rights without affecting the rights of others.

These regulations and policies are included in laws, decrees and regulations which apply to property registered as a condominium and have the objective of guaranteeing a harmonious and peaceful lifestyle within the community, thus maximizing the enjoyment and use of the property for everyone.

In the case of the Nativa Horizontal Condominium, hereafter referred to as Nativa, the governing structure is based in the following:

- Law No 7933, Law Regulating Property in Condominium.
- Executive Decree No 32303-MIVAH-MEIC-TUR Regulation of the Law Regulating Property in Condominium.
- The Regulation of the Nativa Horizontal Condominium (and of the sub condominiums), and the Condominium Plan registered in the Costa Rica National Registry.
- The documented policies issued by the General Assemblies and their respective decisions.
- The responsibilities and duties of the Board of Directors.
- The responsibilities and duties of the Administrator and the personnel assigned to execute them.

Therefore, seeking to promote the wellbeing and equity for all of those who choose Nativa as their home, whether short or long term, these Community Rules established in accordance with Article 29, f) of the Regulation of the Condominium, have the objective of informing the Owners and other users, of their rights and obligations:

- thereby achieving and promoting standards of conduct and behavior conducive to the tranquility and enjoyment of the Owners and Residents.
- encouraging good relations between neighbors.
- protecting the interests of individual Owners.
- promoting the wellbeing of the community, the preservation and conservation of the environment, as well as property values.

The Community Rules also serve as a means to help resolve complaints, disputes, or breaches of the Regulation, the Law and accepted decency and behavior, and control the diverse elements of the good management of Nativa; and at the same time to provide the Administrator and the Board of Directors with remedies when necessary.

Undoubtedly the majority of the conflicts which arise between neighbors, or between residents and the administration, are due to breaches of the community rules. The management of such

conflicts in the conciliation or administrative stages falls to the Administrator or the Board of Directors, before being referred if required to the relevant outside authorities.

In consequence the interpretation and judgment of the Administrator and the Board of Directors, appointed by the Owners, will apply in terms of the regulation and the community rules, as well as any other rule later established by the Association, with a view to resolving whatever issue or disagreement which may arise within the Nativa community dynamic or any of the properties within the complex.

Chapter 1. Common Areas- Gardens and green areas, swimming pool and social areas.

Description.

In Nativa all areas are common areas with exception of the privately owned properties.

Some of the privately owned properties, known as the sub condominiums (such as Las Lomas, Las Brisas) are for use only of the sub condominium owners and their guests, and for those users all areas are common areas except the private units, which in the case of the vertical communities are those areas within the unit itself.

Being that Nativa is constituted by 59 properties within the primary Horizontal Condominium all of the owners, whether directly of a property in the Horizontal or in the sub condominiums, are authorized to use common areas of the Horizontal. The residents and users of the sub condominiums (also known as secondary condominiums) can use those areas in addition to the common areas of their own sub condominium.

The common areas are comprised of different types of areas. There are green forest areas, green garden areas and pathways, and roadways and parking areas. Others might have more infrastructure such as swimming pools, social areas, and children's play areas.

In order to safeguard the security of the Owners and users, as well as to maintain the enjoyment, and protect Association maintenance costs, different areas will have different conditions of use or access.

The common areas and their use is one of the main priorities of the administration and a principal purpose of the Associations, as well as the areas which also require greater focus in the rules of enjoyment and use, and create the greater necessity in terms of supervision, administration and the collective expenses of the condominium.

Rights and Obligations.

In accordance with the Law Regulating Property in Condominium and its regulations, as well as the constitutive regulations of the Nativa Condominium, each and every Owner of the different residential units- whether or not developed- must respect the regulations of use of the common

areas and common assets and contribute toward the necessary costs for the appropriate operation of the condominium.

The Owners, as an Association, have the right to ensure that their payments are used in an optimum way, with the objective of providing a secure and attractive area, functional and well maintained, and seeking to maintain the value of the property and controlling future costs by anticipating requirements.

Rights and Restrictions of Use.

1. General Rules.

- a) All the persons which the Owners authorize, under their responsibility in terms of behavior, respect for the condominium rules and any related consequences, may have free access to the unrestricted common areas. However behavior and activities of adults, adolescents or children which might cause annoyance to other owners or users, or might cause deterioration of common or green areas, or risk to wildlife, will be regulated by the Administrator. In general, hours of use will apply.
- b) The Board of Directors of the Association has the authority in accordance with the Law and Article no 29 of the Condominium Regulation to adopt such rules or restrictions as considered necessary according to season which may be in time schedule, or the number of persons who might concurrently use the common areas, typically only for periods of high demand such as yearend vacations, Easter week, midterm vacations and the like.
- c) The property and different common areas are supervised and monitored both by the security officers as well as security cameras.
- d) All common areas, including those beside buildings must be kept free of trash, waste material, or rubble. It is not permitted to put, leave or store, items, implements, furniture, toys, recreational or sports equipment in common areas. This restriction applies specifically to entrance areas, passage ways, internal or emergency stairways, access ramps, pavements, pathways and gardens, and parking areas.
- e) Owners or users may not plant, put, or install in any way plants or ornaments or other items outside of their private area. The Administrator is authorized to remove, at the cost of the Owner, any plant or ornamental item which an Owner or user has placed in a common area, even when that common area is adjacent to the private property.
- f) Each property of the Horizontal Condominium, that is a built property, must have its own vehicle parking within the private property. No common area of the Horizontal Condominium has been designated as a parking area, and therefore the parking of vehicles in common areas, pavements, the roadside and roadways of the Horizontal, or any of its easements, is not permitted.
- g) The conservation of the common areas is paid for by all the Owners and managed by the Administrator. Therefore there should be no modifications, interference or damage to

these areas including green areas and gardens, constructions, and any equipment or furniture which forms part of the common property. In the case any Owner has a good or better idea in terms of what currently exists, the proposal should be channeled through the Administrator for consideration

- h) The gardens and green areas are for the enjoyment of the users to walk, relax, and for children's recreation. Playing games, whether adults, adolescents or children, which could create annoyance for other users or cause damage to property will be regulated by the Administrator.
- i) If a pet is taken out of the private area into the common areas it must at all times be on a leash and supervised by an adult , and the restricted common areas indicated by signs must be respected. Please see Chapter 7. Pets.

2. Social Areas.

- j) The swimming pools and their surrounding areas of the sub condominiums are for the exclusive use of the sub condominium Owners and their guests or authorized users, subject to all users respecting the respective regulations, including any maximum user limit established per unit, and the requirement that monthly maintenance payments are up to date.
- k) Children using the common areas should be supervised by a responsible adult.
- l) The specific Regulation for Use of the swimming pools is attached as Annex No 1 and should be respected by all users. Each sub condominium has its own time schedule for use of the pool and the following user limit applies:
 - Las Vistas: maximum load of 24 persons in the pool and 6 persons in the Jacuzzi.
 - Las Brisas: maximum load of 24 persons in the pool.
 - Las Lomas: maximum of 18 persons in the pool.
 - Las Monas: maximum load of 50 persons in the pool- subject to conditions of the pool provider/owner.
- m) A breakable material in a swimming pool is a serious danger to the users. In addition, broken glass or similar material in the pool will require the pool to be closed and emptied to eliminate the risk, with both an economic cost in time and chemicals, as well as inconvenience to the users. As a result the use of any type of container made of glass, ceramic or breakable material is forbidden in the swimming pool and surrounding areas.
- n) When it is windy, or there are gusts of wind, to avoid accidents or damage, the umbrellas of the pool area should not be opened, and if already open they should be closed. After using a pool umbrella users are requested to close it when ready to leave the area.
- o) In all of the common areas, and in any area visible to the public, suitable dress and conduct consistent with a family environment is required. All users are required to respect decorum and to desist from any activity contrary to common decency and good conduct.

- p) Smoking is prohibited in the following common areas: gardens, swimming pools and surrounding areas, in internal passageways and stairways, including emergency stairways, and around construction sites. This restriction includes any smoking apparatus, for example pipes, water pipes, hookahs, bongs, and the like. Smoking is permitted in other areas however cigarette ends, or any other waste, must be collected.
- q) Persons clearly under the influence of alcohol, or who are apparently under the influence of drugs or psychotropic substances, or if their behavior indicates such a condition, are not permitted to remain in the common areas. Neither is their presence permitted during or after consuming psychotropic substances.
- r) Users who wish to enjoy music when using the common areas should do so using headphones. The use of speakers may be permitted at low volume when the music selection is to the enjoyment of all users in the immediate area, and the volume does not prevent normal conversation between persons in the area. It should be noted that there may be persons in a building adjacent to the sound equipment who may not share the desire to hear music. In case there is a concern about the volume of any sound equipment, an instruction of the security personal to either switch off the source or switch to headphones must be respected and is final, in that way conflicts between users or owners can be avoided.
- s) The same restriction applies to any equipment or apparatus that produces sound, interference, electromagnetic waves, lights or vibration either within or toward the common areas. This restriction applies to equipment such as drones or model airplanes, remote control vehicles, and the like. If any Owner or user wishes to operate a drone or model plane, or similar, within the property for a specific purpose such as photography, nature observation, or hobby, the request should be directed to the Administrator who will define the respective conditions.

Chapter 2. Private Areas- Apartments, Houses, Villas, Townhouses and Lots.

Description.

In Nativa the private areas consist of the individually registered properties: in the case of the Horizontal Association they comprise the lot and the private construction of houses, villas or townhouses, while in the vertical condominiums (sub condominiums) the private areas are essentially the internal construction including balconies and patios, which are usually referred to as apartments.

Given the combination of horizontal and vertical properties at Nativa, it should be understood that the common areas around the sub condominiums are private in nature to all except the Owners and users of those same sub condominiums and residents in those apartments.

Thus each Owner is the exclusive owner of their respective private property, as well as being co owner of the common areas and common assets through the respective Associations. The

entire Nativa property is residential in nature, save for a few properties designated for commercial, recreational, and maintenance purposes, and are solely designated for housing. No Owner is permitted to change the use of the property to commercial activities which might involve the movement of goods, vehicles, customers or suppliers, or any activity which is contrary to the well being and decency of the condominium and its residents.

Rights and Responsibilities.

In a condominium the private properties enjoy privacy. However in any area where the use or actions which cease to be contained within the realm of privacy, and or within an exclusively private area, become subject to the regulations and the rules of the association to which the property belongs.

Thus Owners are free within their private area to exercise their personal choice according to their needs.

However Owners should remember that the external parts of the private property, that is what can be seen, heard or experienced from outside must be in accordance with the prevailing rules which are intended to ensure that the property is integrated in a cohesive manner with the rest of the complex, including standards of decoration, cleanliness and order. This is imperative in order to project a consistent image which promotes and maintains the enjoyment and value of all of the properties within Nativa.

There are guidelines to protect each and every Owners property, as well as the common areas and common assets.

Obligations and Restrictions.

- a) Every construction in Nativa has been approved by the Architectural Committee, which among other things has approved the external appearance. As a result the same Committee must approve changes to facades, the decoration of external walls, doors and windows, as well as to any change in the color of the external finishes of the buildings. In the sub condominiums any initiative or modification which affects the structure, master walls and other essential elements of the construction is prohibited even in areas not visible, without the express approval of the Committee.
- b) It is a requirement that every construction in Nativa is maintained in a good state of maintenance including roofs, eaves, facades and fascias, lamps and lanterns. Owners must maintain in good condition balconies, walls, patios, passages, internal green areas and drainage which is part of the property and any restrictive common area adjacent to the unit. Thus the property will be of impeccable appearance, free of weeds, garbage and discarded items.
- c) Each private property should have its own parking area within the property, in the case of constructed lots it will be inside the property line and in the case of the sub condominiums part of the restricted common area. No common area of the Horizontal

condominium has been designated for this purpose, therefore parking of vehicles is not permitted in common areas, pavements, the roadside or roadways of the Horizontal condominium or any of its easements.

- d) Any car port exposed to the roadway of the condominium should be kept tidy in order to maintain the good appearance of the condominium. Any such area may not be used for the storage of furniture, construction materials or equipment, large boxes and the like. In the case of private homes such areas are to be used for their purpose that is vehicles, bicycles, recreational equipment and children's toys, in an orderly way.
- e) At all times, the entrance of each property, whether it is of paving blocks or stones, concrete, tile or asphalt must be kept clean, free of weeds, mildew, and the like.
- f) The front areas of houses may not be covered by hedges, fences or railings, however between properties hedges of low height, between 1.00 meter and 1.40 meters above the internal level of the garden, will be permitted as long as they are well maintained and remain in harmony with location. In terms of selecting plants for the front of the lots the approval of the Board of Directors, by way of the Administrator, should be obtained before they are planted. At all times external areas should be tidy and free of garbage, waste, and rubble. The placing of ornaments and/or furniture (such as statues, fountains, benches and the like) is permitted as long as they are consistent with the good appearance of the Horizontal condominium. This is not permitted in the sub condominiums.
- g) The undeveloped areas of the private lots of the Horizontal may be freely used by the Owner as long as that use is consistent with a private residence, for example as a social area, family games, ornamental or vegetable garden, shed or outhouse for yard storage, pet area and the like. An adequate level of maintenance is expected for such areas without the accumulation of garbage, waste, rubble, or furniture items, equipment or artifact which could prejudice the community in one way or another, for example bad odors, stagnant water, diversion of rain water or other unhealthy situations. The Administrator is empowered to advise the Owner of any anomalous situation and establish a period to address the matter.
- h) The burning of any material whatsoever is not permitted whether on the inside or outside of any unit, private area or common area. No explosive, inflammable material, chemical or chemical material, or dangerous or unhealthy material, which threatens the health, security, or well being of the Owners and users, or that produces bad odors, smoke or irritation to others, may be stored in any private property or common area
- i) Placing a clothes dryer in the open air is not permitted, nor to dry clothes and other articles such as towels and bedding amongst others, in the public view in any private property that is residence, apartment or townhouse.

- j) Public order and respect toward neighbors should be maintained, keeping sound levels, noise, vibrations and lights within reasonable limits even although the effect is produced within the private area. If this goes outside the property limit, and can be heard, seen or felt in the common areas or in other private properties nearby and reasonably perceived as annoying by other Nativia users, as indicated by the security personnel or the Administrator, the immediate elimination of the source of the annoyance will be requested either verbally or in writing.
- k) In the case where a social or family event is planned with the attendance of larger groups of adults and or children, and / or entertainment which might provoke a sound level higher than normal, or which might create annoyance to the neighbors, the Owner or resident is requested to notify the Administrator with at least 72 hours advance notice in order to receive the relevant indications, agree a time frame for the event and coordinate any relevant aspect of security. In this way any inconvenience on the day of the event can be avoided.
- l) House moving activities, construction work or gardening in private properties using motorized equipment are not permitted on weekends or public holidays nor in night time hours. The time schedule for such activities is Monday to Friday, 8.00am to 5.00pm even although the activities are carried out within the properties. If a special need exists, advance approval should be requested from the Administrator in writing explaining the reason for the activity outside the schedule, and not less than 72 hours in advance.
- m) With the exception of special periods such as Christmas, Thanksgiving, National Independence, Halloween and other holidays as determined by the Board of Directors no banners, placards, signs and illuminated ornaments or figures which might affect the aesthetics and security of the community may be placed or set up.
- n) Signs, announcements, illuminated or exposed advertising, whether located outside a building or within the property, but in public sight may only be placed of a size, design, and quantity as approved by the Architectural Committee, or the developer who according to Article 70, item b) of the Regulation is the only one with the freedom to place signage. However based on the same article, the General Assembly may approve signage which is for the benefit of the Condominium as a whole. For Sale and For Rent signs are expressly prohibited. This same restriction applies to the private units of the sub condominiums where it is prohibited to place any sign, notice or advertisement within public sight.
- o) The Association has the right to enter any property when it is necessary for construction, maintenance and emergency repairs of common areas, or if it were necessary for the benefit of the Owners as a group, including surface repairs and maintenance of pipe work of supply and drainage. This right does not extend to the residential quarters except in an emergency which threatens damage to other units as determined by the Administrator. Whatever damage caused to a unit due to the Association gaining access will be repaired by, and at the cost of, the Association.

Chapter 3. Entrances and access roads, vehicle transit, parking.

Nativa Resort is a private gated community with a closed perimeter and access which is controlled at three entrances:

- The Main Entrance on the coastal highway, Route 34 which is designated as the entrance for Owners, invited guests and tenants, and operates 24 hours per day.
- Entrance #2 beside the Administrative Office which operates from 6.00am until 5.00pm daily for the entrance of suppliers and service providers.
- Entrance #3 located at the end of the road below Las Brisas, which operates by prior agreement with the Administrator and principally to support construction activities.

Owners and residents may enter and leave through Entrance #2 during the time period indicated.

The entrances are controlled by the Security personnel of Nativa Resort which has the responsibility and obligation to ensure that access is granted only to persons with the right to gain access, that is the Owners at Nativa and the persons authorized by them.

Therefore the Security officers are authorized to deny entry to any unauthorized person and/or any person not identified as such, and in addition when there might exist any doubt in this regard; for example a lack of consistency between the authorization and the person requesting access, or any document of identity, or any sign or indication considered relevant at the discretion of the officer and/ or the Administrator.

The internal roadways of Nativa are private property being part of the common areas of Nativa and therefore are not public property, and the regulations of the Condominium apply to their use and administration.

Owners are specifically requested the following:

- a) To provide the Administrator, and keep updated, the Owner's information and the family members who are permanently authorized to gain access to the property, that is full name, identity or passport number, and indicate clearly if those persons have or not the right to authorize other parties to have access to Nativa.
- b) To cooperate with the Security officers when entering or leaving Nativa and follow their instructions to wait or proceed, as the case may be.
- c) The Owners, family members, and residents who are known to the Security officers do not need to present their identification document each time they enter, with the understanding that there could be situations in which the officer needs to

ask for identification and enquire as to the destination, for example of a new Owner, or a relief officer who does not know all the Owners, or in whatever situation of doubt the officer might identify.

- d) To communicate whatever access authorization in advance to the Administrator providing sufficient information to reliably identify the persons permitted access, that is the full name, identification or passport number where possible, and/or a description of the vehicle or service. In that way access will be more agile, traffic flow will be better, and inconvenience avoided. In the case where the access authorization is permanent or repetitive the authorization must be provided in writing directed to the Administrator.
- e) In the case where an Owner has not communicated in advance an access authorization the Security officer will make a best effort to contact the Owner, introduce the visitor and request the respective approval. However should there be any difficulty in this regard, for example being unable to locate the Owner, the officer cannot permit the person or persons requesting access to enter until the matter is resolved.
- f) To always respect the road signs and the posted speed limit and give priority to pedestrians or wild life encountered on the road. The maximum speed limit within Nativa is 25 kilometers per hour and applies unless a different limit is signposted.
- g) Parking is not permitted except in areas indicated for the purpose, however vehicles are permitted to stop for short periods, with the vehicle supervised, to observe the scenery or wild life, take photos or relax a moment at the roadside
- h) Although the roads within Nativa are private property, vehicles are only permitted to circulate driven by licensed drivers, or drivers under instruction under the same conditions that apply according to the National Transit Law, related laws, as well as their respective regulations.
- i) Vehicular transit of any kind within Nativa must be by way of the established roadways, no transit is permitted in common areas, green areas, and undeveloped private lots.
- j) Recreational vehicles may circulate on the roadways within Nativa, that is: bicycles, golf carts, motor bikes or four wheel ATVs, for normal or recreational transit and transport of persons. However races or trials, repetitive circuits at speed, or other behaviors not consistent with the family and forest environment which is promoted at Nativa, are not permitted. The use of vehicle horns or claxons should be limited to emergency or exception situations.
- k) The sub condominiums have parking as part of the common areas and each unit has the right to use one space and the rest of the spaces are available to visitors

and /or an Owner's second vehicle subject to availability. Car park signage must be respected especially those spaces reserved for disabled persons, and the instructions of the Administrator and/or the Security personnel must be followed when the parking areas are heavily used.

- l) No trailers, campers, mobile homes, boats or launches, non motorized vehicles or transporters may remain in the parking areas overnight. Recreational vehicles are accepted, such as golf carts, ATVs, bicycles or motorcycles, however as a courtesy to other users such vehicles should not be located in the spaces nearest the buildings. No vehicle repair or maintenance activity is permitted in the parking area or any other common area, except in the case of an emergency.

Chapter 4. Security.

Nativa Resort has a security team which has the responsibility to control access to the property and protect the perimeter to ensure that only authorized persons are given access, and to prevent the entrance or breach of the perimeter by criminal elements, delinquents, street dwellers, itinerant persons, and any other person without a valid reason or right to remain or establish presence within the limits of the property.

In addition the security team has the mission and objective to protect within Nativa any human being, property, whether real property or moveable assets, consistent with its capability and resources to observe, prevent, intervene, and report anomalous situations of risk, danger, emergency or of criminal activity.

Being a private security team there are limits in terms of the capacity and legal authority to act. In the case of situations of criminality, violence, public order, or where there is risk to human life through earthquake, fire, storm (amongst other circumstances) the principal resource of the security team is to report the event and request the presence of the public emergency services, such as the Police, Red Cross, or Fire Department. Also to maintain presence in terms of the progress of the emergency and the respective response, and according to the circumstances participate in control activities such as restraint, personal assistance, evacuation, assembly, cordoning off the area, and the like.

There are fixed security posts, as well as officers who patrol the community 24/7 in accordance with a schedule established by the Administrator. Nativa also has a network of security cameras which cover relevant areas of the perimeter, as well as roadways and other common areas. There is constant monitoring of the camera coverage, which is also recorded for later review whenever necessary.

The security team is a community resource which serves the Owners and users in situations within Nativa which require an emergency or exception response such as a medical crisis, a

domestic accident, a missing child or pet, a vehicle accident or breakdown, a confrontation between persons amongst others.

In addition the officers may offer help and support to senior citizens, women with infants or pregnant, disabled persons, or minors where there is a pressing need. However they are not to provide a concierge service, such as help with luggage, change a flat tire and things of that nature.

The security officers are also responsible, in coordination with the Administrator, to monitor the respect and compliance with the regulations and community rules by the Owners and users. Upon observing a breach of the regulations the officers have the authority to call the attention of the persons involved with the objective of making them aware of the situation, and with the cooperation of those involved correct the problem without greater annoyance or inconvenience.

Where cooperation of those involved is not forthcoming the officers are authorized to intervene in a practical sense, for example shut off the electric current in a common area to deactivate a sound equipment, to escalate the matter to the Administrator, or in serious cases of affecting public order or violence, request the intervention of the Police Force.

In this context it is requested that each Owner respects and maintains awareness of the various rules and regulations especially those which most affect the wellbeing and enjoyment by other Owners such as excessive sound levels, smoking where not permitted, antisocial behavior, excess vehicle speed or poor parking of vehicles, poor supervision of pets, amongst others.

Annex 2 provides emergency contact numbers of Nativa Resort, of the public emergency services of the area, as well as other useful services.

Chapter 5. Maintenance Fees, Financial Statements and Budgets.

The purpose of the maintenance fees is: promote the recreation, health, security and well being of the Owners and users of the Condominium: for the improvement and maintenance of the common areas which includes the civil infrastructure, green areas, and the recreational areas: pay the various obligations of the Associations such as the maintenance worker and security employees' payrolls: the costs of the Administration, water and electricity in the common areas, amongst other obligations.

Each Owner at Nativa Resort has the responsibility to pay the maintenance fees, which are established in US Dollars in accordance with the Regulation of the Condominium, invoiced by the Administrator in accordance with the budgets approved in the General Assembly of the Associations, that is the Horizontal Association and the Associations of the sub condominiums. It is an obligatory requirement and the private property of each Owner will respond for any payment failure, the Associations being preferential creditors second only to unpaid municipal and/or government taxes levied on the property.

As the maintenance fees are the only source of income of the Associations, the Owners are requested to pay their maintenance fees when they fall due in order to facilitate the operations of the administration and the good management of the budget. There is a strict control over the process of invoicing and collection, interest and penalties are applied to overdue accounts, and when there are serious late payments the legal collection process will be implemented. All of this is for the well being of the community. The collection policy and process has been duly documented and approved by the General Assembly.

Each Owner is responsible for the payment of public services charged directly to their property such as electricity, cable or telephone. The Associations are responsible for the public services in the common areas used by the condominium. Additionally the Owners are responsible for the payment of taxes levied against their property, whether municipal or central government.

It is the Administrator's responsibility to manage the accounting and financial statements in accordance with the relative professional standards, in an organized, reliable and transparent manner. These responsibilities include the collection and management of the monies of the Association, the bank accounts, payrolls, accounts payable, amongst other relevant duties.

The Board of Directors has the responsibility to supervise these activities and the production of the relevant reports in a precise and timely manner, and to ensure that such information is available to all the Owners periodically, and in reply to any request or enquiry of an Owner.

The presentation of the financial condition of the Association is an obligatory element of the General Assembly in accordance with Law No 7933 Law to Regulate Property in Condominium, as is the approval of the ordinary budget and the maintenance fee, as well as any extra fee or extraordinary fee proposed by the Administrator or the Board of Directors.

In addition, the Owners through the General Assembly appoint the Board of Directors, as well as the Administrator.

For that reason the involvement of the Owners is encouraged in the administration of the Associations by way of participation in the General Assembly celebrated each year, participation in the Boards of Directors of the Associations, or in whatever committee established for the development of specific activities. It is through these instances that the Owners can directly take part in the administrative management of Nativia Resort.

Chapter 6. Tenants, Renters, and Visitors.

The regulations and rules of Nativia Resort are of an obligatory nature to any tenant, renter, guest or visitor who has been authorized to have access to the property, except those regulations specifically directed to Owners, for example financial obligations, and the right to participate and vote in the General Assembly amongst others.

The respect and compliance with the regulations by such persons falls upon the Owner and their respective private property which will guarantee any fine applied relative to a breach of regulations, as well as indemnify economically any damages to Association property, see Chapter 11. In addition the failure to comply with the rules might result in the suspension of access to the common areas.

It is the responsibility of the Owners to communicate the relevant aspects to any person authorized, and the Administrator and the Security team is authorized to give any instructions necessary to such persons when it might be necessary due to lack of awareness or breach of the rules, in the same manner as if they were Owners.

Chapter 7. Pets.

Pets are permitted at Nativa Resort subject to various conditions already established in the regulation of the Condominium. For this purpose pets are understood to be only domestic cats, birds permitted by law, tortoises, domestic rodents, and dogs of a maximum height of 30 centimeters measured from the floor to its belly. Under no circumstances will dogs be permitted of the breed Rottweiler, Pit Bull Terrier, Doberman or any other breed classified locally or internationally as fight or defense dogs. Only a majority vote at General Assembly can vary these parameters.

A maximum of two pets per unit is permitted, that is house, apartment or townhouse, which pets may be of the same, or different species. Notwithstanding, those animals or pets which might affect the peace and tranquility of the Owners or the use and enjoyment of any Owner's unit, according to the determination of the Board of Directors, will be strictly forbidden.

The presence of the pets is restricted to the private property however the need to walk them in the open air is recognized, in which case the pet must be supervised and on a leash or retainer, and may pass through the sidewalks, roadways and parking lots and other non private areas. Persons walking their dogs must collect the feces as soon as the animal defecates.

At the same time pets are not permitted in the garden areas, the swimming pools and their surrounds, nor to use those areas whether or not with leash, regardless of size, nor in a cage, bag or pet transporter.

The restrictions here indicated apply to Owners, tenants and guests.

Owners are reminded that Costa Rica Law No 7451 Animal Wellbeing establishes specific responsibilities on owners or persons responsible for pets in this regard, the intent of which should be respected within Nativa Resort, see Annex No 3.

Chapter 8. Architectural and Construction Control.

The Architectural Committee of Nativa Resort has the responsibility and obligation to supervise and approve whatever construction, alteration, works in green areas, excavation, modification, decoration, painting or rebuilding of visible exteriors, or whatever improvement, including a principal residence or secondary construction, the patios or boundary of any unit or within the common areas of the Condominium administered by the Association.

The interested party must submit the project in writing in its full scope including design, specifications, materials, color, elevations, and must have the required construction permits or other permits as required by the respective government agencies. No construction activity may begin until the written approval of the Architectural committee has been obtained.

Whichever Owner is interested in carrying out a project, which includes the sub condominiums, should contact the Administrator of Nativa to obtain the regulation of the Architectural Committee and the respective construction guide.

Chapter 9. Community, Privacy and Respect.

Nativa Resort is promoted as a private residential community providing a family environment where the space and tranquility of other Owners, residents and visitors is respected. The wellbeing of the community as a whole is valued and therefore there is an insistence in terms of the awareness of the Community Rules which are presented in this document, as well as common sense and the standards of conduct and decency which are expected when with family and /or sharing space with neighbors.

In these rules care has been taken to include the fundamental and most obvious aspects in terms of personal conduct, noise, pets, as well as the tidiness, appearance and cleanliness of the community. With the willingness and cooperation of the Owners, a secure and welcoming community will be developed for the enjoyment and well being of everyone.

Within this context all users are additionally requested to use responsibly the various technological devices like smart phones, cameras, drones and other devices in terms or recording, filming, photography, and sound. The objective is to respect the individual privacy of everyone within the common areas and the private areas, on site as well as in the use of the various social networks.

In all of the elements addressed, cooperation is requested at all times with the indications of the security team and the Administrator, and you are reminded that the judgment and criteria of the

Board of Directors (appointed by the Owners) will apply in terms of the interpretation of the Community Rules and the regulation.

Chapter 10. Eco Community, Green Environment.

Located alongside the Carara National Park, Nativa Resort enjoys a forest environment combined with spectacular sea views and views of the surrounding area, and shares many of the natural attributes of the National Park in terms of wildlife and natural forest. Therefore the preservation of the environment and the conservation of natural resources are priorities of the Condominium Associations.

The Architectural Committee has the responsibility to ensure that all construction and infrastructure development within Nativa Resort is in accordance with best practice in terms of the relationship with the eco environment, is compatible with nature in appearance, and controls and mitigates whatever contamination which might be produced as a result. In addition ensures compliance with all the relevant permits from the government agencies.

The Associations have the responsibility to implement and execute maintenance programs of the common areas and the infrastructure which, in addition to the principal objective of maintaining the good appearance and functioning of the installations and resources of the community, seek to achieve a high level of preservation and conservation of the environment and natural resources. These programs include constructions, roadways, parking lots and pathways, natural wells and respective pipe work, sewers and drains, rain water management, treatment plant for waste water, perimeter walls and fencing, and entranceways, gardens, landscaping and natural forest.

Owners are encouraged to be conscious of the environment, from respecting speed limits, avoiding excess noise, following good practices in managing waste and recycling, to following the Administrator's instructions in terms of household waste; not putting solid waste or non biodegradable waste in the toilets or sinks, not pouring toxic or contaminant materials in any waste pipe or drain, and using where possible personal and cleaning products which are environmentally friendly, and controlling the use of supplied water.

In addition it is requested to always respect the presence of wildlife inside Nativa Resort and to avoid doing anything that might affect its remaining or passing through the area. It is recommended not to feed the animals or birds of the area as this could have a negative effect on their well being, and also it is forbidden to allow pets to be free or on extremely long leashes which might impair the control over the animal.

Where any worrying situation is observed such as an injured or sick animal or bird, or showing signs of malnutrition, the recommendation is to inform the Administrator or a security officer in order to ensure the appropriate action.

In the case that the presence of wildlife becomes a concern due to property damage or a threat to the wellbeing of children or pets, or rummaging in the garbage, in the same way the Administrator or a security officer should be informed in order to deal with the matter.

All suggestions or initiatives of the Owners relative to the preservation of the environment are welcome, including whatever support or patronage towards projects or activities which promote improvements to the ecological footprint of Nativa or its enjoyment and appreciation by the community.

Chapter 11. Application of the Rules and Regulations.

The requirement to respect the regulations of the Nativa Condominium and the relevant Costa Rican Laws is obligatory to all the Owners and their families and whatever user such as tenants, invited persons and guests, visitors and service providers in any part of Nativa Resort, and any other party with a legal interest in any of its properties such as a mortgage or lien interest.

It is the responsibility of the Owner, or the legal representative, of the private properties to inform and ensure that any user of their property, whether family, visitor, invited guest or house guest, tenant or renter comply with the indicated rules. The aspect of financial obligations and the collection of maintenance fees is dealt with in a separate policy.

The Association and the Owners expect that any intervention to ensure the respect of the rules in the daily life of Nativa Resort will be minimal, and that in the majority of situations a simple reminder by the Administrator or the security personnel, or even a neighbor, will be sufficient to solve any situation without further problem or consequence.

However as a preventative measure and expecting that there will always be situations which require the application of additional measures to solve them, it is necessary to establish a structure of control and remedy to ensure compliance for the well being of the community, and at the same time resolve complaints and disputes, in a fair and consistent context.

For this reason a structure of notification and of penalties for breaches or infractions has been established as detailed below. Verbal advices may be communicated by the Administrator, including the Security officers. Written notifications will be issued by the Administrator or the Board of Directors of the respective Condominium Association.

When situations occur which result in the non compliance of the regulations or house rules by third parties, the Owner or the legal representative of the private property involved who authorized the entry of the person(s), and the property itself, will be responsible before the Association for any formal notification of an infraction, penalty or fine, in addition to any sanction or restriction of use applied against the third party responsible for the breach.

In the case of property rentals Owners are recommended to include a clause within the rental contract related to the regulation and the rules to establish responsibilities and consequences in the case of any eventual non compliance by the tenants or their related parties.

For the effects of the process and the application of sanctions, possible infractions or breaches have been separated in two general categories in accordance with the seriousness of the matter and the impact on the community, other users and/or Owners. In the case the category assigned to a specific situation is questioned, the criteria of the Board of Directors will be final.

Minor Infraction.

- An operational or administrative infraction of limited impact to others, or infractions which might disturb others but which can be readily corrected or rectified without greater consequence.

Major Infraction.

- A previously notified minor infraction which remains uncorrected or a minor infraction repeated within 90 days of the first formally notified infraction.
- Breaches which could provoke direct damage or prejudice to other persons, property or installations of Nativa or disturb the peace and wellbeing of others.
- Failure to follow the indications of the personnel of Nativa in terms of the community rules and regulations, or react to such with a bad attitude using vulgar language, insults, or lack of respect. Lack of regard for decorum, decency and good conduct.
- Conduct of an indecent, lascivious, or sexual nature in common areas, or in public sight, even between married couples.

Notification Process.

Minor Infraction.

Step 1. A verbal or written notification giving the person responsible an opportunity to correct the situation without consequence and establishing a reasonable period for correction according to the circumstances. This period might be immediate (e.g. Excess volume from a sound system, smoking in a prohibited area, walking a pet in a prohibited area) or a certain period (e.g. to remove construction debris, or properly maintain the front garden of a residence).

Step 2. Formal written notification of the breach (which might be the repetition of a minor infraction previously corrected under Step 1), and the application of a sanction together with a time limit for correction of the infraction. In case the situation is not corrected within the period

established, the infraction will become a Major Infraction. If there were two minor infractions duly sanctioned within a 90 day period from the first notification, the third infraction will be treated as a Major Infraction.

Major Infraction.

Step 1. Formal notification, whether verbal or in writing to the culpable person(s) requiring they immediately desist from the conduct in question, or to correct the breach within a specific time period.

Step 2. Formal written notification to the Owner of the property from the Board of Directors and the sanction to be applied, and a warning of potential further actions in case of recurrence.

Economic Sanctions.

1. Minor Infraction.

A fine of \$75.00 for each event which escalates to Step 2, Formal Notification.

2. Major Infraction.

A fine of \$150 to \$1,000 per event in accordance with the circumstances and the criteria of the Board of Directors using the following as a guide:

- Third minor infraction: \$150 minimum.
- Infractions which cause damages, or disturb the wellbeing of the community, decline to follow the instructions of the staff, anti social conduct: \$250 minimum.
- Indecent behavior: \$1,000 fixed.

Fines will be invoiced together with the monthly maintenance fee and will fall due on the same date, and the same late fees and interest will be applied for late payment: in case of overdue payment the same collection policy will apply.

NB. In the case of property damages, either of common areas or private property, the fine applies in addition to any eventual settlement for the damage caused.

Other Sanctions.

In serious cases, or due to the nature of the behavior penalized or the recurrence of infractions, the Board of Directors can determine additional sanctions such as the restriction of use of common areas against the offender, or against the unit and all its users, in accordance with the circumstances and the full context in terms of the harm to the Nativa community and other Owners.

Such restriction could also apply to the vehicular access to Nativa, or could be a complete denial of entry to a specific person who is not the Owner or immediate family, and could be for a specific period (for example 30 days) or indefinite until such time the Owner can satisfy the Association with regard to the future respect of the community rules and regulations.

In case the internal measures applied by the Association have not succeeded in resolving a specific situation the Board of Directors is empowered to take legal action in order to obtain a legal remedy.

Right of Appeal.

An Owner has the right to appeal any notification of an infraction or sanction against their unit or property before the measure takes effect. The appeal should be in writing and presented within 15 calendar days from the notification by the Administrator or the Board of Directors, explaining the reasons and justification of the matter, providing any supporting information, evidence, or relevant testimony. In the case of any sanction which includes the restriction of the right of access, the Owner has the right to be heard in person by the Board.

The Board of Directors has the obligation to promptly consider any appeal and respond in writing accepting or rejecting the petition, and explaining the relevant aspects of the decision. Such response must be given within 15 calendar days from the receipt of the appeal, which period may be extended for a further 15 days, with advice in writing to the Owner, when necessary for the analysis of the facts, to obtain additional information, or to confirm testimonial evidence.

The decision of the Board of Directors will take effect following the final written notification to the Owner.

Conflict Resolution.

In case of a conflict which cannot be resolved within the terms of the Condominium Regulation and the Community Rules, Article 81 of the Condominium Regulation "Conflict Resolution Agreement" may be invoked.

Annex No 1. Swimming Pool Rules.



POOL RULES

REGLAS DE PISCINA



NO DIVING
Prohibido saltar al agua



NO RUNNING
Prohibido correr



NO FOOD & DRINKS in Pool
Prohibidas las comidas y bebidas en la piscina



NO ANIMALS
Prohibidos los animales



NO FRAGILES'
Prohibidos los objetos frágiles



NO LIFEGUARD ON DUTY
No hay salvavidas en servicio



NO STRANGE OBJECTS OR FURNITURE PARTS
Prohibidos los objetos extraños o partes del mobiliario



PLEASE SHOWER BEFORE ENTERING
Por Favor dúchese antes de ingresar al agua



PARENTS/GUARDIAN MUST ACCOMPANY CHILDREN
Todo niño debe estar acompañado de sus padres o guardián



POOL & AREA EXCLUSIVE FOR OWNERS, GUESTS, TENANTS & RENTERS IN GOOD STANDING WITH ADMINISTRATION limited to 6 people per condominium

Pool environment must be kept as a family environment, with proper personal conduct and attire.

Please shower off oils, lotions or creams BEFORE entering pool.

Place a towel on furniture while sunbathing.

Babies & infants MUST use proper diapers and swim gear.

Pool chairs & tables CANNOT be reserved.

Furniture is not to be removed from its location.

Jacuzzi controls ONLY to be operated by responsible adults.

Use audio devices in LOW volume or use with headphones.

Please deposit trash in trash cans (use the recycle program).

Common areas around pool are No Smoking areas.

No rough-play or balls/objects throw-play in pool or its vicinity.

The Administration reserves the right to deny access.

Nativa staff & Security personnel are authorized to indicate limitations and ensure compliance with pool rules and CAN expel any non-compliant person or group.

Please contact Nativa staff or Security if you notice any violation of the pool rules or vandalism.

YOU SWIM AT YOUR OWN RISK; NO LIFEGUARD ON DUTY. NEITHER THE ASSOCIATION OR ITS ADMINISTRATION ARE RESPONSIBLE FOR ACCIDENTS OR INJURIES TO USERS OF THIS POOL AND SURROUNDING AREAS.

PISCINA Y ÁREA EXCLUSIVA PARA PROPIETARIOS, INVITADOS, ARRENDATARIOS Y RENTAS EN BUENOS TERMINOS CON LA ADMINISTRACION limitado a 6 personas por condominio

El ambiente del área de piscina debe mantenerse familiar, con una conducta personal y atuendos adecuados.

Favor ducharse los aceites, lociones o cremas ANTES de hacer uso de la piscina. Use un paño sobre el mobiliario al asolearse.

Bebés e infantes DEBEN usar pañales y flotadores adecuados.

Las sillas y mesas del área de piscina NO PUEDEN reservarse.

El mobiliario no debe ser removido de su ubicación.

Los controles del jacuzzi SOLO serán usados por adultos.

Usar aparatos de sonido con BAJO volumen o audífonos.

Deposite la basura en los basureros (use el programa de reciclaje).

Las áreas comunes alrededor de piscina son de No Fumado.

No se permiten juegos violentos ni de tirar bolas/objetos en el área.

La Administración se reserva el derecho de admisión.

El personal de Nativa y la Seguridad están autorizados a indicar limitaciones y asegurar el cumplimiento de los reglamentos y PUEDEN expulsar a una persona o grupo que no acate el reglamento.

Por favor contacte al personal de Nativa o a Seguridad si nota cualquier violación de las reglas o actos de vandalismo.

USTED NADA BAJO SU PROPIO RIESGO; NO HAY SALVAVIDAS. NI LA ASOCIACION NI SU ADMINISTRACION SERAN RESPONSABLES POR LOS ACCIDENTES O LESIONES SUFRIDAS POR USUARIOS DE ESTA PISCINA Y AREAS ALEDAÑAS.

HOURS OF USE: FROM 8:00 AM TO 10:00 PM
Horario de uso: de las 8:00 am a las 10:00 pm

Annex No 2. Emergency Contacts.

Annex No 3 Law No 7451 Wellbeing of Animals.

LA ASAMBLEA LEGISLATIVA DE LA REPÚBLICA DE COSTA RICA
DECRETA:

**REFORMAS DE LA LEY N.º 4573, CÓDIGO PENAL, DE 4 DE MAYO
DE 1970 Y REFORMAS DE LA LEY N.º 7451, BIENESTAR
DE LOS ANIMALES, DE 16 DE NOVIEMBRE DE 1994**

ARTÍCULO 1.- Se reforman los artículos 7, 12, y 21, y se adicionan los nuevos artículos 15 bis, 21 bis, 24 bis, 24 ter y 24 quáter, todos de la Ley N.º 7451, Bienestar de los Animales, de 16 de noviembre de 1994. Los textos son los siguientes:

"Artículo 7.-Trato a los animales de compañía. Los dueños o los responsables de los animales de compañía deberán cumplir con las siguientes obligaciones:

- a)** Garantizarles condiciones vitales básicas y manejo apropiado según las buenas prácticas de seguridad, para evitar riesgos y daños a la integridad, la salud pública y la salud pública veterinaria.
- b)** Mantener los espacios destinados a su hábitat en condiciones apropiadas de higiene, con el fin de prevenir la propagación de enfermedades.
- c)** Recoger y depositar, en lugares apropiados, los desechos fecales de los animales de compañía que sean arrojados en las aceras, los parques, las calles, los jardines públicos, las playas y demás lugares públicos.
- d)** Los dueños o responsables de los animales de compañía deberán cumplir con los requerimientos establecidos en esta ley y con las normas de salud pública y veterinaria, además de contar con lugares apropiados de espacios e higiene, con el propósito de no propagar enfermedades. De igual forma, cuando las mascotas circulan por las vías públicas, los respectivos dueños o responsables deberán tomar las medidas de seguridad con los mecanismos correspondientes."