



## First Walnut Creek Mutual

February 26, 2026

To: All Members – First Walnut Creek Mutual

Re: Notice of Proposed Common Area Encroachments Policy and Proposed Landscaping and Exterior Decor Policy

Notice of Board Meeting to Consider Adoption of Common Area Encroachments Policy and Landscaping and Exterior Decor Policy

Dear Members:

The Mutual's Board of Directors ("Board") consulted with the Mutual's corporate counsel to prepare the enclosed proposed Common Area Encroachments Policy ("Encroachments Policy") and proposed Landscaping and Exterior Decor Policy ("Landscaping Policy") for First Walnut Creek Mutual. Once adopted, the Common Area Encroachments Policy and Landscaping and Exterior Décor Policy will replace the existing Private Gardens Policy.

### **Common Area Encroachments Policy**

The Mutual is responsible for the common area. Over the years, some Members have made changes to the common area, including extending fence lines beyond the boundaries of their patios and/or planting gardens in the common area. Members have raised questions regarding whether such changes are permissible, whether modifications can be transferred to purchasers, and related issues.

The purpose of the Common Area Encroachments Policy is to establish protocols, consistent with Civil Code section 4600, regarding the Board's authority to approve modifications to the common area that are outside the boundaries of the manor and the exclusive use common area, as well as to clarify and expand upon the members' obligations post-approval. The effect of the Common Area Encroachments Policy is that members must obtain the Board's prior written approval in order to modify the common area, that the Board's approval is revocable, and that the approval cannot be transferred to the member's purchaser without the Board's prior written consent. In addition, the Common Area Encroachments Policy establishes rules regarding maintenance and costs associated with the modifications. The effect of the Common Area Encroachments Policy is to replace the existing Private Gardens Policy.

### **Landscaping and Exterior Decor Policy**

The proposed Landscaping and Exterior Decor Policy is substantially the same as the Sections 2 through 5 of the existing Private Gardens Policy. The purpose of the proposed Landscaping and Exterior Decor Policy is to separate those issues relating to decorating entryways, patios, and balconies (exclusive use common area) from issues related to general common area encroachments. In addition, the purpose of the proposed Landscaping and Exterior Decor Policy is to balance the



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members' interests in decorating their entryways, patios, and balconies against the Mutual's need to keep the common area free from hazards and water damage. The effect of the proposed Landscaping and Exterior Decor Policy is to establish rules regarding exterior decorative items and the watering of potted plants.

### Meeting

The Board intends to adopt the proposed Common Area Encroachments Policy and proposed Landscaping and Exterior Décor Policy at the open meeting on March 27, 2026 at 10:00 a.m., in the Donner Room at the Event Center located at 1021 Stanley Dollar Drive, Walnut Creek and virtually.

#### Log in Information for Virtual Meeting:

<https://rossmoor.zoom.us/j/88349537409?pwd=UkCp3C9uLF4CMv4iVR7haBbWi4XMfU.1>

Meeting ID: 883 4953 7409

Passcode: 961904

(669) 900-6833

All members are encouraged to attend the Board meeting and provide comments concerning the proposed Common Area Encroachments Policy and proposed Landscaping and Exterior Decor Policy. Comments regarding the proposed Common Area Encroachments Policy and proposed Landscaping and Exterior Decor Policy may also be submitted to the Community Manager, Victoria Thomas, at [vthomas@rossmoor.com](mailto:vthomas@rossmoor.com) by March 26, 2026. The Board will consider all member comments before voting on adoption of the Common Area Encroachments Policy and proposed Landscaping and Exterior Decor Policy.

Best,

*Board of Directors*