

ARCHITECTURAL GUIDELINES

PROCEDURE/STANDARDS

1. ESTABLISHMENT OF ARCHITECTURAL COMMITTEE

The BOARD OF DIRECTORS (Architectural Committee) has been established pursuant to the Declaration of Covenants, Conditions and Restrictions (CC&R's). The Committee members shall receive no compensation for services rendered, other than reimbursement for expenses incurred by them in the performance of their duties.

2. PURPOSE AND INTENT

The purpose of the "Committee" is to standardize architectural designs and to ensure that the proposed plans are in conformance with and are harmonious to the exterior design and existing materials of the homes in the project maintaining the highest quality of environment within the Association.

In the event of a conflict between this document and the Declaration, the Declaration shall prevail.

The "Committee" does not seek to restrict individual creativity or personal preference, but rather to help assure continuity in design, which will help preserve and improve appearance of the Community and enhance the property values of all owners in the community.

3. ARCHITECTURAL COMMITTEE APPROVAL

According to the CC&R's, The "Committee" shall approve the plans and specifications submitted for its approval only if it deems that: (a) the improvement will not be detrimental to the appearance of the surrounding area of the project as a whole; (b) the appearance of any structure affected thereby will be in harmony with surrounding structures; (c) the upkeep and maintenance thereof will not become a burden on the Association. Additionally, the Architectural Committee retains the right to physically inspect any improvements made during and/or after completion.

The Architectural Committee may, from time to time, and with approval of the Board of Directors, adopt, amend and repeal rules and regulations to be known as "Architectural Rules"

4. PROPERTY IMPROVEMENT REQUIREMENTS

The terms "improvement" includes, but is not limited to, additions or modifications of condo units, patios, fences, hedges, planting, trees, shrubs, signs, alterations in exterior doors or windows, awnings, sun screens, and all other exterior structures or landscaping improvements of every type and kind. Any condition or materials not defined within the above list shall become a matter of judgment on the part of the "Committee" when the governing documents do not clearly define restrictions.

Owners must have the Architectural Committee's approval prior to beginning any improvements.

Failure to obtain the required approvals before making any improvement is a violation of the Declaration affecting your home, and may require modification or removal of unauthorized works of improvements at your expense.

5. PLAN SUBMITTAL PROCEDURE

Owners are encouraged to read the CC&R's and By-Laws keeping in mind that they have the force of law to govern what you mayor may not do.

1. Approval of any project by the "Committee" does not waive the necessity of obtaining any required City permits. Also, obtaining a City permit does not waive the need for "Committee" approval.
2. Complete the information requested on Application Form (Exhibit C.). CONTACT MANAGEMENT WITH YOUR MAILING ADDRESS OR FAX NUMBER WHEN ADDITIONAL FORMS ARE NECESSARY BY PHONE:
FAX: 760-346-9918 EMAIL: lburt@drmineternet.com
3. Submit with the Application Form two (2) sets the following to:
Application Fee: \$25
 - A. The final drawing, specifications and color samples.
 - B. A plot plan showing specifically what exists and the changes requested as they affect your property and any surrounding properties.
 - C. Upon approval by the "Committee", one (1) set of plans will be returned to the owner and one (1) set will be retained in the files of the Association.
Please do not submit your original drawing but be certain your submittal includes all detail.

6. INSTRUCTIONS FOR PREPARING PLANS SPECIFICATIONS

Drawings must be of sufficient professional quality, adequately detailed and dimensional to enable the "Committee" to determine the extent of the proposed improvements and their effect on existing and surrounding structures. Simple drawings are adequate for minor improvements.

7. FINAL APPROVAL BY "COMMITTEE"

The "Committee" shall give final approval or disapproval of your request within forty-five (45) days from submission of a completed Application (including all the required supporting information and documentation). Any disapproval shall contain an explanation of the reason for the disapproval and a description of the procedure for reconsideration of the decision by the Board of Directors. In the event the "Committee" fails to respond within forty-five (45) days from receipt of your completed Application.

Your request shall be deemed to be approved.

In the event the plans and specifications submitted to the "Committee" are disapproved by "Committee", the party or parties making said submission may appeal in writing to the Board of Directors of the Association within thirty (30) days following the final decision of the "Committee". Within forty-five (45) Days following receipt of the request for Board appeal, the Board shall render a written decision. The Board shall meet in open session to consider and make the decision whether to reverse the "Committee's" disapproval of the parties Application.

If the decision to disapprove an Application is made by the Board of Directors or the Committee with the same membership as the Board of Directors, the applicant shall have no right to an appeal or reconsideration of the decision, so long as the decision was made at a meeting that satisfies the requirements of the Common Interest Development Open Meeting Act, including the requirements for giving notice of the meeting to the Association's members and opening the meeting to attendance by the members.

8. NON COMPLIANCE

If no plans have been submitted and work has commenced or has been completed or if work that has been approved was not done in substantial compliance with the plans approved, homeowner shall be in violation and the "Committee" as per the Homeowner Association CC&R\ shall have the authority to require the owner to take such action as may be necessary to remedy the non compliance.

When non compliance is discovered, a notice will be sent to the homeowner regarding the non compliance, to correct as indicated in the notice within sixty (60) days.

If upon the expiration of sixty (60) days from the notification date, the owner has failed to remedy the non compliance, the "Committee" shall notify the Board of Directors in writing of such failure to correct. The Board shall then give the offending Owner a Notice of Deficiency which outlines the problem and sets a date for a hearing before the Board to determine whether there is a non compliance and if so, the nature thereof and the estimated cost of correcting or removing the same.

The Board of Directors will hear the complaint and issue a ruling to owner not less than five (15) days after the hearing.

The owner has 45 days from the "Notice of Board Ruling" to remedy the situation.

If not remedied within 45 days the Board may commence a lawsuit for damages or injunctive relief; as appropriate, to remedy the non compliance and the owner shall reimburse the Association, upon

demand, for all expenses (including reasonable attorneys' fees) incurred in connection therewith: or the owner may be fined for each month of non compliance. Fine shall be: REFER TO BASIC FINE SCHEDULE ENCLOSED.

If such expenses are not promptly paid by the owner to the Association, the Board shall levy an Extraordinary Charge against the owner for reimbursement as provided in the Declaration.

In the event that a member shall correct an alleged violation prior to the hearing date, the Board shall discontinue the proceedings.

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The Board of Directors will hear the complaint and issue a ruling to owner not less than five (5) days after the hearing.

The owner has 45 days from the "Notice-of board Ruling" to remedy the situation.

If not remedied within 45 days the Board may commence a lawsuit for damages or injunctive relief: as appropriate, to remedy the Non Compliance and the owner shall reimburse the Association, upon demand, for all expenses (including reasonable attorneys' fees) incurred in connection therewith: or the owner may be fined for each month of non compliance. Fine shall be: REFER TO BASIC FINE SCHEDULE ENCLOSED.

If such expenses are not promptly paid by the owner to the Association, the Board shall levy an extraordinary Charge against the owner for reimbursement as provided in the Declaration.

If the event that a member shall correct an alleged violation prior to the hearing date, the Board shall discontinue the proceedings.

MARYELLEN HILL & ASSOC
1111 TAHQUITZ CANYON WAY # 120 PALM SPRINGS

760-275-2943

App Fee Included: \$ _____ Check# _____

REQUEST FOR ARCHITECTURAL VARIANCE APPROVAL
(Please allow 2-4 weeks for a Response)

APPLICANT: _____ PHONE _____ DATE _____

MAILING ADDRESS: _____

PROPERTY ADDRESS APPLICABLE TO INSTALATION OF VARIANCE:

DESCRIPTION OF REQUEST

TWO (2) COPIES OF A SKETCH/ BROCHURE/ DRAWING OF PROJECT ARE
REQUIRED.

LOCATION ON PROPERTY:
(Please check): REAR () FRONT () ROOF AREA ()

TYPE OF MATERIALS TO BE USED

COLOR OF FABRIC/MATERIAL

NAME OF CONTRACTOR

CONTRACTORS PHONE # _____ PROJECTED START UP DATE _____

PROJECTED DATE OF COMPLETION

PLEASE NOTE: WORK TO START ON OWNERS RECEIPT OF WRITTEN APPROVAL FROM
THE ASSOCIATION'S BOARD OF DIRECTORS

IT IS THE RESPONSIBILITY OF THE OWNER TO OBTAIN NECESSARY PERMITS FROM THE
APPROPRIATE GOVERNMENTAL AGENCY.
THE ASSOCIATION IS NOT LIABLE FOR ANY CONSEQUENCES WHICH ARISE FROM THIS
PROJECT/WORK.

OWNERS SIGNATURE _____