



BAJAMAR HOMEOWNERS HANDBOOK

INDEX

Page	Content
#2	Welcome Letter
#3	Bajamar Emergency Numbers
#4	Utility Payments/SENTRI Pass
#5	Getting mail, phones and Internet service
#6	HOA Dues
#7	Trust and taxes information from Cristina I mana (She is a Mision San Diego Homeowner and Realtor)
#10	Making our community a better place
#11	Pool and Tennis Rules
#12	Rules of Conduct
#16	Letter from the Design Committee
#17	The Bajamar Scholarship Program

Maps:

Dear Homeowner:

Welcome to Bajamar! We're delighted that you have joined our community. We know that you'll love living here as much as we do. The following pages are designed to help answer some of the questions you may have about life in Mexico and Bajamar and provide a reference for the future, so we suggest you keep it handy.

Your neighbors are wonderful assets, as are our HOA employees. Feel free to ask for help. Also, if you think of anything we didn't cover here, please let us know. This packet was created to assist BHOA members, but is in no way complete, nor is it a legal document. Updated information may be available on the BHOA website. We also recommend adding your newsletters to this handbook as they contain valuable information.

The website for the BHOA is www.bhoa.com.mx and the password for the members only area is missions. It contains all the information you need about the association to include addresses, officers, phone numbers, dues and fees, organization, schedules of meetings, and minutes of the Board and Homeowners meetings and all of the reference documents, including the Protections, Bylaws, 1995 Agreement and the Design Rules, which were too bulky to include here. We have included the Rules of Conduct and Pool Rules here for easy reference.

It's important that you keep the BHOA informed of your correct address, phone numbers, emails, and if desired, emergency contact information, so please come by the office as needed or send an email.

We want you to know how important our dues are to maintaining our quality of life here. Being a not-for-profit organization, dues are only source of income. The money is used to cover operating expenses, such as payroll and chlorine for the pool, and capital investments, such as replacing our truck. We understand that our dues are among the lowest of similar communities in Baja California, and we all benefit from our active community's donation of time on boards and committees to keep them low. We hope that you will be able to volunteer at some point. In any event, come meet your neighbors!

HOMEOWNERS' MEETINGS ARE GENERALLY HELD AT 10 AM ON THE 4TH SATURDAY OF EACH MONTH AT ONE OF THE POOL AREAS. See website for a schedule.

Bajamar

Emergency Numbers

La Mision Police	155-0361
Ambulance	174-6081
(at San Miguel Toll Gate)	174-6841
	175-9214
Cruz Roja – Ensenada - Red Cross	174-5335 or 066
Highway Patrol	176-1311
Fire Dept Ensenada	178-2222 or 068
Police Dept Ensenada	176-4552 or 066

Other Useful Numbers

Bajamar Homeowners Office	155-4237
(Answered by BHOA Security after office hours)	
Gas Silza (Propane in Ensenada)	
Emergency	176-4950
Customer Service	176-3390
Velmar Hospital (Ensenada)	173-4500
<i>Has 24hr Emergency</i>	
Hotel	155-0151
Pro-Shop (Golf)	155-0161
CFE (Electricity)	178-6904 or 071
Telnor	01-800-025-2525
PROFEPA (Environment Protection)	176-5000

All in all, Bajamar is a very safe place to live. Like anywhere else, just use common sense.

- Lock your home when you leave.
- Make sure your vehicles are locked.
- Motion sensor lights are a good idea.
- Get to know your neighbors, they can be invaluable assets.

UTILITY PAYMENTS

Paying your utility bills in Mexico is easier than it used to be.

Your Telcel telephone bill and electric bill will be in the BHOA office. The electric bill is issued bi-monthly. You can pay electric and phone bills at the appropriate company offices in Ensenada or at the checkout groceries and perhaps other stores. Pesos only. Keep your receipts. You can also pay online, but the site is in Spanish.

Your water bill will be delivered to your mailbox at your residence or will be at the DUBCSA office every month and you pay there. Pesos or dollars are accepted, and the exchange rate is reasonable.

We provided a phone number for one propane company, but there are others. Trucks come through regularly and can be flagged down.

Many residents choose to pay someone to take care of utility payments. It can save a lot of headaches, particularly if you are not here full-time.

Cuadros & Associates in Rosarito provides this service and can be reached at 01-661-612-1295. There are also options available here in Bajamar, such as Less Black at 155-4013 and Joy Gilbert at 155-4145. Also see the BHOA website for this and other services.

SENTRI PASS

Many residents sign up for the SENTRI pass issued by US customs and Border Protection. It involves a fair amount of paperwork and a background check but, once obtained, allows you to use a dedicated lane at the border, thus avoiding a lengthy wait to cross into the US. The SENTRI program has now transitioned to a "streamlined electronic online system". Apply at. www.cbp.gov. Look for Quick Links to go to the application or look under Frequent Traveler Programs, then SENTRI and GOES application. The information number is 1-619-690-7600.

GETTING MAIL, PHONES AND INTERNET SERVICE

Getting a P.O. Box in the San Diego area is highly recommended. The Mail service in Mexico is extremely slow. For a modest fee, Mail Express and Extra in Rosarito Beach will set you up with P.O. Box and deliver mail to the Bajamar Homeowners Office twice a week. Call Alejandra Cordova at 01-661-612-2423.

International Mail Service is another option that some Bajamarrians use. They are located in Ensenada but do a mail pick up in the states daily. They give you a P.O. Box located in Coronado where mail is delivered and bring your mail to your door 3-5 times each week, depending on the amount of mail you receive. They also deliver packages. Their fees are about the same as the other mail services we know of. You can contact them at 176-00-95.

If your house already has a land line phone, consider yourself lucky. If not, it may take some time and money to get up and running. Some residents rely totally on cell phones because lines are not available. Ask at the BHOA about current conditions. Telnor is the local phone company, with offices in Ensenada. You can call them at 01800-025-25-25.

If you do have a phone, you may be confused about how to dial. To place a call to someone in Bajamar or Ensenada or a 646 area code, just dial 7 digits. In Bajamar the exchange is 155 followed by the last four digits of the phone number. To dial Rosarito and Tijuana or anywhere else in Mexico outside of Bajamar or 646 area code, dial 01 followed by the area code and then the seven digits of the phone number. To call the United States, dial 001 followed by the area code and the number. These procedures would also generally apply with many cell phone companies, but not all.

There are quite a few options for cell phone service that we could not keep up-to-date here.

Telnor is the only game in town when it comes to land-based broadband service. There are also satellite options for Internet and DSL. Talk to neighbors.

In regard to US television, talk to neighbors.

HOA DUES

Monthly Dues 2009 (Due the 1 st of each month)	\$135
Minimum Finance Charge (after the 30-day grace period)	35
Annual Recreation Fee (Due January)	25
Bounced Check Fee	30
Annual Interest to delinquent accounts	18%

Note: If you pay your annual homeowners dues in full by 31 January each year, you will receive a 5% discount over the Monthly dues.

Dear friends, neighbors and clients in Bajamar:

I would like to share some information that I believe may be helpful to you in making your trust, property tax and H/O maintenance fee payments.

First of all, make sure that the Homeowners Association has the correct information on your address, telephone numbers, E-mail address and ownership documents. Your realtor would like to help by providing this information on your behalf, but it is ultimately your responsibility to do so.

Try to pay your Homeowners Dues at the beginning of the year to enjoy the 5% discount.

In Mexico, property taxes are due and payable at the beginning of the year. The Ensenada Tax Authority does not send out any bills or reminders. It is your obligation to pay your taxes without the benefit of a statement. You can pay your taxes with a discount up to the end of February. The tax collectors office is in the Municipal Building. On Reforma St. Ensenada. If you are not very *frugal* or not a "do it yourself" you are better off having a property manager pay it for you. Less Black, Joy Gilbert, Cuadros Inc. and many others offer this service.

BANK TRUSTEE FEES are due and payable every year. Some banks will charge you on the anniversary of your purchase or trust transfer, others by calendar year. If you are not sure, contact your trust representative and find out. Try to establish a relationship with the billing department at your bank's trust office, do not rely on your assumptions and do not expect that your realtor will take care of it for you. **DO NOT EXPECT THAT THE BANKS WILL BILL YOU BECAUSE MOST OF THE TIME THEY WILL NOT!**

Find out what your trust number or CONTRATO DE FIDEICOMISO NUMBER is. Get this directly from your trustee rep. You will need this reference to insure getting the appropriate credit to your account. If this info is wrong they may apply your payment to a general account or leave it in limbo.

If you want to know what your trustee fees are, call your trustee rep or review your trust contract. The information on annual fees and other charges are contained in your trust contract. If you can not read Spanish, have your trust contract translated into English and keep both versions together in a safe place. For your convenience following are the names of the banks that handle trust contracts for Bajamar properties in Missions San Diego and Todos Santos:

Remember you need a valid FM3 and your utility receipts in your name if you are selling your home and need proof of residence for possible Mexican capital gains exemption.

SUBSTITUTE BENEFICIARIES IN YOUR TRUST CONTRACT

It would be advantageous to have substitute designated in your trust contract. Please read your contract and make sure it does provide for someone to assume your trust in the event of your death.

I hope this information will be helpful to you all.

Sincerely,

Cristina G. I mana

Making Our Community a Better Place

Please be part of making Bajamar a truly wonderful place to live. Share these guidelines please.

- ☞ Fireworks are illegal in Mexico and are strictly forbidden at Bajamar. Fireworks represent a tremendous fire hazard and failure to comply with this law will result in your removal from the complex, and even arrest by the Federal Authorities.

- ☞ Excessive noise is inappropriate at any time, and especially after 10:00 PM. Please do not infringe upon your neighbors right to peace and quiet. Keep stereos down, avoid loud conversations, and car horns as sound travels easily in this peaceful environment.

- ☞ Private parties at pools must be approved by the Bajamar Homeowners Association in advance.

- ☞ Dogs must be on a leash and under adult control. Owners are responsible for cleaning up after their pets.

- ☞ RV's may not be occupied on Bajamar property.

- ☞ A pool is located in each Mision. The rules follow.
RECREATION AREAS ARE ONLY FOR MEMBERS IN
GOOD STANDING.

- ☞ Consumption of alcoholic beverages on public streets is illegal.

- ☞ Tennis courts are not to be used for any purpose other than tennis (i.e. skateboarding, skating, etc.)

NOTE: The Homeowner's office location is TODOS SANTOS #8006.
The phone number is: 155-4237

APPENDEX A. Swimming pool

UNLESS OTHERWISE NOTED A FINE OF \$25.00 USD PER CONCURRENCE, MAY BE APPLIED, AN OR EXPULSION FROM THE FACILITY.

1. BHOA access card is required to be in user's possession.
2. Members must accompany and stay with their guest or guests must have a GUEST PASS.
3. No property may have more than 6 (six) people using the pool at one time.
4. Persons under 14 years of age must be accompanied by an adult (18) years of age or older. All swimmers are encouraged to use the buddy system.
5. No glass containers or objects are allowed in the pool area.
6. No running, pushing or throwing are allowed in the pool area.
7. No bikes, skateboards, roller-skates/blades, or pets allowed y the pool area.
8. Notify security immediately in the event of an incident, accident or emergency.
9. Proper swimwear must be worn; all babies and toddlers must wear swim pants in the water.
10. Toddlers and babies must not wander around the deck or sit on the edge of the pool unless accompanied by an adult.
11. An adult who is an experienced swimmer must accompany any individual using water wings or other flotation device.
12. MEMBERS AND GUESTS USE THE POOL AT THEIR OWN RISK. NO LIFEGUARD IS ON DUTY.

APPENDEX B. Tennis Courts.

UNLESS OTHERWISE NOTED A FINE OF \$25.00 USD PER CONCURRENCE, MAY BE APPLIED AND OR EXPULSION FROM THE FACILITY.

1. No persons other than actual players and maintenance personnel are allowed on the courts.
2. Tennis shoes with non-scoffing soles must be worn on the courts at all times.
3. Players are encouraged to wear appropriate tennis apparel while on the courts.
4. Nothing other than tennis related equipment is allowed on the courts. No bicycles, skateboards, roller or in-line skates are allowed on the courts.
5. When other players are waiting, play is limited to 2 (two) sets for doubles and one (one) set for singles. For these purposes, a set is defined as no more than 12 (twelve) games.

BHOA RULES OF CONDUCT

27 July/07 – Rev 2

The BHOA Rules of Conduct form part of the Costa Bajamar Covenants, Conditions and Restrictions (the “Protections”) issued by Desarrollos Urbanos de Baja California, S. A., February 1, 1976 and established pursuant to Section 5.07 of said Protections.

The attached “Rules of Conduct” are an updated interpretation of the “Rules of Conduct” included in the original CC & Rs of the Bajamar subdivision and apply to all properties located within Mision Todos Santos and Mision San Diego. A draft version of the update was sent to members in good standing for comment. All comments were considered and the majority incorporated

It is the Philosophy of the current Board of Directors that the Board and our staff should only be “proactive” in enforcing those rules which affect our streets and common areas. We believe that all other matters are better handled by a “neighbor to neighbor” approach and that the Board and our staff should only become involved if this approach fails.

Those rules marked with an asterisk * are the rules on which the Board has instructed our staff to take a proactive approach of enforcement. Enforcing the remainder will generally require that a Member in Good Standing make a more formal complaint or identify the problem to the Association’s Operations Manager. The Operations Manager will then determine if the rule has been violated, and if finding that it has, make either verbal or written contact with the Member who has violated a rule. If this does not resolve the issue, the Board will levy a fine against the property in question. Fines for unresolved issues will escalate as noted in Rule 17.

THE BHOA BOARD OF DIRECTORS

Alberto Delgado
Pete Salg
Jerry Hufford
Diane Steinberger
Joe Ustica

RULE 1: Pet Policy.

- *a) All dogs shall be on a leash in the control of a responsible adult while using Mission streets and common areas.
- *b) Pet owners are responsible for the clean up of any litter made by their pets.
- *c) No pets, other than legitimate service animals, are permitted in the tennis courts, pool areas, BHOA office, or on the _____ property of another Member without that Member’s permission.
- d) Pets shall not interfere with the rights of any Member or resident to the peaceful and quiet enjoyment of the _____ community.
- e) Owners of pets shall be financially responsible for any damage that their pets cause to the common areas and the private property of another Member.

- f) No domestic animals other than a reasonable number of generally recognized house pets shall be maintained on any private area.

RULE 2: Noise & Disturbances

- a) There shall be no activities which constitute a noise or disturbance that interfere with the rights of any Member or resident to the peaceful and quiet enjoyment of the community, common/private areas, and residences. For example, but without limitation, noise or disturbances from musical instruments, entertainment systems, tools (or other noise making devices). Excessive noise is inappropriate at any time, and especially after 10PM.
- b) There shall be no misconduct in common areas which shall constitute a threat to the health and safety of others or which unreasonably constitutes a threat to the comfort of others.
- c) A fine, to be determined by the Board, may be imposed for an infraction of this Rule.

RULE 3: Vehicles & Vehicle Parking

a) Rules for all Vehicles

- i) All vehicles must be driven in a safe and cautious manner, follow road direction signs, and shall not exceed a speed in excess of 30km/hr on Mission roads.
- ii) No vehicle is allowed to park in vacant lots, common areas, or main access roads to/from Bajamar Missions.
- iii) No vehicle is allowed to park in a manner which may impede the natural flow of traffic or block access to driveways, sidewalks, side streets, or cul de sacs. If a vehicle is blocking any of these areas, BHOA Security will notify the owner that the vehicle must be moved immediately. If the vehicle is not moved, a fine of US\$25/day will be assessed against the Member who owns the vehicle or whose residence is being visited by the vehicle.
- iv) No major repair activity on any vehicle is allowed in the streets, common areas, vacant lots, or main access roads to/from Bajamar Missions.

b) Rules for Passenger Vehicles: cars, SUV's, pickup trucks, vans, mini vans, and other similar passenger vehicles.

- i) Passenger Vehicles shall park in the off street parking area provided on the lot of each residence.
- ii) Permanent curbside parking is limited to two (2) Passenger Vehicles in front of each residence.
- iii) Visitor parking shall be confined to the general area in front of the visited residence.

** c) Rules for Recreation Vehicles: motor homes, trailers of all types, boats, busses, and other similar recreation vehicles.*

- i) Temporary parking of an RV is allowed in the streets of Missions Todos Santos/San Diego for no more than one 72 hour period each month. When BHOA Security staff sees an RV parked on a street within these Missions a notice will be placed on the RV informing the owner that it must be removed from Bajamar in 72 hours. If not removed at the end of this period a fine of \$5 per day will be assessed against the Member who owns the RV or whose residence is being visited by the RV.
- ii) Permanent and temporary parking of an RV is allowed within the limits of a residence lot provided it is parked in an enclosed garage or hidden behind 1.75m high walls and a 1.75m high driveway gate/door which is solid or opaque. Violation of this rule will require that the RV be removed from Bajamar within 72 hours. If not removed at the end of this period a fine of \$5 per day will be assessed against the Member who owns the RV or whose residence is being visited by the RV.

iii) Living or sleeping in an RV is not allowed at any time. Violation of this rule will require that the RV be removed from Bajamar immediately.

RULE 4: Waste Management

- a) BHOA staff shall only remove household garbage and trash that is placed inside covered containers within plastic garbage bags. Containers shall not be visible from neighboring properties and shall be located in service enclosures that are built for this purpose. Removal of large waste material is the responsibility of the homeowner. For example, but without limitation, used refrigerators, stoves, clothes washing and drying machines, water heaters, furniture, packing boxes/crates, surplus building materials/rubble.
- b) The accumulation of waste plant materials is prohibited except in a compost pile which must be maintained in such a manner so as not to be visible from neighboring properties.
- * c) The disposal of any type of waste material on vacant lots is prohibited.

RULE 5: Laundry Drying

Outside clothes lines and other outside cloth drying or airing facilities shall be maintained exclusively within a fence or service yard and shall not be visible from neighboring properties. No drying is allowed on visible railings or balustrades.

* **RULE 6: Fire Restrictions**

There shall be no exterior fires except for barbecue and incinerator fires which are contained within receptacles designed for such use.

* **RULE 7: Camping**

There shall be no camping on private or common areas, except in areas, if any, developed for that purpose by the Association or the Developer

RULE 8: House Occupancy

- a) There shall be no living or habitation in newly constructed houses or structures until an Occupancy Permit has been issued by the BHOA Design Committee. Consult the BHOA Design & Construction Rules for additional details.
- b) No house shall be occupied on a permanent basis by more than two (2) persons per bedroom plus one (1). Example: a three (3) bedroom house shall not have more than seven (7) permanent occupants.

RULE 9: Golf Cart Use

Private Golf Carts may be used upon the roads in Bajamar by licensed drivers (Mexico, USA or other country) but in a manner that does not interfere with normal traffic circulation. Carts shall not use the golf course for circulation to and from the Clubhouse.

RULE 10: Rental of Homes

- a) No home shall be rented for more than two (2) persons per bedroom plus one (1). Example: a three (3) bedroom house shall not be rented for more than seven (7) occupants.
- b) Renters who are not in compliance with the Rules of Conduct are in violation of their rental agreement and the owner of the rental property shall be subject to the same corrective action as all other property owners.

*** RULE 11: Pool & Tennis Courts**

- a) Use of mission tennis courts and swimming pool areas are limited to Members, and tenants or guests of Members, who have a valid access card issued by the BHOA office.
- b) Pools: Private parties at mission pools must be approved in advance by the BHOA office. Rules/fines regarding the use of Mission pools are posted on signs in each facility and details are available at the BHOA office and on the BHOA Web site.
- c) Tennis Courts: Tennis court use is limited to the game of tennis only with proper tennis shoes and apparel. Rules/fines regarding the use of mission tennis courts are posted on signs in each facility and details are available at the BHOA office and on the BHOA Web site.

*** RULE 12: Fireworks**

Fireworks are illegal in Mexico and are not allowed at any time within the confines of Bajamar. Failure to comply may result in action by Mexican Federal authorities.

RULE 13: Conduct of Visitors and Tenants.

Members are responsible for the conduct and any infractions by their family, guests or tenants. If you rent your house, a copy of these Rules of Conduct must be made available to your agent and tenants and must be visibly displayed within your house.

RULE 14: Construction

There shall be no construction undertaken on any property nor alterations made to the natural vegetation on any vacant lot without the approval of the BHOA Design Committee. Consult the BHOA Design and Construction Rules for additional details/fines.

*** RULE 15: Signs**

All signs shall be approved by the BHOA Design Committee. Consult the BHOA Design & Construction Rules for additional details/fines such as, but not limited, to the following:

- a) No signs shall be permitted in common or private areas except temporary signs such as "FOR RENT" or "FOR SALE".
- b) "SOLD" signs shall not remain in place for more than 2 months.
- c) "Open House" signs shall be removed from their display area at the end of each day.

RULE 16: BHOA Dues

Bajamar Homeowner Association dues shall be paid each month or on a yearly basis. Consult the Bajamar Homeowner's Handbook and/or BHOA office staff for payment amounts, discounts, late fees, and other related details.

RULE 17: Fines

- a) Unless stated within the rule itself the BHOA Board will levy fines for rule infractions as follows; 1st occurrence - a warning; 2nd occurrence - \$25 USD; 3rd occurrence - \$50 USD; 4th and subsequent occurrences - \$75 USD. If twelve consecutive months go by since the last occurrence the process starts over.
- b) Fines are subject to the same interest and penalties associated with the payment of Association dues.

Dear Home Owner, Architect, Builder.

If you are planning to undertake a construction project in Bajamar please read "Design and Construction Rules."

The Design and Construction Rules are part of the BHOA "Protections" and apply to all construction projects in Missions Todos Santos and San Diego. They were established over 30 years ago by Bajamar's original developer to maintain the unique character and beauty of our residential oasis and protect its property values. It is largely due to these rules that Bajamar has not become the architectural disaster that is symptomatic today of so many communities along the coast of Baja. To further protect Bajamar, The City of Ensenada Building Department has agreed not to issue any Building Permits without written approval from the BHOA Operations Manager or Design Committee.

Section 4.04 of the BHOA "Protections" requires that the BHOA Design Committee shall, from time to time, and its sole discretion, adopt and amend rules and regulations which interpret or implement the provisions of Sections 3 of the Protections, the section that deals with the architectural and engineering aspects of construction in Missions Todos Santos and San Diego. To this end the Design Committee has recently complemented an update to the Design and Construction Rules. The update was approved by the BHOA Board of Directors and copies have been given to government officials in the Ensenada Building Department and the State of Baja California.

The update is largely confined to making the documents more user friendly and understandable. It has been written in plain English, not legalese, and has been reorganized into 3 main sections. The first section is for the Home Owner and outlines the procedures for obtaining construction project approvals. The second section is for the Architect/Engineer and lists specific architectural and engineering design requirements. The third section is for the Builder and establishes rules to follow during the construction phase. Appendices at the end of the document include drawings, a Project Agreement form, and a schedule of Fees, Fines (for non compliance) and Work Hours. There have been no major changes to the rules, only minor "tweaking" here and there. The basic concepts, themes, and overall standard of the initial Design and Construction Rules have been maintained.

Kindly read the updated Design and Construction Rules carefully. The information presented in this document is critical for the success of your project. Should you require assistance with the Rules please feel free to call the BHOA General Manager at (646) 155-4237

Good luck with your project.

The BHOA Design Committee

Copies of the Design & Construction Rules are available from the BHOA Office or can be found on the BHOA web site at www.bhoa.com.mx Click on "Rules" then on "Design Rules"

THE BAJAMAR SCHOLARSHIP PROGRAM

The Bajamar Scholarship Program was formed in November 1995 with the goal of supporting good students in our nearby communities who are financially unable to continue their education.

In Mexico, school is not free. All schools charge a registration fee and expect the students to buy uniforms to wear. In most cases, books, school supplies, and other essentials are also needed. It costs about \$200 per year to send a student to elementary school (grades 1-6). The cost to send a student to secondary school (grades 7-9) is about \$350 per year and high school (grades 10-12) about \$550 per year. College is usually anywhere from \$1500 to \$4000 per year.

In establishing this program, our commitment was and still is to support our students throughout their educational careers. We monitor their progress and help whenever we can. We also encourage our students to look forward to the day when they can help other students.

We are currently (August 2007) supporting thirty-two students. We are proud of their progress and outstanding grades and they are very appreciative of our help.

We hope that you will contribute by making a donation to our program or as importantly, become involved. It is a great opportunity to give back to the country that is host.

One hundred percent of your donation goes to the students. We have legal non-profit status in the United States so checks can be made payable to Bajamar Scholarship Program. For further information, please contact Patricia Gonzalez at 155-4045 or Marylee Donovan at 155-4134.

Thanks for your help!