

**Marion Pavan**

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**From:** Anil Reddy [REDACTED]  
**Sent:** Tuesday, December 03, 2013 12:35 PM  
**To:** Marion Pavan  
**Cc:** Janice Stern; Brian Dolan; Steve Otto  
**Subject:** Re: Summary

Marion,

I apologize if I am sending too much information your way, as you can imagine a lot is at stake for us considering what we can already gone through.

I wanted to bring your attention to the attached letter from ADC's Katherine Fonte, dated April 13. 2011. Please note that in the first paragraph, she write, "any existing entry gates within the Community have been installed **without approval from the ADC** and have been constructed after the final architectural inspection."

This goes to show how recklessly the ADC and HOA have conducted themselves in regards to design features and their installation on other homes, while discriminating against us and objecting to previously approved motor gate on our home permit plans, despite their strange belated claim of "uncompromisingly denied applications for entry gates" in this letter.

As you may have observed on Ruby Hill, there are currently at least 10 homes with gates installed. Per the legal doctrines governing HOAs (as noted in my previous email below), by their failure to enforce restrictions on these homes, the HOA has *abandoned* its Right to Enforce on other homes with gates.

I want to bring your kind attention to capricious and contradictory conduct by ADC with respect to approvals and later disapproval. In court documents filed with Alameda County Superior Court, the HOA made similar assertions regarding the White Stucco and other restricted design features on numerous existing Ruby Hill homes.

Incredulously, they similarly claimed that the White Stucco on those homes were applied without approval from the ADC and have been done after the final architectural inspections. In other words, HOA also also abandoned its right to enforce due to its failure to enforce restrictions, even those restrictions as they incorrectly interpreted from the Guidelines.

Our family clearly bore the brunt of capricious and arbitrary discrimination by an intolerant and insecure HOA. Their discriminative position that all other homes are allowed to have these design features (white stucco, gate, etc.) but not our home is unfair and untenable. That too after home was fully built with necessary ADC approvals and routine on-site construction monitoring over a 18 month period of time. Demanding that we tear down installed items and rebuild finished Spanish home is unreasonable in light of all these facts.

We request the City make note of these inconsistencies in ADC's conduct.

Regards,  
Anil

On Mon, Dec 2, 2013 at 12:32 PM, Anil Reddy [REDACTED] wrote:  
Marion,

Per our TCO Agreement of June 28, 2013 with the City of Pleasanton, Page 4, Paragraph 1(c) and 1(e), both Guidelines and CC&Rs form the basis of City's design review process, along with design precedents of existing homes on Ruby Hill as previously agreed.

1. Neither CC&Rs nor Guidelines mandate or require a particular architectural style or design features. With words like "cannot dictate", "difficult to legislate", "exhibit individuality of their owners", etc. the governing documents make it amply clear custom homes are just that: custom.
2. Myriad custom styles and very unique design features have been previously allowed on the 840 existing homes in Ruby Hill.
3. CC&Rs and Guidelines welcome the Spanish-style architecture of our home, with design features from along the "Mediterranean" Spanish coast, of "warm-weather wine regions of Europe".
4. HOA's belated whimsical demand, after construction completion, that our home must conform to 'Spanish Eclectic' style is without merit and is not based on facts. As the Owner-Designer-Builder, we created our home based on inspirations from travels in Spain. No mention of "Spanish Eclectic" was ever made in any forum/medium until belatedly raised by HOA in Summer of 2012 after construction completion. None of the drafts or approved plans make any mention of "Spanish Eclectic", nor do the final permit plans. The home was and remains 100% what it was espoused to be from the very start in May 2010: Spanish-style. The only written reference that states an architectural style was in my email to ADC's Katherine Fonte on May 26, 2010, stating we are building "beautiful Spanish-style home".
5. HOA belatedly cites convenient language in Guidelines dissuading use of the most popular Spanish stucco color "white" on our Spanish-style home or the "glazing" on the iron garage doors, both of which were previously approved ADC during design reviews, sample submissions, routine on-site contractual construction monitoring. Please note the garage door iron doors design is also from Hubbard Iron Doors catalog, Model 502, Page 13 reviewed and approved by ADC. Notwithstanding such approvals and lack of objections until construction completion under ADC's own inspection regime, by the fact that similar features have been previously allowed in other custom homes in form of exceptions, variances, or failure to enforce, the HOA has permanently waived its right to enforce any rule restrictions on other/new homes with similar design features. The HOA through such past voluntary or involuntary exceptions, waivers, and variances has thereby abandoned its right to enforce on other custom homes any such restrictions due to past abandonment of its right to enforce.
6. Further, in the specific instance of our home, any right the HOA had to enforce compliance per CC&Rs in the post-construction scenario, however belated and untenable their objections, the HOA has subsequently abandoned any right to enforce restrictions by their 'failure to enforce' per Section 11.11 of the CC&Rs which requires HOA to follow specific and timely steps which were not followed. Under the "Business Judgement Rule" governing HOAs, they have abandoned in this instance their right to enforce restrictions.
7. HOA arbitrarily continues to object to previously approved Gazebo and Motor-gate. Please note that these are the only known HOA objections until construction completion, which is why we have stopped their construction midway, however unfair, capricious, and unreasonable these belated objections are. There is nothing wrong with the Gazebo or gate design, both of which are in keeping with our home style.
8. Pertaining to belated objection to Garage 1 iron doors, after ADC's architect Terry Townsend advised me to

refer to the Garage 1 as a "lanai" in order to secure their approval, the HOA's Bob Jones, in his letter dated August 24, 2012 accepted this configuration and the tandem parking space stating, "ADC has decided to accept the three car garage configuration that you have installed". The Garage 1 remains a functioning garage as approved by City.

9. We have invested significant amount of money, to create a beautiful Spanish-style home in front of an large unsightly water tank, significantly enhancing the aesthetic beauty, appeal, and property values of the Ruby Hill community. We followed all City and Rules/Guidelines, only to be wantonly targeted, post-construction completion, by an insecure and intolerant HOA bent on denying us occupancy of our home with unreasonable and untenable objections.

10. It should give the HOA enormous satisfaction that they have succeeded in tormenting our family by inducing great suffering and financial losses and in the process threatening our very survival over those dark 16 months (March 2012 to July 2013) during which time they unlawfully denied our family home occupancy and our kids their schools. We now simply want to move on with our lives, and focus on our career/family/kids without prolonged legal battles.

Regards,  
Anil

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## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Tuesday, December 03, 2013 11:17 AM  
**To:** Marion Pavan  
**Subject:** ADC Memo, dated August 17, 2012  
**Attachments:** photo 1.JPG; ATT00001..txt; photo 2.JPG

Marion,  
Per my last email, please see attached two page ADC Memo dated August 17, 2012 on Garage 1 glazed iron doors (Item #4).

Click  
<https://www.mailcontrol.com/sr/3z5OGsXTdYrWQxILzJ5p919crISivlrY!ciWvAHgb9vb2a7+UAt0OdArvbljpl5mlhWGQOjRR0nRvLOheD46gw==> to report this email as spam.

Ruby Hill Owner's Association  
Architectural Design Committee

# Memo

Date: August 17, 2012  
To: Bob Jones  
From: Ruby Hill ADC  
Re: Architectural Compliance  
Reddy Residence, Lot O-02 - 3737 W. Ruby Hill Drive

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Dear Mr. Jones:

Please find the ADC's comments below concerning the architectural compliance for the referenced property:

O-02      6896      3737 W. Ruby Hill      REDDY      Architectural  
Compliance

- Item #2 - COLUMNS AT AUTO COURT: possible concession item (re: height of columns) under the condition that a gate is NOT installed.
- Item #4 - SWINGING DOORS FACING STREET AT THE LANAI: possible concession item under condition that front doors are replaced. Gold trim must be painted to match entire door. Space must never be used as a garage.
- Item #9 - VENTS: metal gable vent must be painted; louvered foundation vent must be painted to match body color
- Item #12 - EXTERIOR COLORS: existing colors are not approved. Roof and trim are acceptable, body and columns must be changed to an approved color.
- Item #13 - FRONT ENTRY DOORS: doors are not approved and must be changed. Design is too ornate.
- Item #15 - DOWNSPOUTS & DRAINAGE: downspouts must be installed and connected to appropriate drains. Grading swales must be added to the top of slope on both sides property lines.
- Item #16 - HORIZONTAL BAND AT FRONT ELEVATION: must be painted to match (approved) body color.
- Item #19 - ARBOR: arbor on the retaining wall must be completed.
- Item #20 - MECHANICAL ROOM DOORS: hardware must be installed

- Item #22 - COLUMNS: capitals are not approved, design is inconsistent with architectural style
- Item #24 - BBQ AT LOWER LOGGIA: must be installed per plan
- Item #26 - STAIR AT LOWER LOGGIA: item is incomplete due to unfinished edge and handrail.
- Item #30 - STUCCO WALL AT MASTER SUITE: must be painted to match approved body color.
- Item #34 - REAR GARAGE DOORS: metal doors are not approved. Must be replaced with an approved material. Glazing is not allowed on any garage door.
- Item #35 - GAZEBO: proposed decorative iron top is not approved. The ADC will consider approval of a wooden top. Columns must match final approved columns for home.
- Item #36 - FOUNTAIN & RETAINING WALL AT TOWER: must be complete

Thank you,

Ruby Hill Architectural Design Committee

## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Tuesday, December 03, 2013 11:00 AM  
**To:** Marion Pavan  
**Cc:** Janice Stern; Steve Otto; Brian Dolan  
**Subject:** Re: Garage and Storage Area

Dear Marion,

We are fully aware and in possession of this very confidential ADR Mediation communication between two legal counsels. Unethical and illegal transmission of this confidential document aside, this letter goes to further show the HOA's flip-flops and whimsical pattern of approvals then followed by capricious disapproval with punitive intent.

Please also note the statement "all work must be completed prior to occupancy" which is another written instance of illegal right of HOA to deny us occupancy of our finished home. Such fraudulent HOA misrepresentations were rampant, and ensued denial of our home occupancy, which is the main subject of lawsuit against HOA which is set for Civil Jury Trial in Alameda County Superior Court on 11/03/2014.

Notwithstanding the fraudulent conduct of HOA inducing trusting Owners desperate for Occupancy to call the Garage 1 space a "lanai" in order to gain approval (which approval was achieved per Bob Jones' letter dated August 24, 2012), and then using trust as a weapon against same Owners further evidences the bad faith with which the HOA has conducted itself. I will separately forward you a Memo by Bob Jones, dated August 17, conditionally approving the as-built "swinging doors facing street" of this Garage 1 "lanai" space. It is for the City to make independent conclusions on these swinging iron doors.

Irrespective of HOA's fraudulent misrepresentations on this Garage 1 issue, it is a matter of fact per City's own building inspections and approval records, as well as our repeated evidenced assertions, that the Garage 1 has always been and remains an operating and fully functional garage.

Regards,  
Anil

CC: Dhillon & Smith LLP

On Tue, Dec 3, 2013 at 10:12 AM, Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)> wrote:

Anil:

Attached is the information provided to your and/or your attorney regarding the garage and storage area.

Marion

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## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Tuesday, December 03, 2013 10:19 AM  
**To:** Marion Pavan; Brian Dolan; Janice Stern; Steve Otto  
**Subject:** All Approvals Received

Marion,

We wish to emphasize that all design approvals (written and verbal) for colors, materials, and features were received from ADC prior to installation of these features. This includes the white and other stucco colors, trim colors, iron doors, column detail, etc. Just as we did everything with City permits and approvals, we also followed the ADC procedures at all times during home construction through completion.

The operating procedure followed on the ground by ADC, included verbal approvals. In addition to arguments previously presented in our defense, we present the following legal argument per Section 11.7 of CC&Rs.

In "Memo" to City, dated October 11, 2013, the ADC admits the we "constructed features similar to the original sketches and photos". Again, we were very clear from the start (April 2010) what we wanted and never deviated from that vision. In addition to initial submission of features and materials used (stucco colors, trim colors, column detail, etc.), sample boards were later submitted, and installation routinely monitored by ADC during all construction with no objection to these installed materials and features.

Per the CC&Rs, Section 11.7, Forms of Approvals and Denials, it clearly states: "Any application which has not been rejected in writing within ninety (90) days from the date of submission **shall be deemed approved**".

This was the operating procedure established by ADC throughout the design review and construction process. Please note that their belated demand to show written approvals is not possible even for the 98% of dozens of other materials that they are not objecting to, example- wood garage doors, flooring, railing, weather vane, etc. Fact is, all of these including the stucco colors, trim colors, iron doors, column detail, etc. were done with ADC approvals.

In keeping with the ADC practiced ground operating procedure for approvals and in keeping with the CC&Rs Section 11.7 rules quoted above, several dozens of materials were approved and installed (with no ADC objection). Only sustained arbitrary objections were to previously approved gazebo and motor-gate, both of which remain unfinished. Rest of the materials, including white and other color stucco materials, iron doors, etc. were installed with no rejection or disapproval by ADC.

Without going into the details of motives behind HOAs discriminative and arbitrary treatment of our home, please know that they have shown the same kind of contempt they have displayed the City their Memo of October 11, 2013 by fabricating non-existent language and rules to suit their motives. In the second paragraph on Page 1 of that Memo, they quote an entirely fabricated statement and attribute it to the Approval Letter of June 30, 2010. This statement as quoted does not exist in that letter, including the words "or after completion". Such fraudulent conduct of tampering with evidential documents exposes HOAs functioning style, at the cost of our suffering.

In light of above arguments supporting all approvals were received, and those previously elucidated to prove our home meets requirements of Guidelines, CC&Rs, Precedents (exceptions, variances, failures to enforce), and HOA/ADC abandonment of right to enforce, we request that the City allow us to keep the as-built home in its present condition.

Regards,  
Anil

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## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, December 02, 2013 12:35 PM  
**To:** Marion Pavan  
**Subject:** Re: Garage 1 parking

Marion,

Thanks for meeting us this morning.

We want to reiterate once again that our Garage 1 is and remains a functioning garage. It was designed, permitted, built, and inspected/approved by City as functioning garage spaces. I had sent you photos of our car parked in this structure. Let me know if you have any questions or need further clarification on this matter.

Also as previously discussed (and below), on the issue of glazed garage doors as approved for use on custom home at 3724 Selvante St., please forward me a copy of the Title 24, Green Build, or Energy Efficiency reports tenuously cited by HOA as reason for approving those 100% fully glazed garage doors for all four parking spaces on that house.

Regards,  
Anil

On Thu, Oct 10, 2013 at 12:22 PM, Anil Reddy [REDACTED] wrote:

Marion,

Here are photos of my extra large vehicle parked in the Garage 1 of permit plans, which was built, inspected, and approved for occupancy by City's Building Department as a functioning garage that meets all codes.

Please note the utility closet on the inside corner of this garage, which houses the furnace, water heater, and vacuum systems. Also note the larger 6'x10' glazed french doors on the back side of this Garage 1. These glazed french doors of this Garage 1 to the backyard were already in the approved permit plans. As you know, six large glazed windows are already in the approved permit plans for Garage 2. So addition on some incremental glass/glazing on the beautiful Seville, Spain inspired iron garage doors of this Garage 1 is not only in keeping with rest of garage glazed theme, but is also in keeping with the rest of iron doors of the house.

I have been doing some research since you mentioned the green build of glazed garage doors, and found out similar energy efficiency arguments can be made about the glazing of iron doors on this Garage 1.

I will send you separate email with photos of car parking lift option built into our garages with proper electrical circuits to accommodate them. I will also send photos of precedents in Ruby Hill homes of car parking lift currently installed, and entirely practical and economic option should we own more than 4+ vehicles in future. We currently own two sedans.

Regards,  
Anil

## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Sunday, November 03, 2013 8:27 AM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern; Brian Dolan  
**Subject:** Support of 100 Owners  
**Attachments:** photo.JPG

Dear Marion,

Please review the attached Notice of Election Results from HOA received this week for RHOA Board Election that concluded on October 28, 2013.

I participated in this election as a Board Candidate to assess the support we from the other Owners of Ruby Hill in the midst of our dispute with HOA and fraud lawsuit against the HOA. Despite HOA's aggressive negative propaganda against our home and family with goal of swaying the City, including a vicious defamatory email they broadcast to entire community on October 08, 2013 misleading the Owners about facts surrounding our lawsuit and home, I received overwhelming support of fellow homeowners some of whom have also written to us.

Notwithstanding the sham nature of these elections with violation of key Election Rules, it is a matter of great satisfaction that by HOA's own ballot count we have acknowledged support of 100 Owners of our newly adopted community. Given the recent mailers sent my City to all Owners about Design Review process and Planning Commission hearings, these 100 endorsements by fellow homeowners this week are really an *approval* of our home and family, and effectively serves as a 'Petition' in support of our as-built home. We request the City to see it in this light, given the heat of the moment and wide publicity surrounding our home.

Regards,  
Anil

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# Ruby Hill Owners' Association

## NOTICE OF ELECTION RESULTS

The following election results were tabulated at the Election meeting held on October 28, 2013: The resolution regarding the annual IRS Resolution, pursuant to IRS Revenue Ruling 70-604, was approved with 258 Approved Votes, 7 Not Approved Votes, and 12 Abstained Votes. The results of the Board of Directors election are as follows:

Neal Sornsen	229 Votes
Diana Nathan	227 Votes
George Belhumeur	206 Votes
Anil Reddy	100 Votes
Mark O'Brien	1 Vote
Mike Madden	1 Vote

The 3 positions were filled by those receiving the highest number of votes (Neal Sornsen, Diana Nathan, and George Belhumeur).



## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, October 24, 2013 10:05 AM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** ADC landscaping plan approval letter  
**Attachments:** Landscape Design Approval Letter.JPG

Marion,

You probably have this ADC Landscape Plan approval letter, dated July 25, 2012 (attached).

Please note:

1. This ADC letter was issued *after* landscape construction was completed. Significantly, ADC monitored landscape construction even without issuing this approval letter, because they know well our landscape construction was in accordance with what ADC had previously reviewed and stamped our landscape plans on June 30, 2012 despite their belated claim to contrary. I showed you the stamped ADC approved landscape plan set of June 30, 2010 at our meeting recently.
2. Landscape construction was installed from May 2011 per approved plans, including the Vineyard of South-side Slope used by ADC as a red herring belatedly.
3. Approval letter was finally issued post-construction, and after months of pleading with ADC and Board to get this long overdue approval
4. Landscape plan of 'approval letter' is consistent with the originally approved landscape plan of June 30, 2010, except belated objection to previously approved Gazebo.
5. Despite forced to modify the beautiful traditional Gazebo design (clearly allowed by Rules and Guidelines) three times to satisfy ADC, and ADC not raising any objection during April 2011 construction monitoring visit by Terry Townsend, when objection was eventually raised to half-completed structure in March 2012 we stopped all construction activity on Gazebo and it remains incomplete to this day.
6. This is further evidence that (a) contractual Construction Monitoring (even attached approval letter clearly says "we will make periodic inspection of the construction") was done throughout 18 months till ready for occupancy in March 2012 with no objections raised to any of now belated objections (b) anytime we were made aware of objections mid-construction, even belated ones such as the Gazebo or Gate, we immediately stopped construction and sought resolution (c) no objections (however arbitrary and against the Rules or Guidelines) were ever made to previously approved stucco colors, doors, columns, belly band until request for occupancy inspection was made to ADC in March 2012 (d) ADC conduct even with landscape construction and approvals is motivated by bad faith.

In summary, we followed all governing rules and Guidelines, built our house with all approvals (written and verbal) and construction monitoring, in keeping with precedents set in 840 existing homes with very subjective custom design features.

Regards,  
Anil

## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, October 24, 2013 2:44 PM  
**To:** Marion Pavan  
**Cc:** Janice Stern; Steve Otto  
**Subject:** Gazebo Design  
**Attachments:** Gazebo Design 1 June 2010.pdf; Gazebo Design 2 February 2011.jpg; Gazebo Design 3 March 2012.jpg

Marion,

Attached are the various iterations of gazebo design that were done at the behest of ADC. The final gazebo design was done to meet ADC's demand that its columns too match those used on main home. Then ADC belatedly objected mid-construction to previously approved iron dome detail of gazebo citing it is too "ornate", just as with other belated objections of finished home, even though the grapevine design iron work on dome along with its bronze paint and limestone column cream colors are to match those on the rest of the main home.

According to Section V(b) of Guidelines such subjective opinions as "sound design" or "good taste" cannot be dictated on custom homes.

We still don't know what is wrong with beautiful and traditional gazebo design that was finally agreed upon. This gazebo has a very Mediterranean and Spanish feel and fits our home style and landscaping perfectly. Everyone we show the design to loves it and appreciates our effort to install something so beautiful, and that too in a very private backyard placed in a location strategically to distract guests from the most unsightly water tank behind the lot and next to gazebo.

Regards,  
Anil

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## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, October 16, 2013 5:36 PM  
**To:** Marion Pavan  
**Cc:** Brian Dolan; Janice Stern; Steve Otto  
**Subject:** Front Elevations  
**Attachments:** EAVE.PDF; TEMP007.PDF; SHT 4.pdf

Dear Marion,

Please see attached three sheets:

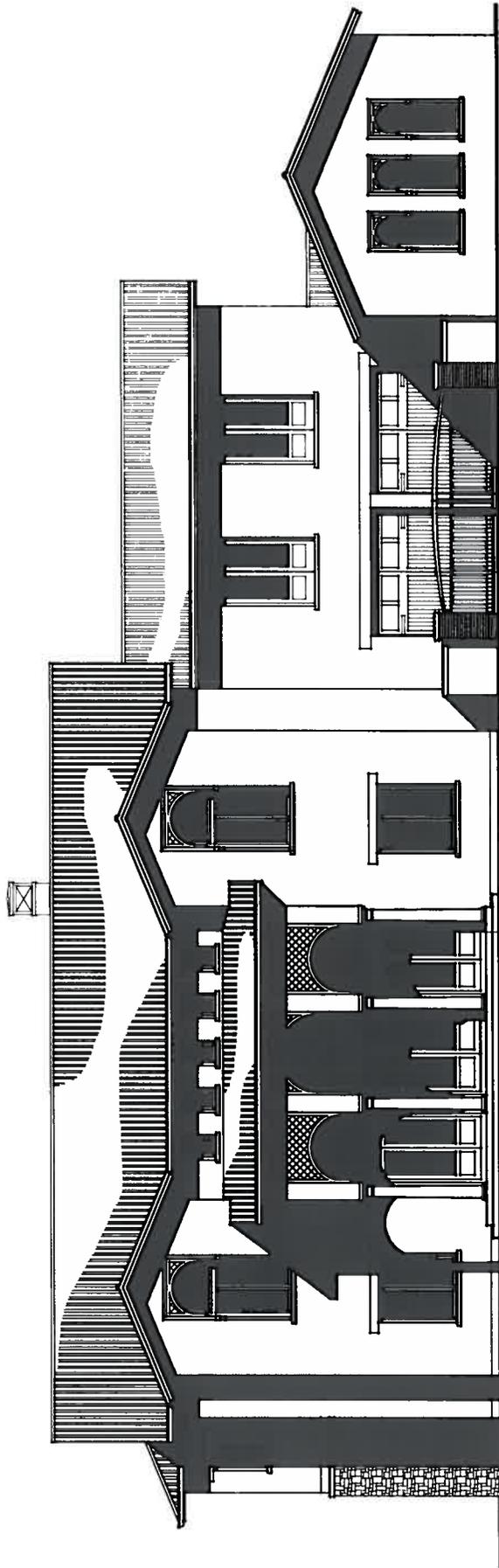
1. Concept Drawing (May 2010)
2. Approved Drawing (Jun 2010)
3. As-Built Drawing (May 2012)

You can see that the as-built front elevation of May 2012 is remarkably close to the original concept drawing approved at pre-design conference of May 2010 and the approved plans of Jun 2010. The arch iron doors on Garage 1 were discussed at the start in 2010 as a welcome change more in keeping with the preference of the Guidelines that garages not face the street.

The as-built elevation is as ADC correctly acknowledges in their "Memo" dated October 11, 2013, "Reddys brought in sketches and photographs similar to what they eventually built". The ADC encouraged and approved this style, which had not changed from the pre-design concept stage to the current as-built home. The ADC attempt to belatedly convince everyone that we built an entirely different home than what was approved is patently false, as evident from these concept, approved, and as-built elevation drawings.

Regards.  
Anil

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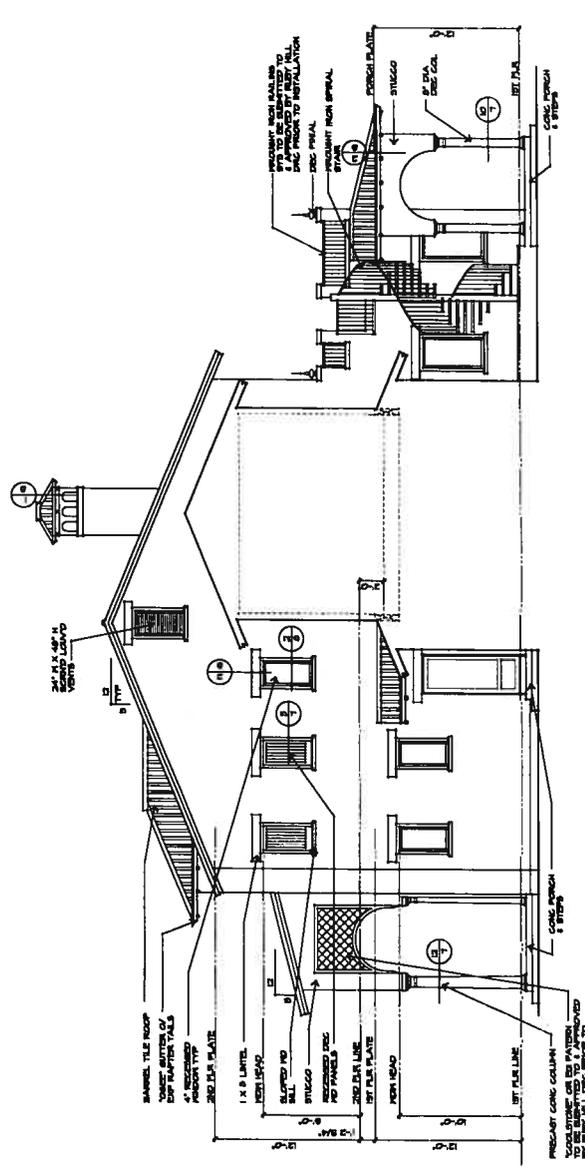


2021

REDDY HOME  
3131 W RUBY HILL DR  
PLEASANTON CA

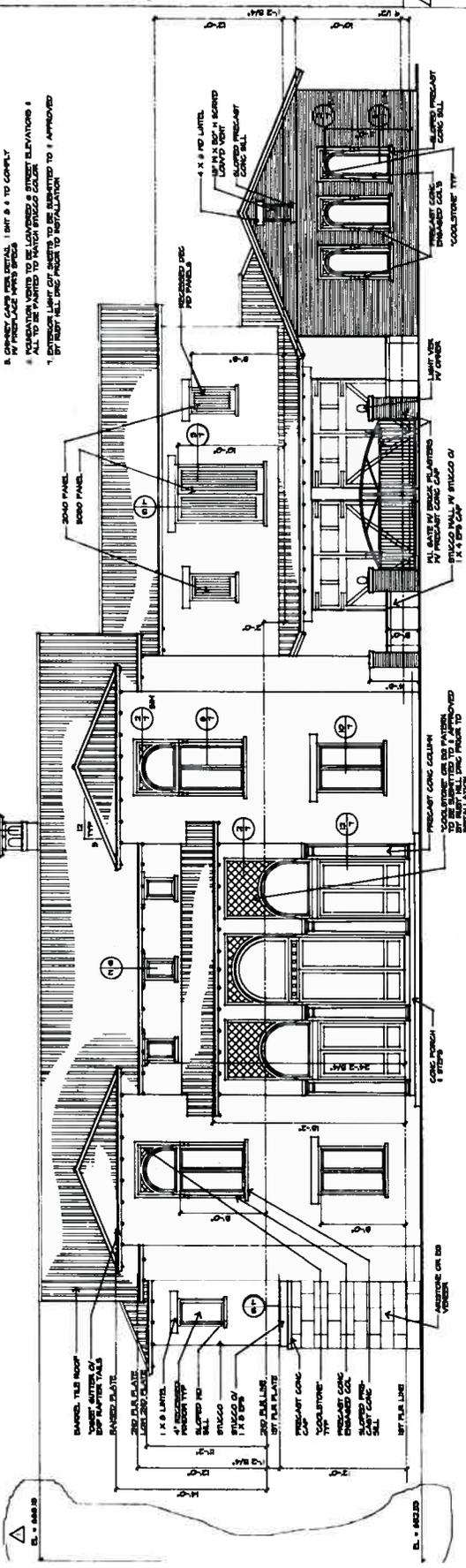
LOT 2 TRACT 1  
1.5 AC +/-  
1.5 AC +/-  
1.5 AC +/-

4  
SHEET



PARTIAL ELEVATION (NORTH)  
1/4" = 1'-0"

- ELEVATION NOTES**
1. CLASH IN GUT BY NUMBER 1 & 2 SHOP BY MCA ICG
  2. AS EVALUATION REPORT # 2021-044
  3. BRUGGAS SYSTEM TO BE LA MARCA SHOOTER FINISH
  4. ALL WINDOWS TO BE RECESSED  
4" TYP REF DET 2 SHIT 8
  5. BRUGGAS SYSTEM OF 20 LAYERS GRADE 7' BLUE PAPER IV 24 6  
SIL. BUT WILL REEP BUSHED 8 BUSH
  6. DESIGN REVIEW COMPLETE PRIOR TO CONSTRUCTION
  7. CONCRETE CURB FOR METAL 1 SHIT 8 1 TO COMPLY  
W/ PRE-PLACE WIRE BRUSH
  8. ALL TO BE FINISHED TO MATCH BRUGGAS COLOR
  9. EXTERIOR LIGHT FIXTURES TO BE SUBMITTED TO & APPROVED  
BY REBEL HILL GROUP PRIOR TO INSTALLATION

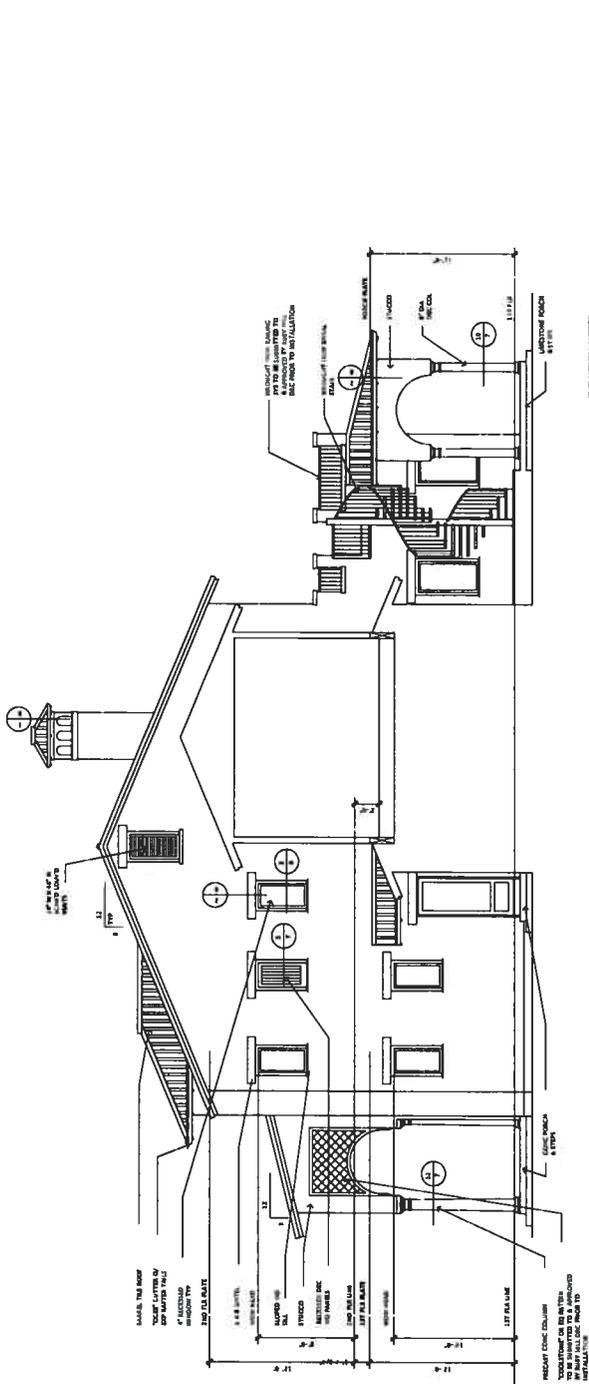


FRONT ELEVATION (EAST)  
1/4" = 1'-0"

ALL WINDOWS TO BE RECESSED  
4" TYP REF DET 2 SHIT 8

EL. = 668.10

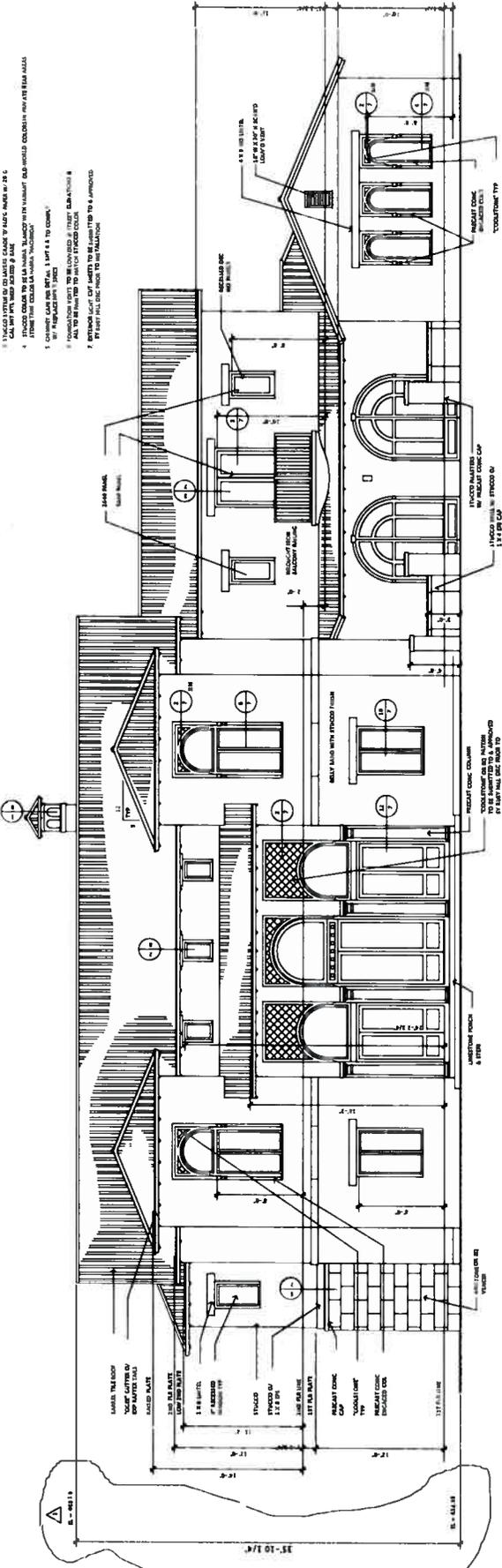
EL. = 662.20



**ELEVATION NOTES**

1. CHIMNEY: CLAY TILE ROOFING, 12\"/>
2. 1\"/>
3. FINISHED SYSTEMS TO BE LA MINERAL WOOL INSULATION, 1\"/>
4. FINISH TO BE AS SHOWN, UNLESS OTHERWISE NOTED.
5. CONCRETE CURB AND WALLS, 1\"/>
6. FOUNDATION SYSTEMS TO BE DEVELOPED BY GEOTECHNICAL ENGINEER.
7. EXTERIOR LIGHT FIXTURES TO BE APPROVED BY THE CITY OF WEST BURY.

ALL MATERIALS TO BE ACCESSIBLE AT TYPICAL DETAIL SHEET 5



**FRONT ELEVATION (EAST)**

12/12 PITCH

## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, October 16, 2013 12:00 PM  
**To:** Marion Pavan  
**Cc:** Brian Dolan; Janice Stern; Steve Otto  
**Subject:** Reddy Response to ADC "Memo" (see attached)  
**Attachments:** Reddy Response to ADC Memo Oct 15, 2013.doc

Marion,  
Attached please find our detailed response to ADC memo dated October 11, 2013.

Also, note the following rules in the CC&Rs, Article XI, Architectural Control:

1. Section 11.3: "The Architectural Design Committee shall consist of a chairman and four (4) additional members.  
>> This is a very important requirement to ensure fairness in design review, objectivity, and to ensure the Guidelines are interpreted and implemented correctly. Per this rule, the ADC as constituted during our plan review and construction with only a 2-member panel of Terry Townsend and Ralph Shermann is incorrect and rendered legally invalid.
2. Section 11.4.2: "provided, however, that the Architectural Design Guidelines shall not be in derogation of the minimum standards established by this Declaration".  
>> By appointing only a 2-member ADC panel, the composition of ADC is in derogation of CC&Rs.
3. Section 11.4.2: "The Architectural Design Guidelines shall constitute Rules".  
>> Meaning the points I previously quoted and attached Response from Guidelines are legally binding on ADC and the Association.
4. Section 11.7: "Any application which has not been rejected in writing within ninety (90) days from the date of submission shall be deemed approved.  
>> Per this rule, by not rejecting our samples and material choice submissions throughout the construction period, they are to be deemed as accepted. No objections of any kind were raised throughout 18month construction monitoring period until after construction completion in March 2012, and ready for Occupancy. We heeded to belated objections to unfinished Gazebo and Gate even though these were previously approved.
5. Section 11.11: "if the Owner fails to remedy such non-compliance...then after the expiration of thirty (30) days from the date of such notification, the Architectural Design Committee shall notify the Board, and the Board shall provide Notice and Hearing...At the Hearing...the Board shall determine the estimated costs of correcting it...Board shall then require the Owner to remedy or remove the same within a period of not more than forty-five (45) days from the date of the Board's determination".  
>> Board did not follow any of these rules. By violation key requirements in this section for remedy of alleged non-compliance, they have lost the legal right to enforce any alleged non-compliance as it stands today. In other words, the house must be allowed to remain as it currently stands.

Please advise when we can meet to present more information and documentation. Divya and I would like to meet before your preparation of design review report.

Regards,  
Anil

1. There are no "approved" or "acceptable" styles as claimed by the ADC, but per the Rules only certain “preferred” architectural styles (page 20, Section V of Architectural Design Guidelines). The Guidelines are quite clear of this issue, saying certain styles are "preferred", particularly the "traditional styles that are prevalent in warm weather regions of Europe" which our house is: 100% Spanish home, designed with architectural features from along the 1000-mile Mediterranean coastline of southern Spain. Guidelines only mention certain styles as mere "examples" of such *preference*.
2. Guidelines also warn the ADC in Section V, page 20 not to "dictate specific architectural styles that must be used", and that "terms such as 'sound design' and 'good taste' are difficult to describe and even more difficult to legislate". While also emphasizing that it is desirable to "exhibit the individuality of their owners as well as the characteristics of the selected architectural style".
3. No mention of any "Spanish Eclectic" style was ever made by ADC or us in any of the various versions of design plan drafts, final approved plans, city permit plans, emails, or even in the Approval Letter of June 30, 2010. The words "Spanish Eclectic" was never brought up by ADC until after the house was completely built. In fact, the only record of our home style ever mentioned was as "Spanish Style" in my email to Katherine Fonte on May 26, 2010 during design review process to no objection. Here is the actual quote from that email: We have been very careful to meet all RH guidelines, and stay true to the architectural integrity of this beautiful *Spanish-style* home”.
4. Even the initial Concept Drawing of May 2010 (copy of which I provided to you) clearly shows our Southern Spanish home style and the as-built final home looks substantially similar to that and true to the Spanish-style espoused from the start. In the ADC Memo, they finally acknowledge “Reddys brought in sketches and photographs similar to what they eventually built”, that our as-built home was along the lines of photos, details, and materials shown at pre-design conference, which is the same meeting where the Concept Drawing was shown, approved, and plans drawn for subsequent design review meetings and final approval of June 30, 2010.
5. All photos, materials, details, samples, of design and materials were submitted, inspected on-site during routine Construction Monitoring paid for by our \$6000.00 fee per Page 9 of the Guidelines, and Paragraph 4 of the Approval Letter as quoted: “periodic inspection of the construction of home to assure compliance...will be made”, and that any deviations from approved plans will be observed and cured "during construction", not after all construction is completed while under contractual ADC Construction Monitoring program. It is unfortunate to see the ADC misquote this important statement from Approval Letter by conveniently adding the words ",or after completion" in their Memo.
6. As I proved to you with stamped approval Landscape plans along with House Plans on June 30, 2010, ADC also lies in the Approval Letter that "Landscaping Plans...not

reviewed or approved at this time". Sadly, the Approval Letter, as is their Memo, is full of misleading or patently false statements. Nowhere in that Approval Letter is there a mention of any "final occupancy approval letter", a non-existent requirement that was fabricated as a mandatory condition for Occupancy purely to stop us from moving in for the 16-month period until City intervention in July 2013.

7. Per my detailed documentation supplied to you, our finished landscaping is per approved landscape planting and grading plans, including vineyard over the easement area that was approved by ADC. We also sent you evidence from professional Surveyors Kier & Wright and also pre-construction property line photos to prove that no encroachment or grading or swale removal occurred from our side. We simply followed the approved plans.

8. Our home was not designed any architect but was designed by Owners based on inspirations from actual travels in Spain, with photos and sketches used to draft plans. We did not use any licensed architect but only an unlicensed draftsman based in Utah to draft the plans we already made. The ADC knew of this and encouraged, even induced us, to proceed. They also approved, again verbally, the requirement to only use licensed and approved builders by allowing be the Owner-Builder, with assurance of supervision under the ADC Construction Monitoring program paid for by our generous \$6000.00 fee.

9. Contrary to ADC's belated and distracting allegations, we are not asking for any changes or amendments to Guidelines or CC&Rs but only that ADC and HOA follow them as written in plain English, and as implemented on the ground in existing precedents of 800+ homes. Numerous biweekly Construction Monitoring inspections were conducted, including drive by ADC inspections of our home built in plain view over a 18 month period of time with all approvals (incl. verbal), and more importantly no rejections or objections by ADC until all construction was completed and house ready for Occupancy in March 2012. Discussion of "Californian or Mexican heritage", or of "Monterrey/Spanish Eclectic" after construction completion is unreasonable, moot, and capricious.

10. For the record, we submitted to and participated in the belated Board Appeal Hearing in writing, not in person. Also, note this was scheduled was ADR Mediation process had already started, seven months after disputed started, and after Board denied our repeated requests for Internal Dispute Resolution, seven months after dispute started in March 6, 2012 when we made request for Occupancy. Persistent harping on Appeal Hearing with misleading and untrue statements is mischievous and distracting at best, ignoring our documented 20+ emails for six months leading up to it pleading in vain for ADC and Board help with home occupancy.

11. HOA made an illegal and fabricated requirement for "final occupancy approval letter" as mandatory condition for getting City's occupancy permit to move into our long finished home. This requirement or Association's right to deny us "access" or "occupancy" of our finished home is not in the CC&Rs, Guidelines, or Rules. This is a

punitive, imaginary requirement manufactured by the HOA to the financial detriment and prolonged suffering of our kids and family.

12. ADC and the Association have a legal to follow CC&Rs, Guidelines and Rules. They also have the moral responsibility to be fair and look at existing precedents they previously approved as in existing Ruby Hill homes. Claiming as they did in April 13, 2011 letter by Katherine Fonte that any existing features "within the community" similar those on our home "have been installed without approval from the ADC and have been constructed after the final architectural inspection" is not tenable and against the CC&Rs Section 9. Tenuous arguments made by ADC that Reddys have not "provided addresses or shown approved plans for any of these houses, so it is unclear from a picture whether the design was approved or whether another homeowner received the required approvals", or arguing over shades of white color used within the community with statements like "many variations of white" are simple unfair.

13. Our house was built with written and verbal approvals, including as in permit plans and later approvals (and lack of rejections or objections) of materials, details, etc., during 18-month construction period or contracted ADC Construction Monitoring. Our finished home is in keeping with the original concept drawing of "Spanish-style" of May 2010, designed not by any architect but by Owners based on personal travels in Spain along with Mediterranean coast-line with ADC approvals and encouragement. Though house was completed without any objections till ready of occupancy, and passed rigorous City inspections, our family was denied occupancy for 16 months using fabricated rules and belated objections. ADC and the Board have a legal obligation and act in good faith to uphold CC&Rs, Guidelines, and Approvals; they cannot be allowed to flout the Rules at will against certain Owners who have challenged their administrative and financial practices.

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, October 14, 2013 1:45 PM  
**To:** Marion Pavan  
**Cc:** Brian Dolan; Janice Stern; Steve Otto  
**Subject:** Re: FW: Memo Re: Reddy

Marion,

Thanks for forwarding me this ADC "Memo", and giving me a chance to rebut the lies they put forth. I have provided copious amounts of evidence to support our positions. ADC is attempting to mislead the City by blatantly misquoting even the wording of the Approval letter.

Divya and I would like to meet with you later today or tomorrow with documentation to disprove HOA allegations. Please advise when we can stop by for a quick meeting.

Meanwhile, here are some facts to consider, many of which points I had previously brought to your attention:

1. There are no "approve" or "acceptable" styles as claimed by the ADC. On the contrary, the Guidelines area quite clear of this issue, saying certain styles are "preferred", particularly the "traditional styles that are prevalent in in warm weather regions of Europe" that our house is: 100% Spanish home, designed with architectural features from the 1000 mile Mediterranean coastline. ADC only mentions certain styles as mere "examples" of such preference, while also warning the ADC in Section V, page 20 of Guidelines not to "dictate specific architectural styles that must be used", and that "terms such as 'sound design' and 'good taste' are difficult to describe and even more difficult to legislate". While also adding that it is desirable to to "exhibit the individuality of their owners as wells as the characteristics of the selected architectural style".
2. No mention of any "Spanish Eclectic" style was ever mentioned in any of the various versions of design plan drafts, final approved plans, city permit plans, emails, or even in the Approval Letter of June 30, 2010. The words "Spanish Eclectic" was never ever mentioned by ADC until after the house was completely built. On the contrary, the only record of our home style is mentioned as "Spanish Style" in my email to Katherine Fonte in May 2010 during design review process to no objection.
3. Even the initial concept drawing of May 2010 (copy of which I provided to you) clearly shows our Southern Spanish home style, and the as-built home looks substantially similar to that and true to the style espoused from the start.
4. Nowhere does the oft-mentioned Approval Letter or the Guildelines require ADC be in writing. All photos, materials, details, samples, of design and materials were submitted, inspected on site during routine construction monitoring program paid for by our \$6000.00 fee per Page 9 of the Guidelines, and Paragraph 4 of the Approval Letter: periodic inspection of the construction of home to assure compliance...will be made", and that any deviations from approved plans will be observed and cured "during construction", not after all construction is completed while under ADC construction monitoring. It is unfortunate to to see the ADC misquote this important statement from Approval Letter by conveniently adding the words ",or after completion" in their Memo.
5. As I proved to you with stamped approval Landscape plans along with House Plans on June 30, 2010, ADC also lies in the Approval Letter that "Landscaping Plans...not reviewed or approved at this time". Sadly, the Approval Letter, as is their Memo, is full of misleading or patently false statements. Per my detailed documentation supplied to you, our finished landscaping is per approved planting and grading plans, including

vineyard over the easement area. We also sent you evidence from Surveyor and per-construction property line photos that no encroachment or grading had occurred. We simply followed the approval received.

6. Our home was not designed any architect but was designed by Owners based of inspirations from actual travels in Spain, with photos and sketches used to draw up plans. We did not use any licensed architect but only an unlicensed draftsman based in Utah to draft the plans we already made.

7. We are not asking for any changes or amendments to Guidelines or CC&Rs but only that ADC and HOA follow them as written in plain English, and as implemented on the ground in existing precedents of 800+ homes. Discussion of "Californian or Mexican heritage, or of Monterrey/Spanish Eclectic after construction completion is unreasonable.

8. We participated in the Board Appeal Hearing in writing, not in person. Also, note this was scheduled was ADR Mediation process had already started, and after Board denied our request for Internal Dispute Resolution, seven months after dispute started in March 6, 2012 when we made request for final approval. Harping on Appeal Hearing is mischevious and distracting at best, ignoring our documented 20+ emails for six months leading up to it pleading in vain for help with home occupancy.

9. HOA made a fabricated requirement for "final occupancy approval letter" as mandatory condition for getting City's occupancy permit to move into our long finished home.

10. ADC and the Association has a legal and moral responsibility to be fair and look at existing precedents they they previously approved as in existing Ruby Hill homes. Claiming as they did in April 13, 2011 letter by Katherine Fonte that any existing features "within the community" similar those on our home "have been installed without approval from the ADC and have been constructed after the final architectural inspection" is not tenable. Such arguments, or arguing over shades of white color used within the community, or claiming they could not identify the homes without "provided addresses" is inane at best.

Our house was built with written and verbal approvals, including as in permit plans and later approvals of materials, details, etc., with contracted Construction Monitoring, in keeping with the original concept drawing of "Spanish-style", design not by any architect but by Owners based on personal travels in Spain along with Mediterranean coast-line. Though house was completed without any objections till ready of occupancy, and passing all City inspections, our family was denied occupancy for 16 months using fabricated rules and belated objections.

Please advise when we can meet.

Regards,  
Anil

On Mon, Oct 14, 2013 at 12:10 PM, Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)> wrote:

Anil:

FYI.

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, October 10, 2013 12:29 PM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** Parking lift option for parking additional four vehicles.  
**Attachments:** IMG\_3108.JPG; IMG\_5726.JPG; IMG\_5727.JPG; IMG\_5734.JPG; IMG\_5735.JPG

Marion,

Attached please find photos of car parking lift option built into our garages with proper electrical circuits to accommodate them, should we ever own more than five vehicles (we currently own two sedans).

With ceiling heights of 12+ft, these garage spaces can easily accommodate car parking lifts readily available even from Costco for about \$2000 (see attached photo of model available for sale).

Also attached are photos of precedents in Ruby Hill of car parking lift currently installed on 1225 Lozano Court home.

Please advise if you need further information or clarification.

Regards,  
Anil

Click [here](#) to report this email as spam.

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, October 10, 2013 12:22 PM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** Garage 1 parking  
**Attachments:** photo 1.JPG; photo 2.JPG; photo 3.JPG; photo 4.JPG

Marion,

Here are photos of my extra large vehicle parked in the Garage 1 of permit plans, which was built, inspected, and approved for occupancy by City's Building Department as a functioning garage that meets all codes.

Please note the utility closet on the inside corner of this garage, which houses the furnace, water heater, and vacuum systems. Also note the larger 6'x10' glazed french doors on the back side of this Garage 1. These glazed french doors of this Garage 1 to the backyard were already in the approved permit plans. As you know, six large glazed windows are already in the approved permit plans for Garage 2. So addition on some incremental glass/glazing on the beautiful Seville, Spain inspired iron garage doors of this Garage 1 is not only in keeping with rest of garage glazed theme, but is also in keeping with the rest of iron doors of the house.

I have been doing some research since you mentioned the green build of glazed garage doors, and found out similar energy efficiency arguments can be made about the glazing of iron doors on this Garage 1.

I will send you separate email with photos of car parking lift option built into our garages with proper electrical circuits to accommodate them. I will also send photos of precedents in Ruby Hill homes of car parking lift currently installed, and entirely practical and economic option should we own more than 4+ vehicles in future. We currently own two sedans.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, October 10, 2013 9:56 AM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** Fwd: White Stucco (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_1323.JPG; IMG\_1406.JPG; IMG\_1408.JPG; IMG\_1430.JPG; IMG\_4505.JPG; IMG\_4842.JPG; IMG\_4877.JPG; IMG\_5222.JPG; IMG\_5830.JPG; White Stucco in Spain 1.JPG; White Stucco in Spain 2.JPG; White Stucco in Spain 3.JPG; White Stucco in Spain 4.JPG; White Stucco in Spain 5.JPG; White Stucco in Spain 6.JPG; IMG\_8269.JPG

Marion,

Per our discussion yesterday, below are the some of the addresses of existing white stucco homes in Ruby Hill of attached photos that are 100% 'Spanish' style.

Photo IMG\_4842.JPG: 961 Piemonte Dr.

Photo IMG\_4505.JPG: 3083 E. Ruby Hill Dr.

Photo IMG\_4877.JPG: 1783 Spumante Pl.

I can look up other addresses of other existing white stucco homes if you need, please let me know.

Regards,  
Anil

----- Forwarded message -----

**From:** Anil Reddy [REDACTED]  
**Date:** Mon, Oct 7, 2013 at 8:40 AM  
**Subject:** Fwd: White Stucco (precedents set in other Ruby Hill homes)  
**To:** Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)>  
**Cc:** Steve Otto <[SOtto@cityofpleasantonca.gov](mailto:SOtto@cityofpleasantonca.gov)>, Janice Stern <[jstern@cityofpleasantonca.gov](mailto:jstern@cityofpleasantonca.gov)>

Marion,

Divya and I wanted to give to more information on the issue of White Stucco on our home.

According to the Architectural Guidelines:

"All color and material selections will be reviewed during the review of the Preliminary and Final Design Submittals", and "Colors selected should be appropriate to the proposed architectural style."

Please consider the following:

1. White Stucco is the essential color for our Spanish architectural style. It is the most common color for Spanish Homes in Spain, used on vast number of homes throughout the Mediterranean and have been allowed on numerous Ruby Hill homes previously.
2. Belated objections quoting subjective terms such as "stark white" or "large expanses" are arbitrary and capricious, given the fact that larger homes in Ruby Hill than our home own home have been allowed to use white stucco. I had previously sent you photos (attached) of existing larger homes with white stucco. We request you to consider one such 8877sqft home with "stark" white stucco and numerous columns of custom

color, very prominently located at the entrance of Ruby Hill East Gate, even visible from Hwy84: 1225 Lozano Court. I can provide addresses of rest of the homes as well.

3. you will surely agree that arguing over shades of "bright" white is like splitting hairs, and untenable. We used the only white stucco color available from the Spanish stucco manufacturer in California as listed on approved permit plans: La Habra.

4. As required per the Guidelines, all colors and material selections have been reviewed during the design review process, including hundreds of photos from our travels in Spain clearly showing without a shadow of doubt our intended home style, and the white stucco color to be used (see attached six photos of white stucco from Spain).

5. White Stucco is integral to the Architectural Style of our Spanish home, a style allowed per the Rules and Guidelines and approved by ADC during Design Reviews, material sample submissions, and contractual ADC "construction monitoring" during which no objections were raised when Stucco was applied in early Summer 2011 (see photo).

We will provide you more details when we meet you.

Regards,  
Anil

----- Forwarded message -----

From: **Anil Reddy** <[REDACTED]>  
Date: Wed, Jul 3, 2013 at 4:18 PM  
Subject: White Stucco (precedents set in other Ruby Hill homes)  
To: Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)>  
Cc: Janice Stern <[jstern@cityofpleasantonca.gov](mailto:jstern@cityofpleasantonca.gov)>

Marion,  
Attached photos are just some of the other Ruby Hill custom homes that also have 'white stucco' color used on our home.

We had used the only white stucco color available from the manufacturer "La Habra", a California company, as noted in our approved permit plans.

As you know, white stucco is a very common color on Spanish homes as has been used in Ruby Hill and through out Spain and the Mediterranean countries.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, October 10, 2013 9:27 AM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** South-side Property-line  
**Attachments:** No Berm @Purchase of empty lot.JPG; IMG\_0288.JPG; Survey Letters by Kier & Wright.pdf

Marion,

Below of full sizes images of property line photo I sent you before. These are photos taken at the time of lot purchase in May 2010, before any construction activity had started. As you can see, the photos disprove claims of an existing property line berm. The fact is, as we had been saying all along, there was never a berm installed by neighbor Mr. Deol though required by the Guidelines of an up-slope neighbor. During construction we spent the money to put temporary 'straw wattles' to control erosion from Mr. Deol lot with limited success. Hopefully these photos, and the attached Letter from independent professional surveyors Kier & Wright are ample evidence that we did not encroach or grade over existing property-line or slope. As I offered yesterday, we are willing to hire another professional Surveyor if you feel that is necessary to allay any concerns. Please advise.

I will send in separate email, the original "approved" landscape planting plans of June 30, 2010 (which I showed you yesterday) which is reflected in the Grading Plan by Darryl Alexander, and the final landscape plan of June 2012 both showing planting of vineyard on the slope within the waterline easement, with no objection by HOA. The landscape, as built and exists today, was done per approved landscape planting plan with a vineyard.

Regards,  
Anil

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## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, October 07, 2013 12:06 PM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** Columns (precedents set in other Ruby Hill homes)  
**Attachments:** CIMG1685.JPG; CIMG1763.JPG; CIMG1573.JPG; CIMG1592.JPG; CIMG1674.JPG; DSC00409.JPG; Tower by Stanford University, Palo Alto.JPG; IMG\_5499.JPG; Sample 1 ADC.JPG; Sample 2 ADC.JPG; IMG\_9011.JPG; IMG\_0510.JPG; Approved Main Front.jpg; EAVE.PDF; 20ft column precedent in Ruby Hill.JPG

Marion,

Divya and I wanted to provide information on the issues of Columns used on our Spanish home.

According to Ruby Hill Architectural Design Guidelines document;

"Architectural designs should be customized for each homesite", "these guidelines are created to encourage a community of individual outstanding architectural statements that, when viewed together, produce a pleasant living environment", "specific features of the architectural style well developed and carefully detailed", characteristics of the selected architectural style been expressed on all sides", and "it is desirable for the homes of the Ruby Hill community to exhibit the individuality of their owners as well as the characteristics of the selected architectural style".

Please consider the following:

1. In light of the above Guidelines, it is easy to see that our authentic Spanish-style home is encouraged and welcomed by the Rules.
2. Within the broad definition of these guidelines, and by their actual interpretation and implementation on countless existing precedents in Ruby Hill homes of very custom (subjective) tastes of individual Owners, our home is meets the letter and spirit of the Guidelines.
3. The Andalusian Southern Spanish style of our home was review, approved, monitored, and constructed as it was originally conceptualized in May 2010 with ADC. We never misrepresented our design intent, or acted outside of ADC approvals.
4. Given the speed at which permit plans were drawn and approved (by ADC's own account, our plans were approved in 6 weeks compared to the 6 months it normally takes them to approve custom homes), full details of the columns, doors, and other features were not drawn on the approved plans since they were already reviewed in photos and catalogs. In the case of columns, and this was discussed with ADC, we were not sure how elaborate we would be able to carve the final capital details for authenticity due to unknown logistics and cost aspects of 30+ columns on the house. Final, simplified detail and motif from the original Spanish column was decided and agreed upon. (see photos attached)
5. Despite the haste in drawing plans, the moorish design of arches and columns were shown unmistakably on the windows on front elevation drawings (see photo). Note the details in front elevation of approved plans of elongated, jogged moorish arches and moorish column capital on the 2nd floor bedrooms 3 and 4, and the three windows of the Garage 2. Compare that to the photo of actual photo taken in Southern Spain (see attached), one of many photos shown to the ADC.
6. This style of column and capital is not only prevalent in Spain, but has also been used in California. See attached photo of moorish Andalusian Spanish columns on Stanford University tower on El Camino Real in Palo Alto.
7. Great pain was endured to install authentic columns as was practically possible without overwhelming detail. We did samples of Hand-carved Stone column capital, hand-made Plaster Mold for cast column capital, and

finally implemented a very simple column motif with meticulous precision as seen from photo of worker installing the columns (see photos). The ADC viewed these samples that were kept on site for prolonged periods, and knew exactly the columns being installed in plain view in December 2011.

8. The final finished front elevation, including the windows detail, elongated moorish arches, diamond pattern and other detail above the arches, etc., is substantially similar to the intent expressed in ADC Pre-Design Conference concept rendition of May 2010 (see attached) and the Andalusian Southern Spanish home that this is.

9. Numerous homes currently exist in Ruby Hill with elaborate custom, less-than-authentic details, including the attached photo of home with 20ft "stilt" columns.

10. Divya and I have honest about our intentions, followed all rules and regulations, and managed to stay true to the architectural style we chose (in keeping with Guidelines) despite the enormous hurdles of costs and schedules, then only to be punished by belated post-construction objections of a capricious HOA.

We look forward to sharing more details when we meet you.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, October 07, 2013 8:40 AM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** Fwd: White Stucco (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_1323.JPG; IMG\_1406.JPG; IMG\_1408.JPG; IMG\_1430.JPG; IMG\_4505.JPG; IMG\_4842.JPG; IMG\_4877.JPG; IMG\_5222.JPG; IMG\_5830.JPG; White Stucco in Spain 1.JPG; White Stucco in Spain 2.JPG; White Stucco in Spain 3.JPG; White Stucco in Spain 4.JPG; White Stucco in Spain 5.JPG; White Stucco in Spain 6.JPG; IMG\_8269.JPG

Marion,  
Divya and I wanted to give to more information on the issue of White Stucco on our home.

According to the Architectural Guidelines:

"All color and material selections will be reviewed during the review of the Preliminary and Final Design Submittals", and "Colors selected should be appropriate to the proposed architectural style."

Please consider the following:

1. White Stucco is the essential color for our Spanish architectural style. It is the most common color for Spanish Homes in Spain, used on vast number of homes throughout the Mediterranean and have been allowed on numerous Ruby Hill homes previously.
2. Belated objections quoting subjective terms such as "stark white" or "large expanses" are arbitrary and capricious, given the fact that larger homes in Ruby Hill than our home own home have been allowed to use white stucco. I had previously sent you photos (attached) of existing larger homes with white stucco. We request you to consider one such 8877sqft home with "stark" white stucco and numerous columns of custom color, very prominently located at the entrance of Ruby Hill East Gate, even visible from Hwy84: 1225 Lozano Court. I can provide addresses of rest of the homes as well.
3. you will surely agree that arguing over shades of "bright" white is like splitting hairs, and untenable. We used the only white stucco color available from the Spanish stucco manufacturer in California as listed on approved permit plans: La Habra.
4. As required per the Guidelines, all colors and material selections have been reviewed during the design review process, including hundreds of photos from our travels in Spain clearly showing without a shadow of doubt our intended home style, and the white stucco color to be used (see attached six photos of white stucco from Spain).
5. White Stucco is integral to the Architectural Style of our Spanish home, a style allowed per the Rules and Guidelines and approved by ADC during Design Reviews, material sample submissions, and contractual ADC "construction monitoring" during which no objections were raised when Stucco was applied in early Summer 2011 (see photo).

We will provide you more details when we meet you.

Regards,  
Anil

----- Forwarded message -----

From: **Anil Reddy** [REDACTED]

Date: Wed, Jul 3, 2013 at 4:18 PM  
Subject: White Stucco (precedents set in other Ruby Hill homes)  
To: Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)>  
Cc: Janice Stern <[js Stern@cityofpleasantonca.gov](mailto:js Stern@cityofpleasantonca.gov)>

Marion,  
Attached photos are just some of the other Ruby Hill custom homes that also have 'white stucco' color used on our home.

We had used the only white stucco color available from the manufacturer "La Habra", a California company, as noted in our approved permit plans.

As you know, white stucco is a very common color on Spanish homes as has been used in Ruby Hill and through out Spain and the Mediterranean countries.

Regards,  
Anil

Click [here](#) to report this email as spam.

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Sunday, October 06, 2013 12:38 PM  
**To:** Marion Pavan  
**Cc:** Steve Otto; Janice Stern  
**Subject:** Fwd: Misc. design features (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_0444.JPG; IMG\_0446.JPG; IMG\_0449.JPG; IMG\_1420.JPG; IMG\_1423.JPG; IMG\_1424.JPG; IMG\_0363.JPG; IMG\_3990.JPG; IMG\_3993.JPG; IMG\_3995.JPG; IMG\_3957.JPG; IMG\_3950.JPG; IMG\_4881.JPG; IMG\_4591.JPG; IMG\_4589.JPG; IMG\_4886.JPG; IMG\_4890.JPG; IMG\_3987.JPG; IMG\_3843.JPG; IMG\_3844.JPG; IMG\_3848.JPG; IMG\_3833.JPG; IMG\_3822.JPG; IMG\_0404.JPG; IMG\_1326.JPG; IMG\_14201.JPG; IMG\_1425.JPG; IMG\_1818.JPG; IMG\_0047.JPG; IMG\_0049.JPG; IMG\_0051.JPG; IMG\_4883.JPG; IMG\_45891.JPG; IMG\_4500.JPG; IMG\_39501.JPG; IMG\_3983.JPG; IMG\_3988.JPG; IMG\_39951.JPG; Rear Iron Door.JPG; Original Rear Door Inspiration from Seville, Spain.JPG; Rear Colors Inspiration from Spain 1.JPG; Rear Colors inspiration from Spain 2.JPG; Rear Stucco Colors Inspiration from Spain 3.JPG; 3737 Rear Stucco Colors.JPG; 3737 Rear Stucco Colors 2.JPG; 3737 Rear Stucco Colors 3.JPG

Dear Marion,

Divya and I wanted to address the issue of Rear Iron Door and Rear Stucco colors in the back yard, facing the only water tank attached to any Ruby Hill custom lot.

In keeping with the Southern Spanish style of home, and iron doors prevalent throughout the Mediterranean Spain, this rear iron door (see attached photo) in our private backyard, seen by no one except the large water tank is in keeping with Architectural Guidelines. The concept of this door (see attached photo of door from Seville, Spain) was shown to HOA's ADC during initial design review meetings and details submitted, and approved as with other design features of the as-built home.

Due to the unsightly and massive water-tank at rear of our property, we were encouraged by HOA's ADC from the start in May 2010 to have interesting design elements to distract from the water-tank view. The old-town pueblo-style attached buildings with muted stucco colors (see photos of inspiration from Spain) was approved by ADC also during contractually required routine on-site construction monitoring. The stucco materials and finish is as noted and approved in permit plans: La Habra, Smooth Santa Barbara Mission Finish. Colors similar to these have been previously used on numerous Ruby Hill homes, and are applied on a very private section of our house, visible to no neighbor, and purely for the enjoyment of our family and friends that make it into the backyard.

Ruby Hill Rules & Guidelines allow unique custom homes, as evident from the numerous interesting features in attached photos (previously sent). Red, Yellow, Green, Unfinished Grey cement colors have been allowed on existing homes, as are homes with statues of 12ft cast stallions, lions, and tigers. Also allowed are homes with rustic village cottages, chicken coups, green roofs, etc. In light of existing precedents in other Ruby Hill homes, CC&Rs, Guidelines, our house built with approvals and under supervision of ADC's contractually required 'construction monitoring' is hardly objectionable, and that too after all construction was completed in plain view for all to see.

Regards,  
Anil

----- Forwarded message -----

From: **Anil Reddy** [REDACTED]

Date: Tue, Jul 9, 2013 at 1:43 PM

Subject: Misc. design features (precedents set in other Ruby Hill homes)

To: Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)>, Janice Stern <[jsstern@cityofpleasantonca.gov](mailto:jsstern@cityofpleasantonca.gov)>

Dear Marion,

Attached are some other photos are of approved Ruby Hill custom homes with custom design features.

Our Spanish style home not only meets the CC&Rs and Architectural Guidelines for Ruby Hill, but the design features belatedly objected to post-construction by HOA have been previously used in numerous existing and approved Ruby Hill homes setting a precedent, such as a white and other stucco colors, iron doors, columns, stone trim, belly band, gates, etc.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Saturday, October 05, 2013 11:59 AM  
**To:** Marion Pavan  
**Cc:** Janice Stern; Steve Otto  
**Subject:** Garages - 3737 W. Ruby Hill Dr.  
**Attachments:** IMG\_3935.JPG; IMG\_3954.JPG; IMG\_3987.JPG; IMG\_3995.JPG; IMG\_7311.JPG; IMG\_3853.JPG; IMG\_1647.JPG; Car parking lift circuits.JPG; 5th car parking.JPG

Marion,

Divya and I wanted to address the garage door issues, and provide more information on location, quantity, and design of our garage doors.

Per the Architectural Guidelines:

"Garage openings must be designed so they do not face the street."

Many homes in Ruby Hill that have been allowed by HOA to break this requirement with their numerous garage doors facing the street (see photos), thereby taking away the beauty of the front elevation.

On the contrary, the garages and openings on our home have been carefully designed to meet this ADG requirement while still maintaining the old-world Spanish architecture of the house, as follows:

1. Ceiling heights of our garages (both the disputed front-facing Garage 1 on plans, and side-facing Garage2 on plans) are at least 12ft high to accommodate parking lifts readily available these days, even at Costco. 220V Car-Lift Circuits have been designed and built into the garages (see photo of Main Circuit Panel labeling) to accommodate these lifts as and when needed. By adding these lifts the current parking capacity of 5-car space can be increased to 8-car space without compromising the aesthetic of the house. Please note we only own two cars.

1a. The 5th car parking space (between Garage1 and Garage2 is a functioning parking space that is 16ft wide, accessed easily from the 10'x10' opening of Garage2. A large car will easily maneuver and fit this space (see photo).

2. Front-facing Garage1 on plans is a functioning garage that was built, inspected and approved by your Building Department as functioning garage meeting all city and state codes. It remains a functioning garage, even if a fancy one with no cars parked.

3. Due to large sized opening of garages on our house plans, we had to be extra careful in meeting the requirement of Architectural Guidelines. Having two 10'x10' openings, with 200sqft of vertical surface area facing the street would have been unsightly, particularly with another two 10'x10' (200sqft vertical surface area of matching Garage2 doors), so the plan was to have swing out doors and eventually the beautiful hand-crafted iron-doors designed after doors we saw in Seville, Southern Spain.

4. HOA belatedly claims glazing not allowed in garages, yet glazing on our garages was already approved in permit plans, and on these iron doors during construction. There are six large glazed windows, and two large glazed french doors already approved on our permit plans. So objection to additional glazing in these iron doors is arbitrary, particularly because other glazed garage doors have been approved in Ruby Hill (ex; HOA President Neal Sornsen's neighbor at 3724 Selvante St.) and because the reflective glass on this door situated 8+ft from street grade makes it very private (see attached photos of our garage doors from street). The installation of motor-court gate approved in permit plans will make these doors even more private.

5. Garage doors on our house (all doors of the motor-court) meet the Guidelines, approved by HOA during contractual construction monitoring, and meet the precedents on other Ruby Hill Homes.

We will provide you more details at our meeting next week.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, October 02, 2013 10:21 AM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** Fwd: Elev & site  
**Attachments:** EAVE.PDF; REDG1SITE1.PDF

Marion,

I wanted to provide some more information that may be useful in your design review.

Below is the email from my out-of-state draftsman on May 16, 2010, with two attachments submitted for the required Step 1 of three-step design review process of Ruby Hill ADC's "II(a) Pre-Design Conference", per Page 5 of Architectural Design Guidelines.

Few takeaways from this approved design concept:

1. This sketch was submitted just two weeks after we bought the lot, meaning my wife and I knew exactly what we wanted to build based on our travels in Spain.
2. This Conceptual design rendition was presented to the ADC at the "Pre-Design Conference" along with hundreds of photos we had taken of design details and architectural books purchased in Spain. Samples and details of colors, materials, columns, doors, etc., were later provided to ADC.
3. The concept was approved, and the final house as-built looks remarkably similar to this original concept. Please note the Andalusian Southern Spanish design and arch detail approved (as in the final permit plans) of the two large bedroom windows on second floor either side of front entry, and on the three glazed windows on the garage.
4. HOA knew exactly what we were building and approved the details at various stages of the two year construction process. They induced us to build on this ugly water front lot, encouraged and approved aesthetic changes during the routine on-site "construction monitoring" which they conducted as part of the Contract (see ADC Approval Letter to City on June 30, 2010, and section II(d), page 9 of Guidelines) in exchange for the \$6000.00 design review fees they collected for this purpose. HOA raised first objections only after entire house was built.
5. By HOA's own declarations in Court papers, ADC expedited our plan review and final approval within two months of our purchase of lot (instead of the typical six months that it takes for ADC design review process), waiving many requirements including detailed drawings of every column and door since they saw photos of what were going to do (concept drawing and permit plans clearly show the Moorish arch and column details), and samples later submitted during construction.
6. The as-built home remains 100% Spanish and true to original concept, meets all standards set by the CC&Rs, Guidelines, and ADC's approvals of other numerous precedents of existing homes with custom design features.

This is very 'secular' Spanish style home on the whole (including the old-world tower), with design features prevalent throughout the Mediterranean Spanish region, built with painstaking detail and high quality. We have been completely open about our home plans all along, obedient to all rules, and built the house in plain view with numerous inspections and monitoring...only to be later betrayed by the people we trusted the most.

Regards,  
Anil

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, October 02, 2013 10:12 AM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** Re: House Permit Plans - 3737 W. Ruby Hill Dr.  
**Attachments:** TEMP022.PDF; TEMP023.PDF; reddy planting plan L-3 2010.pdf; No Existing Berm at Neighbor Pre-Construction.JPG

Marion,

Attached are the Grading and Drainage sheets from the Permit Plans set.

As you can tell from landscape features such as fountains, pond, garden shown on these grading and drainage plans, the civil engineer had full knowledge of landscape plans including planting of vineyard and other design features. See attached Planting Plan sheet of Landscape Plans of 2010 reflected on Permit Grading Plan.

No grading was done at property line, and the as-built meets approved plans. See attached photo showing no "berm or swale" existed at south-side neighbor's common property line before our construction started. I purchased and installed temporary straw wattles to avoid neighbor's erosion onto our property, even though per Rules it is up-slope neighbor's responsibility. Only encroachment that ever happened, per the Survey letters previously sent to you of independent surveyors Kier & Wright, is by the neighbors onto my property on a permanent basis. We can have this corroborated by another professional surveyor if needed.

Regards,  
Anil

On Wed, Oct 2, 2013 at 8:57 AM, Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)> wrote:

Anil:

Can you provide a copy of the grading and drainage plan(s).

Marion

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Tuesday, October 01, 2013 5:42 PM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** House Permit Plans - 3737 W. Ruby Hill Dr.

Marion,

Per our discussion, attached please find the Architectural plan sheets of the Permit Plan set.

I look forward to our meeting at noon tomorrow.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, July 17, 2013 3:47 PM  
**To:** Marion Pavan  
**Cc:** Brian Dolan; Janice Stern; Steve Otto  
**Subject:** Re: Request for 3737 West Ruby Hill Drive.  
**Attachments:** L-8.pdf; 10066C1 Civil Grading and Drainage Plan (06-29-2010).pdf; TEMP007.PDF; L-7.pdf; L-2.pdf; Architectural Guidelines.pdf

Marion,

Thanks for getting back so promptly. I would like to schedule a meeting with you to go over these issues, please advise when I can come by to discuss.

Our family is in this terrible situation due to arbitrary and discriminative attitude taken by RHADC towards our project. For reasons best known to them, RHADC has blatantly ignored the CC&Rs and Architectural Design Guidelines, as well as countless other precedents of existing homes within Ruby Hill. Thankfully the City is willing to help us and with the recent TCO Agreement signed with the City, our understanding is that the City Planning has taken over the independent plan review of all aspects of our project, as allowed by the CC&Rs giving the City ultimate authority over RHADC and its dominion.

Please see my comments in-line (below):

On Wed, Jul 17, 2013 at 1:20 PM, Marion Pavan <[MPavan@cityofpleasantonca.gov](mailto:MPavan@cityofpleasantonca.gov)> wrote:

Dear Anil:

We have reviewed your request to perform the following work on your home on 3737 West Ruby Drive: 1) finish the gazebo, 2) install gates on the motor court, 3) install landscape lighting, and, 4) plant Italian cypress trees and skyrocket juniper shrubs. Our comments follow:

1) Finish the Gazebo:

The gazebo was not approved by the Ruby Hill Architectural Design Committee (RHADC) nor was it approved by the City's Planning Division with an application for Administrative Design Review or issued a building permit by the City's Building Division. We understand that the gazebo is a disputed item with the RHADC.

>>>>> The gazebo is allowed by the Guidelines. The gazebo was part of the project plan from the very start in 2010, and has been included in the Civil Grading and Drainage Plan in the approved City Permit Plan Set (see attached Civil Engineer's Plan dated 06-20-2010). Relenting to arbitrary demands by RHADC, we had since made at least three complete design changes before deciding on the current design which has been paid for and

half-built. After its construction had started, the RHADC during their routine on-site monitoring visit raised unreasonable objection to the then half-done gazebo, which is how the structure still remains pending City review and approval. See attached Sheet L-8 for gazebo photo and detail.

<<<<<<

2) Install Motor-Court Gates:

The RHADC has not approved the gates for the motor court. Based on the record, the columns that flank the entrance to the motor court were not constructed in compliance with the variance issued by the RHADC as to height and that lamps were installed on top of the columns. We understand that the gates to the motor court are a disputed item with the RHADC as to their height.

>>>>> Motor-gate was approved in by the RHADC in June 2010, and is part of the City approved final permit plan set. Please see attached sheet TEMP007 from the Permit Plan Set. After its construction had started, RHADC during one of its monitoring visits in April 2011, curiously objected to the Gate. Upon reminder that this was previous approved in Permit Plan, and that numerous gates were approved and exist in other Ruby Hill homes, the RHADC then relented. Later, citing the motor-gate piers/columns being a few inches taller than approved (due to error by framing contractor), they denied the motor-gate once again. They have used the pier height as red herring to deny previously approved motor-gate in permit plans. 5" variation on 5ft motor-gate columns, surrounded by 40ft walls and structures is hardly objectionable. Relative to the size and scale of our home, this variation is objectively immaterial. Note that numerous other homes have taller piers. Please also note that two new motor-gates have been approved and installed in other Ruby Hill homes over the last year alone. Also, see in attached sheet TEMP007 of permit plan set the motor-gate pier/column lamps. The lamps were already approved by RHADC, only to be later capriciously objected to.

<<<<<<

3) Install Landscape Lighting:

The RHADC must first review and approve your request for landscape lighting according to the applicable Architectural Design Guidelines (ARG) for Ruby Hill before the request can be submitted to the City for review.

>>>>> The landscape lighting has already been approved, see attached landscape plan sheet L-7. When dispute over half-built gazebo started, which also has lighting, this aspect of project was put on hold.

<<<<<<

4) Install Italian cypress trees and skyrocket juniper shrubs.

Neither species is allowed by the Architectural Design Guidelines and, therefore, will not be approved by the City. The RHADC must first review and approve your request for landscaping according to the Design Guidelines before the request can be submitted to the City for review.

>>>>> These were already approved in Landscape plan set and some have already been installed on our project over a year ago with no objection by RHADC, see attached sheet L-2 Planting Plant. Also, per the Architectural Design Guidelines these plants are allowed. Per attached Guidelines, page 26 V(b), neither Skyrocket Juniper nor Italian Cypress is part of the "prohibited" plant list. Please note that both these plants are upright 'trees', and not 'shrubs' or 'ground covers'. Also please note that Italian Cypress tree is different from the Cupressus glabra 'smooth Arizona' Cypress. As well, dozens of other Ruby Hill homes have these plants and have been previously approved by the RHADC, including those installed in Board members homes and new ones installed in other RH homes since our project started.

<<<<<

We understand your desire to complete these items prior to your family event. However, these specific items are either currently in dispute or are not allowed by the guidelines, and therefore we cannot authorize this work at this time. Please contact me at [\(925\) 931-5610](tel:925-931-5610) to discuss further.

Marion

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, July 15, 2013 8:50 AM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** Outstanding install items

Good morning Marion, hope you had a good weekend. I wanted to ask if you needed any further information from me to complete your house plan review.

Also, there are few items that I still need to complete installation per plans:

- Gazebo
- Motor-gate
- Some low-voltage landscape lighting
- Few plants (such as Italian cypress, skyrocket juniper) at front and back.

My wife and I would like to finish these items soon since we have a house-warming party on August 11 with family and friends coming from everywhere, so we would like to start installation of these items this month. Example: gazebo, as a highlight feature in landscape) is half done and does not present well unfinished as it is now. I can stop by your office to discuss if you like more information or clarification. Please let me know which of these items I can proceed with immediately.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, July 15, 2013 8:50 AM  
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Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Tuesday, July 09, 2013 1:44 PM  
**To:** Marion Pavan; Janice Stern  
**Subject:** Misc. design features (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_0444.JPG; IMG\_0446.JPG; IMG\_0449.JPG; IMG\_1420.JPG; IMG\_1423.JPG; IMG\_1424.JPG; IMG\_0363.JPG; IMG\_3990.JPG; IMG\_3993.JPG; IMG\_3995.JPG; IMG\_3957.JPG; IMG\_3950.JPG; IMG\_4881.JPG; IMG\_4591.JPG; IMG\_4589.JPG; IMG\_4886.JPG; IMG\_4890.JPG; IMG\_3987.JPG; IMG\_3843.JPG; IMG\_3844.JPG; IMG\_3848.JPG; IMG\_3833.JPG; IMG\_3822.JPG; IMG\_0404.JPG; IMG\_1326.JPG; IMG\_14201.JPG; IMG\_1425.JPG; IMG\_1818.JPG; IMG\_0047.JPG; IMG\_0049.JPG; IMG\_0051.JPG; IMG\_4883.JPG; IMG\_45891.JPG; IMG\_4500.JPG; IMG\_39501.JPG; IMG\_3983.JPG; IMG\_3988.JPG; IMG\_39951.JPG

Dear Marion,

Attached are some other photos are of approved Ruby Hill custom homes with custom design features.

Our Spanish style home not only meets the CC&Rs and Architectural Guidelines for Ruby Hill, but the design features belatedly objected to post-construction by HOA have been previously used in numerous existing and approved Ruby Hill homes setting a precedent, such as a white and other stucco colors, iron doors, columns, stone trim, belly band, gates, etc.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [mailto:anil@rubyhill.com]  
**Sent:** Tuesday, July 09, 2013 10:18 AM  
**To:** Marion Pavan; Janice Stern  
**Subject:** Gates (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_0006.JPG; IMG\_0021.JPG; IMG\_3831.JPG; IMG\_3958.JPG; IMG\_0404.JPG; IMG\_0359.JPG; IMG\_4901.JPG

Marion,

Attached photos are just some of the other Ruby Hill custom homes that also have gates for driveways and elsewhere.

Regards,  
Anil

Click  
<https://www.mailcontrol.com/sr/2cQ5rwYzbx!GX2PQPOMvUIHUcPnZ!qyDziUyeQw7lveJ!mTfcS6yOCSmPB5IO2mJnlbVgReioEaqQH8FWVwkvA==> to report this email as spam.

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, July 08, 2013 8:53 AM  
**To:** Marion Pavan; Janice Stern  
**Subject:** Stone Work & Columns (precedents set in other Ruby Hill homes)  
**Attachments:** photo 2.JPG; IMG\_1821.JPG; IMG\_3829.JPG; IMG\_3957.JPG; IMG\_1396.JPG; IMG\_1401.JPG; IMG\_1397.JPG; IMG\_1412.JPG; IMG\_1419.JPG; IMG\_1424.JPG; IMG\_1425.JPG; IMG\_1430.JPG; IMG\_1431.JPG; IMG\_1433.JPG; IMG\_4500.JPG

Marion,  
Hope you had a good weekend.

Attached photos are just some of the other Ruby Hill custom homes that also have unique stone work and columns.

I will forward you other information that can help in your review. I am happy to drive you around Ruby Hill to see unique features and design elements in other custom homes.

Regards,  
Anil

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<https://www.mailcontrol.com/sr/ZRNvIwRaKlzWQxILzJ5p9zaXGxQQgjAU+UCuu7Fj+U1XAtc6CyNFR8TfhxGfgUQvmcCLc18CeHxJlvhZuck2lg==> to report this email as spam.

## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Monday, July 08, 2013 8:53 AM  
**To:** Marion Pavan; Janice Stern  
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**Attachments:** photo 2.JPG; IMG\_1821.JPG; IMG\_3829.JPG; IMG\_3957.JPG; IMG\_1396.JPG; IMG\_1401.JPG; IMG\_1397.JPG; IMG\_1412.JPG; IMG\_1419.JPG; IMG\_1424.JPG; IMG\_1425.JPG; IMG\_1430.JPG; IMG\_1431.JPG; IMG\_1433.JPG; IMG\_4500.JPG

Marion,  
Hope you had a good weekend.

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I will forward you other information that can help in your review. I am happy to drive you around Ruby Hill to see unique features and design elements in other custom homes.

Regards,  
Anil

Click  
<https://www.mailcontrol.com/sr/ZRNvIwRaKlzWQxILzJ5p9zaXGxQ0gjAU+UCuu7Fi+U1XAtc6CyNFR8TfhxGfgUQvmcCLc18CeHxJlvhZuck2lg==> to report this email as spam.

## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Thursday, July 04, 2013 8:03 AM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** Iron Doors (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_0351.JPG; IMG\_0358.JPG; IMG\_0363.JPG; IMG\_0483.JPG; IMG\_1420.JPG; IMG\_1423.JPG; IMG\_1424.JPG; IMG\_1431.JPG; IMG\_3951.JPG; IMG\_4012.JPG

Marion,  
Happy 4th of July to you!

Attached photos are just some of the other Ruby Hill custom homes that also have "large iron doors".

Use of iron doors on our home, such as at the front entry, is clearly noted on our approved permit plan set as "6' W x 16' high wrought iron door unit".

As you know, one of the distinct features of Spanish homes is elaborate use of iron (for doors, gates, railings, gazebos, etc.) and such features have been used elsewhere in Ruby Hill extensively on numerous other homes.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, July 03, 2013 4:18 PM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** White Stucco (precedents set in other Ruby Hill homes)  
**Attachments:** IMG\_1323.JPG; IMG\_1406.JPG; IMG\_1408.JPG; IMG\_1430.JPG; IMG\_4505.JPG; IMG\_4842.JPG; IMG\_4877.JPG; IMG\_5222.JPG; IMG\_5830.JPG

Marion,

Attached photos are just some of the other Ruby Hill custom homes that also have 'white stucco' color used on our home.

We had used the only white stucco color available from the manufacturer "La Habra", a California company, as noted in our approved permit plans.

As you know, white stucco is a very common color on Spanish homes as has been used in Ruby Hill and through out Spain and the Mediterranean countries.

Regards,  
Anil

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## Marion Pavan

---

**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, July 03, 2013 4:14 PM  
**To:** Marion Pavan  
**Cc:** Janice Stern  
**Subject:** Summary and Guidelines  
**Attachments:** Architectural Guidelines.pdf; Summary Brief Backgrounder.pdf

Marion,

Attached is the copy of Brief and Architectural Guidelines for your quick reference.

Below are excerpts from Ruby Hill Architectural Design Guidelines document governing the architectural design and styles. After construction was completed in March 2012, HOA raised untenable objections though no previous objections were raised throughout the construction process. The Guidelines are clear leaving no room for such discriminative misinterpretations. Appendix A (not in main document) of the Guidelines merely mentions some styles by name such as "Italian", "Spanish Eclectic", etc. as simply "examples", not the only 'approved' styles as interpreted by HOA:

>>>>>

### **V. Architecture**

It is not the intent of these guidelines to dictate specific architectural styles that must be used within the community, but rather to give property owners, their architects or designers a set of guidelines that will make the entire community a more attractive place to live. These guidelines are created to encourage a community of individual outstanding architectural statements that, when viewed together, produce a pleasant living environment.

Architectural designs should be customized for each homesite to maximize the natural features that exist.

#### **V(a) Architectural Examples**

Refer to Appendix A.

#### **V(b) Design Philosophy**

Are the specific features of the architectural style well developed and carefully detailed?

Terms such as "sound design" and "good taste" are difficult to describe and even more difficult to legislate. Good architectural design should incorporate architectural elements that have withstood the test of time, and each architect should strive to design a home that has integrity, simplicity, and a sense of proportion.

<<<<<<

Our Spanish home style built in "traditional styles that are prevalent in the warm weather wine regions of Europe" as mentioned in the Guidelines, including from along 1000+ mile Mediterranean coast of Southern Spain that our house was designed after. Our home exterior also respects the local "history of Livermore Valley's Wine Region", with 300-grapevine vineyard, 20-specimen tree Manzanillo

Spanish olive-grove, 35-tree Mediterranean fruit-orchard including citrus, lemon, and fig trees of Spain, 1300+plant 'mature' landscape including 200-plant Mediterranean rose garden, 12 fountains and water-features, old-world tower with copper and brass weather-vane, limestone Spanish columns, Spanish-style gazebo, terraces, loggias, balconies, large hand-made iron doors, etc., on this otherwise unsightly water-tank lot by developer.

Regards,  
Anil

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## Marion Pavan

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**From:** Anil Reddy [REDACTED]  
**Sent:** Wednesday, June 12, 2013 6:21 PM  
**To:** Marion Pavan  
**Subject:** Follow-up

Marion,

It was nice meeting you, and am looking forward to your expedited plan review of our finished home.

As you rightly pointed out, first goal is to get temporary occupancy permit which we are actively focused on so family can move in immediately. Separately, as we discussed, I'll start emailing you documents, photos, and other relevant information for your plan review. Please do not hesitate to contact me if you have questions or need clarifications. I will also add you as a guest at the Ruby Hill main gate so you can survey our property and for comparison the precedents of existing custom homes within Ruby Hill community.

Thank you for your help.

Regards,  
Anil Reddy  
650-450-3015

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