

OUTDOOR RESORT OF PALM SPRINGS
ARCHITECTURE & AESTHETIC RULES

(Effective March 11, 2008; Rev 3/2010; 3/10/2011; 6/30/2011; 1/12/2012; 3/8/2012; 4/09/12;
5/24/12; 3/11/13, 5/15/13, 3/10/14, 7/16/14; 3/09/15; 5/4/15; 10/26/15; 11/16/15; 03/07/16; 05/02/16)

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ATTACHMENTS:

- EXHIBIT A ARCHITECTURE APPLICATION**
- EXHIBIT B ASSOCIATION SATELLITE DISH SITING FORM**
- EXHIBIT C LOT VARIANCE REQUEST FORM**
- EXHIBIT D LOT VARIANCE APPEAL FORM**
- EXHIBIT E RESOLUTION OF THE BOARD**
- EXHIBIT F APPROVAL - RV'S MORE THAN 15 YEARS OLD**
- EXHIBIT G PERMIT FOR INSTALLATION OF DESERTSCAPE**

SECTION 1 GENERAL (Revised 10.26.15)

- A. Before any transfer of title, the Owner/Seller must bring the lot into compliance with current A&A Rules. Any change done before the effective date of this rule (3-11-08) that fulfills the terms of an issued and approved permit and that complies with all rules and regulations in force on the date the permit was issued, will be considered to be in compliance.

- B. In order to maintain the high aesthetic quality of the Resort and preserve the value of the property, all lots and landscaping must be kept neat and orderly as determined by the A&A Committee.

RV's must be maintained in satisfactory condition as to both the general visual aesthetics of the RV and the specific condition of the various elements of the RV listed below. A deterioration or obvious neglect of the RV will be cited for remedial action and notice as prescribed by the Enforcement Procedure as adopted by the Board of Directors:

- 1. Exterior sidewalls and cap rails, including decals and finishes (fiberglass, gel coat and/or full body paint);
- 2. Awnings
- 3. Slide-Out Seals
- 4. Windows
- 5. Front Storage Enclosure
- 6. Steps, Landings and/or Ramps
- 7. Skirting Lattice

In addition, remedial action will be required for the repair and/or removal of any deteriorating or unsightly personal property including, but not limited to patio furnishings of any type, vehicles, trash and/or debris, and any personal property.

- C. Seasonal decorations in the Common Areas require the approval of the A&A Committee, or its designee. Holiday decorations may be displayed Thanksgiving through January 15th.

- D. In order to assure that modifications meet the A&A Rules, which govern the appearance of the Resort, permits are required for any construction, installation, renovation, or improvement done on any lot. All construction and improvements must be within the boundaries of the lot, as determined by the A&A Committee.
 - 1. Permits must be obtained for any improvement as established by CC&R Article 5, Section 1, including but not limited to:
 - a. Changes to a lot that affect the measured area of hardscape, softscape, or grass.

- b. Construction of:
 - 1) Enclosures including relocation and installation of existing structures within the Resort.
 - 2) Steps, including relocation and installation of existing structures within the Resort.
 - 3) Trellises
 - 4) Golf Screens
 - 5) Planters or Borders
 - 6) Benches
 - 7) BBQ Backing
 - 8) Lot Number Lighting
 - 9) Electrical Permits
 - a) When an Owners turns in an application for work, they will be asked if there is any electrical work to be done. If not, the application will be noted *NO ELECTRICAL WORK REQUIRED*.
 - b) If yes (other than replacement of existing outlets or fixtures), the Owner or their representative will be told that before ORPS can issue a permit to proceed with the work, they must provide the Association office a copy of the Electrical permit from the City.
 - c) The Owner should first have the renovation approved by the A&A Committee and take a copy of the approval to the City to obtain a permit for work.
 - d) Prior to the City issuing a permit, they may require that another form (provided by the City) be signed by ORPS. If the Owner has the signed approval from the A&A Committee, the City form will be signed off by the A&A Chair, if required.
 - e) Once ORPS has the electrical permit from the City, ORPS will issue a permit for work to proceed. Owner will be informed that before we go for the final inspection, we must have a copy of the signed off permit from the City. A photocopy of the City's exemption from permit requirements for electrical repairs is maintained in the General Manager's Office.
 - f) **NOTE:** In addition to the electrical work, if an Owner is building a retaining wall, a permit from the City will be required using the same steps listed above.
 - 10) Other improvements as defined by the CC&R's.
- c. Planting trees, shrubs, bushes or hedges of any type. (Hedge: A boundary formed by a dense row of shrubs or low trees. (Merriam-Webster Dictionary)
- d. Removal of trees, hedges, shrubs, borders or planters that affect the measured area of softscape or grass on a lot.

2. Please see Architectural Application form attached hereto as Exhibit A and made a part hereof by this reference.
- E. To receive a permit for changes which do not follow the guidelines established in the A&A Rules, an application for a variance must be submitted to the A&A Committee and approved by the Board of Directors.
- F. Before a permit will be issued for any change to a lot that is not in compliance with all ORPS rules, regulations, and policies, the Owner requesting the permit must agree to bring the lot into compliance as part of the modification. Any work done before 3/11/08 that fulfills the terms of an issued and approved permit and that complies with all rules and regulations in force at the permit date, will be considered in compliance.
- G. These A&A Rules are a supplement to the CC&R's. There may be some use restrictions that are contained in the CC&R's that may not be specifically addressed in these A&A Rules. Accordingly, it is imperative that Owners review both this document and the Association's CC&R's, particularly Article VI, Use of Properties and Restrictions, for all necessary information governing the use of the lots and any modifications thereof.

SECTION 2. RV AND LOT QUALIFICATIONS AND RESTRICTIONS

(Rev. 3.8.12; 5.24.12, 11.16.15)

A. Age.

1. Limit on Age. RV's more than fifteen (15) years old are not allowed to enter the Resort, except as provided below in paragraphs 2 or 5. This restriction applies to all lot rentals as well as owners bringing an RV into the resort. The age of the RV is determined by the year of the RV as stated on the RV's registration. (For example, an RV with year 2000 date on the registration, would turn 16 for purposes of this rule on January 1, 2016 and would not be allowed to enter the Resort.)
2. Grandfathered RV. Any RV more than fifteen (15) years old and owned by a member of the Association before March 11, 2008, will be grandfathered and will be allowed to enter and/or remain in the Resort, except that all RV's in the resort must be maintained to appearance standards (see Section 1B, A&A Rules). RV's not in compliance with appearance standards will be required to bring their RV's into compliance within 60 days of notification and will be subject to all remedies as set forth in the Association's Enforcement Policy. Note that the grandfather exception applies to the owner on deed as of March 11, 2008 and does not apply to any subsequent owners via a trust or any change in title.

3. Sale of Aged RV. RV's within the park that are over 15 years old will not be allowed to remain within the Resort upon any transfer in title through sale or through estate proceedings.
4. Owner's Non-Grandfathered RV That Turns 16 Years Old.. An Owner's RV that is not Grandfathered per paragraph 2 and then turns 16 years old may *enter and* remain in the Resort, subject to an inspection every four years to ensure adherence to Resort appearance standards (see Section 1.B, A&A Rules). RV's will be evaluated and scored as set forth on Exhibit F attached to these rules and incorporated herein. Upon completion of a successful inspection, a numbered Inspection Sticker will be placed on the RV. The sticker will be matched with the name on the RV registration and recorded in the Resort database. RV's not in compliance with appearance standards will be required to bring their RV's into compliance within 60 days of notification and will be subject to all remedies as set forth in the Association's Enforcement Policy.
5. Aged RV Exception for Rentals. A rental RV over 15 years may enter the Resort if approved by the Chair of the A&A Committee or the General Manager. Pictures of the aged RVs are to be submitted to the Association's front office at the time of reservation. If pictures are not submitted prior to arrival, the RV will be inspected at time of check-in. All inspections must be done during front office business hours. If arrival is outside these hours, the aged RV's must remain in the staging area until the office is open and the RV is granted access.

B. RV Definitions

1. Article 1, Section 24(a), of the CC&R's specifies that travel trailers, 5th wheel trailers and motor homes must be in compliance with industry standards relating to square feet of gross area and are certified with an approved RVIA sticker. Section 24(b) more specifically details requirements for bus conversions which can be no longer than 45 feet.

Section 24 further provides that "Recreational Vehicle" does not include "*truck campers, cab-over campers, tent trailers, pop-up trailers, tents, van conversions, park models or park trailers*". Destination trailers (also known as extended stay trailers) are also deemed park trailers based on the criteria listed below and, therefore, are **NOT** permitted within the Resort:

- a. Destination trailers are not designed to be towed back and forth frequently as are travel trailers;
- b. Destination trailers offer more living space, more residential-style appointments and residential home size appliances to mimic the feel of a home and not an RV;
- c. Destination trailers are less durable than other RVs since they are not intended for frequent travel;

- d. Destination trailers are designed and manufactured to different standards since they serve a different purpose than a travel trailer.
2. Any park trailer/destination trailer owned by an existing Member that is already being parked within the Resort as of the dissemination of this new rule (April 18, 2012), will have his/her park trailer/destination trailer grandfathered and will be allowed to enter and/or remain in the Resort so long as the Member owns the same lot and same park trailer / destination trailer (“Grandfathered Park Trailer”).

However, a Grandfathered Park Trailer may not be replaced with another park trailer/destination trailer once the Lot is sold or if Owner decides to purchase a new park trailer/destination trailer. The Association will further grandfather any rental agreement that was entered into prior to April 18, 2012, for a rental period of time up to and including April 30, 2013, where the renter intended to use a space within the Resort to park a park trailer / destination trailer. Except as noted above, no spaces within the Resort shall be rented for purposes of parking a park trailer or destination trailer.

C. Restrictions (amended 3.07.16)

1. No storage enclosure of any kind may be used to surround a slide out. Lattice facades may be used to screen the sewer hook-up, utilities, and stabilizer jacks. Storage is not allowed on the driver’s side of the RV if it is in view of other lots.
2. Vertical supports are allowed under the slide outs, and require the approval of the A&A Committee. Supports must be of the “post” variety. A cylindrical style with a maximum diameter of two inches is allowed.
3. All RV slide outs or exterior equipment must be factory-installed as original equipment unless approved by the A&A Committee.
4. RV’s with tip outs will not be allowed access to the Resort.
5. Covers, Shades, Netting and Extensions to Awnings
 - a. Shades that are manufactured to snap or fasten over RV windows are allowed.
 - b. Partial RV covers that are manufactured to snap or fasten over portions of the RV are allowed.
 - c. Full RV covers are allowed only during the months of May through October.

- b. Drop-down extensions to awnings are allowed but must be fabricated from material that is similar in color to the awning and/or of a neutral color palette and may drop vertically from the extended awning by no more than two feet.
 - d. Netting or other protective fabric that is draped over portions of the RV is not allowed.
5. Residential type air conditioners and evaporative (swamp) coolers are not allowed.

SECTION 3 RV PLACEMENT ON LOTS (Amended 3.10.14)

- A. On lots sharing a rear property line with another owner, the RV must be placed at least three feet (3') from the front and rear property lines. When the slides are fully extended, the RV must be at least two feet (2') from the property line on the driver's side, with no part of the unit extending over grass landscaping or sewer outlet. With awnings extended, there must be at least ten feet (10') between RV's, awning to awning.
- B. On lots that back up to Common Area, the RV must be placed at least six inches (6") from the back edge of the concrete pad without regard to the location of the rear property line. In other respects, parking of the RV follows the guidelines in 3.A above.

SECTION 4 FIFTH WHEEL ENCLOSURES AND SKIRTS

- A. Removal of pin and/or pin holders from the 5th wheel before or after construction of a pin well enclosure is prohibited.
- B. Solid material, such as plywood, T-111, and rigid plastic or vinyl panels, may be used to enclose a 5th Wheel pin well. Concrete blocks no thicker than three inches (3") must be used as a footing for a water barrier between the concrete pad and the enclosure. The bottom edge of the siding material must be one inch (1") above the concrete pad. The enclosure must be readily removable and disassembled.
- C. Skirting under and to the rear of the pin well may be created using lattice of wood or vinyl which has been painted, stained, or otherwise properly colored. Canvas or vinyl fabric, properly colored, may also be used. Solid material, such as plywood, is not allowed. Wheel wells may be covered with lattice or with the same materials as the front enclosure. Such enclosures must be readily removable.

- D. 5th wheel pin well enclosures and skirting must be harmonious with the architectural style and color scheme of the RV.
- E. The forward edge of the pin well enclosure must be positioned no further forward than six inches (6") in front of the pin hitch unless this location is behind the furthestmost protrusion of the front of the 5th wheel, in which case the forward edge of the pin well enclosure may be extended to match the furthestmost protrusion of the front of the 5th wheel. The pin well enclosure cannot be wider or higher than the pin well area.
- F. Enclosures must have a top vent or vents totaling at least 48 square inches located no less than 12 inches from the top. Enclosures must also have a bottom vent or vents totaling at least 48 square inches located as close to the bottom as possible.
- H. Appliances are not allowed in the enclosure.

SECTION 5 STAIRS & STAIRWAYS

- A. All stairs and stairways must be constructed of a solid material (wrought iron railings are permissible). Material shall be the lightest color aesthetically compatible with the RV.
- B. The footprint of the landing and stairs must not exceed thirty-six (36) square feet. The design is the responsibility of the Owner and must provide for safe ingress and egress.

SECTION 6 LOT MODIFICATIONS (Amended 4.9.12; 3.10.14; 7.16.14; 3.09.15)

- A. Applications for permits for lot modifications are available in the Association Office.
 - 1. The current fee for submitting the application and obtaining a permit is \$25.00 but may be changed from time to time by the Association.
 - 2. The current fee for submitting an application and obtaining a permit AFTER a modification has been made is \$50.00 but may be changed from time to time by the Association. However, if said application is denied by the A&A Committee, then the unapproved modification(s) will have to be removed barring any appeal to the Board of Directors.
 - 3. Lot Improvement Permit Application Guidelines:
No Permit Required:

- a. Routing maintenance
- b. Sealing lot hardscape surface
- c. Annual bed cleaning (Spring) and replanting (Fall)
- d. Maintenance of Palm Trees

Permit Required (no fee)/Inspection Required:

- a. Hosing down and washing with chemicals before sealing hardscape
- b. Repair/replacement of Lot Light (if new design, fee charged)
- c. Repair/replacement of Lattice Posts
- d. Repair/replacement of Fifth Wheel Enclosure (exact replacement)
- e. Repair/replacement of Fifth Wheel Stairs (exact replacement)

Permit Required (\$25.)/Inspection Required

- a. Resurfacing lot including installation of interlocking flooring as allowed per Section 6.K, HARDSCAPE.
- b. Redesign and Reconfiguration of lot
- c. Adding walls, benches, lighting, etc. NOTE: Cathedral City Permit required for any electrical work.
- d. Planting of major new items (for example, large Palm Trees)
- e. Construction of BBQ enclosures
- f. Changing color of lot hardscape surface

B. Permits are required to ensure that all modifications and improvements meet the A&A Rules. Permits required by local authorities are the responsibility of the Owner.

- 1. Before a permit is issued, detailed specifications and plans for all changes, including any relocation of utilities, must be submitted to the A&A Committee for approval.
- 2. Property lines must be staked at all corners before a permit will be issued.

C. Any addition/deletion is subject to review and approval by the A&A Committee. Any deviation from original approved specifications/plans will be removed at the Owner's expense.

D. An approved permit must be posted in a visible location and be kept on the lot at all times during construction.

E. The Owner is responsible for replacement or modification of any Common Area landscaping, utilities, or irrigation components affected in the course of approved lot modifications.

F. Definitions - The term "satellite dish" as used within these A&A Rules shall include all direct broadcast satellite dishes, fixed or portable, and television or other aerial, antenna, dish, tower, or other signal receiving/transmitting

structure. Satellite dishes that exceed a diameter or diagonal measurement of 39.6 inches are not allowed.

1. Satellite Dish Placement and Mounting

- a. Satellite dishes, fixed or portable, shall be mounted on the roof or ladder of the RV and shall not be mounted on the ground or any other part of the lot, unless reception cannot adequately be received.
- b. Installations not mounted as per F2(a) because of reception issues must be sited in the least obtrusive location possible and be approved by The A&A Committee. Requests must be submitted using the Satellite Dish Siting Form, attached as Exhibit B to the A&A Rules.
- c. No more than two satellite dishes are allowed to be sited on a lot.
- d. Regardless of how mounted, installation shall be accomplished by a qualified person who is knowledgeable about the proper installation of satellite dishes and antennas and have a professional look when installed.
- e. Installation shall be made in accordance with applicable building, fire, electrical and related codes. A permit shall be obtained if required by the local jurisdiction.

2. Owner/Applicant Responsibility

- a. Owner/applicant shall be responsible for the maintenance, repair and replacement of any satellite dish installation and shall be required to repaint, if for any reason the exterior surface of the antenna becomes worn or deteriorated.
- b. Owner/Applicant shall be responsible for any damage to any and all real or personal property or for any injury resulting from the installation of the satellite dish and/or its continued use or maintenance.

G. Borders, light standards, columns, planters, BBQ backing, benches, etc., must conform to requirements set forth herein. Pictures of exemplars are available at the Association's Office and any deviation from these rules and the exemplars will be subject to replacement at Owner's expense.

H. No solid fence or wall shall be constructed of material of any kind, including any type of fabric, except for approved retaining walls on perimeter lots.

The construction of such a wall requires:

1. An application for a permit
2. Approval by the A&A Committee
3. A variance granted by the Board of Directors
4. A permit from Cathedral City, if required.

I. No concrete may be poured over existing or new water lines.

- J. A lot may have up to 75% of its area covered in hardscape Any portion of the lot area not covered in hardscape may be covered in grass, artificial turf, desertscape, or softscape, except that a minimum of 10% must be covered in grass, artificial turf, desertscape, or any combination thereof.
Note that no part of the main body of the RV may extend past the concrete pad (hardscape). Slideouts may extend over artificial turf, desertscape or softscape but may not extend over grass. (Refer to A&A Rules, Section 3, RV Placement on Lots, for setback requirements.)

K. DEFINITIONS

1. **HARDSCAPE:** Includes concrete, pavers, brick, interlocking floor tiles and/or benches. Note that allowed interlocking floor tiles should be manufactured from polypropylene, or like material (similar to the Ribtrax modular floor manufactured by Swisstrax), and installations shall be from an approved neutral color palette consisting of black, grey, brown or beige earth tones. Predominant patterns such as checker-board are not allowed, nor are installations that incorporate logos, family crests, or the like, in the pattern. Variations to the type of floor tile and color palette specified will be considered by the A&A Committee upon written request. If the lot light and lot number are not located at the front of the lot, any revisions to hardscape will require that the lot light and lot number be relocated to the front of the lot as part of the lot revision.
2. **SOFTSCAPE:** Includes decorative planters and their borders, grass, flowers, decorative rock or other vegetation.
3. **DESERTSCAPE:** Is defined as a landscape design appropriate to a desert environment. The design should depict the desert environment in the simplest and cleanest form and incorporate natural colors, texture and placement.

L. PROCEDURES FOR DETERMINING LOT LINES (Adopted 2.16.12)

1. While many lots at ORPS do not have pins/monuments to establish boundary lines between lots, where the pins/monuments do exist they shall be utilized to determine lot boundaries unless it is apparent that the actual occupancy line (existence of actual improvements for over five years) has been utilized by the adjoining lot owners on a long term basis.
2. Where no pins/monuments exist, or where there is a boundary line dispute between owners, the A&A Committee, utilizing the procedures outlined herein, shall make the final determination of the lot boundaries whenever an application for a lot modification involving the lot boundary lines is made. The procedures follow:

- a. Primary consideration shall be given to the actual occupancy lines currently being utilized by the adjoining owners on both sides of the lot in question providing they have been in existence for five years or more. The A&A Committee shall utilize historical records and procedures to include reviewing the ORPS file on said lots to assist in this regard. Except for some corner lots and some other exceptions, most lots at ORPS are approximately 35 feet wide. Prior A&A Committees utilized a three foot measurement from the original concrete pads to assist in determining lot lines.
 - b. The A&A Committee shall work with the lot owners while determining lot boundary lines in an effort to reach an agreement on said boundaries. If an agreement cannot be reached, the A&A Committee shall determine the lot boundary lines and shall make a record of same to be placed in and kept in the ORPS lot record file. A Suitable marking/monument shall be placed by the A&A Committee at the front of the lot on each boundary.
3. Once the A&A Committee has made a determination on the location of the boundary line, either lot owner impacted by the A&A Committee's determination can appeal that decision to the Board of Directors (Board) provided written notice of that appeal is given to the Board within twenty (20) days of the date that the A&A Notice was mailed to the Owners involved with said boundary line dispute. Further, no work on the improvement or modification on the applicant's lot can commence until the A&A Committee has made its determination and has identified the boundary lines for the purpose of Owner's architectural application for a lot modification or improvement and, further, to the extent there was a boundary line dispute between applicant and adjoining lot owner, the timeline for the appeal process identified above has expired (or waived by both parties involved with the boundary line dispute).
 4. If there is a timely appeal made to the Board, the Board shall hear said appeal and the decision of the Board shall be final and binding on all parties involved with the boundary line dispute. If no appeal is made (or if an appeal is not timely made within twenty (20) days from the date of the A&A Notice) then the A&A Committee's determination shall be final and binding on all parties. Notwithstanding the provision of this paragraph, it is acknowledged that the owners still have a right to litigate lot line disputes in court. Should this occur and a lot line decision be made by the court, the court decision shall be final and binding on the litigants and ORPS.

SECTION 7 COMMON AREA PLANTINGS & LOT PLANTINGS
(Amended 3.09.15)

A. Common Area Plantings

1. Changes to a Common Area, by an Owner, requires:
 - a. Written approval of bordering neighbors.
 - b. Approval of the application by the A&A Committee
 - c. A variance approved by the Board of Directors
2. Responsibility/Cost
 - a. The initial cost of any plantings in Common Areas is the responsibility of the Owner requesting the permit.
 - b. All maintenance, and any related cost, is the responsibility of the Owner who made the request.
 - c. Upon change of title, the area must be returned by the Owner to the original condition unless the new title holder signs a letter of agreement to continue the responsibility for maintenance and the related cost.

B. Lot Plantings.

1. Applications for a Lot Renovation Permit, and the finished work, require approval by the A&A Committee.
2. All maintenance of flower beds, shrubs, hedges, and trees planted on a lot is the responsibility of the Owner at all times, that is, twelve months a year. All owners are required to make arrangements for keeping these areas neat, orderly, and weed free at all times.
3. Flowerbeds and hedges must be enclosed by hard surface borders, such as concrete, brick, or stone, which function as mowing strips. Wood or plastic border material is not allowed. The Association will not be responsible for damages to unprotected plantings damaged by mowing or trimming.
4. An Owner who no longer wishes to maintain flower beds or other planting areas (adjacent to grass areas) may apply to the A&A Committee to have these areas converted to grass and maintained by the Association. However, if approved, said conversion to grass will be at Owner's expense and Owner will have to remove all borders, flowers and plantings at Owner's expense.
5. Weed killers should not be used around palm trees.

C. Artificial Turf. (Adopted 1.20.14)

1. Artificial turf is allowed on individual lots subject to a completed, approved Permit for Installation of Artificial Turf. Permit fee is \$25.00.
2. Artificial turf counts toward the 10% grass requirement for individual lots.
3. In order to insure consistency and to control for quality, style, and color of artificial turf, all Artificial Turf installations must be by a specified vendor with a product approved by the A&A Committee and identified at time of permit application. No other products or vendors will be allowed.

4. Artificial turf installations that show signs of wear, discoloration, or failure of any type, as determined by the A&A Committee, must be replaced at owner's expense.
5. Regarding the installation of artificial turf:
 - a) Artificial turf will not be allowed in the common area.
 - b) An eight inch (8") brick or concrete border, reinforced with two #3 rebar, will be required whenever artificial turf abuts common area grass;
 - c) In no case can the corridor that lies between two lots be installed ½ in artificial turf and ½ in natural grass and no brick or concrete borders to divide the two treatments will be allowed. Whenever one owner wishes to install artificial turf in this area, the permission of the neighboring owners must be received. Payment for the artificial turf installation in these areas with joint ownership should be divided; however, other payment agreements may be negotiated between the two parties. Additionally, future maintenance shall be the responsibility of each lot owner.
 - d) It is recognized that some lots may not be suitable for artificial turf installation, such as in cases where the transition from artificial turf to common area would be unacceptable, or in cases where a neighbor's permission is not received. The A&A Committee will consider these factors before approving the Permit for Installation of Artificial Turf.

D. Desertscape (Adopted 03.09.15)

The use of Desertscape is encouraged on individual lots within the resort subject to a completed, approved Permit for Installation of Desertscape. (Permit attached as Exhibit G to these rules.)

SECTION 8 TRELLIS – HEDGE (Rev. 5/4/15)

- A. A request for a permit to construct or install a trellis on a side lot line must include written approval of the bordering neighbors if it will extend more than one foot (1') to the rear of the utility pedestal.
- B. Trellises must be white and constructed of vinyl material. Wood trellises are not allowed. They must also be continually maintained and kept structurally sound and aesthetically pleasing. They must also be constructed from one of the approved patterns which can be viewed at the Association's office.
- C. A trellis must have a concrete, brick, or block border completely surrounding the structure. Maintenance of landscaping under and around the trellis is the responsibility of the Owner. Trellises may not be installed on Common Areas.

- D. Trellises must not prevent ingress or egress to/from any lot.
- E. Trees and hedges planted on a lot must not block the view from adjacent lots or overhang another lot.
- F. Trellises can only be placed on or parallel to the side and rear lot line, set back a minimum of fifteen feet (15') from the front lot line and cannot exceed thirty-six feet (36') in aggregate length, nor five feet (5') in height. Plants grown on a trellis shall not exceed ten feet (10') in maximum height and may not exceed five feet (5') in height without the written consent of the owners of the adjacent lots. This consent is not binding on a new Owner. (Measure Trellis from highest point to ground level of Lot.)
- G. Hedges in the rear of the lot shall not in any case exceed ten feet (10') in height and may not exceed five feet (5') in height without the written consent of the owners of the adjacent lots. This consent is not binding on a new Owner.
- H. Shrubs and hedges planted for the purpose of separating property lines must be maintained:
 - 1. At a maximum height of four feet (4') on the front fifteen feet (15') of the property.
 - 2. The segment beginning fifteen feet (15') from the front property line and extending to the rear property line shall not exceed ten feet (10') in height and may not exceed five feet (5') in height without the written consent of the owners of the adjacent lots. This consent is not binding on a new Owner.

SECTION 9 GOLF NETTING OR SCREENS

- A. Golf ball netting or screen can be installed only on a lot that is adjacent to the golf course, for the sole purpose of preventing stray golf balls from hitting any items on that lot.
- B. A request for a permit to install golf ball netting or screen must include a detailed drawing with full measurements, type of netting, type of rigid pole material, color choice, and exact placement. Written approval from all bordering neighbors must accompany the application. This consent is not binding on new owners.
- C. Side and center poles must be made from a rigid material. Poles are to be painted the same color as the netting.
- D. Each section of netting or screen may be up to thirteen feet (13') high and ten feet (10') wide. No more than two sections can be in place at one time.

- E. Trees or plantings may be required in front of the netting for aesthetic value. No plantings will be allowed to grow on the golf screen.

SECTION 10 PATIO FURNISHINGS (Amended 1.12.12; 3.11.13, 5.15.13)

- A. Patio furnishings must be compatible with the size of the patio. The appearance and organization of patio furnishings will be subject to the requirements of Section 1.B.
- B. All furnishings left on an unoccupied lot must be neatly grouped together. A single collapsible framed covering not to exceed 10.5 feet square and 4.5 feet high may be placed over these furnishings. The covering material must be heavy-duty canvas, vinyl or leather in light earth-tone colors.
- C. Golf cart and/or automobile covers must be kept in good condition and neatly secured. These covers must be heavy-duty canvas, vinyl or leather in light earth-tone colors.
- D. Specifications for Outdoor Kitchens
1. Design:
 - a) No more than one outdoor kitchen unit is allowed on a lot. Maximum height allowed is 42"; the maximum surface area allowed is 2% of the hardscape installed on the lot. (Maximum hardscape allowed is 75% of the area of the lot). Kitchens must be mobile.
 - b) Units may include built-in extensions, barbeques, grills, and side burners. Built-in refrigerators and ovens are allowed but must be designed and constructed for outdoor use. All built-in cooking units must be powered by propane, electricity or charcoal.
 2. Exclusions:
 - a) Televisions and any other audio-visual equipment CANNOT be included.
 - b) Plumbed sinks are NOT allowed. Sinks cannot be connected to any water source or drain of any kind and cannot be drained or emptied onto any lot or common area.
 3. Requirements:
 - a) ORPS: An Improvement Permit is required.
 - b) CATHEDRAL CITY:
 - An electrical permit is required if electrical circuits do not meet required or recommended wattage for the unit. Units must include a GFCI breaker.
 - c) CONSTRUCTION:
 - Units must be made of nonflammable materials such as steel studs and fire-resistant board designed for the purpose and must meet fire code specifications.

- The exterior of the unit must be of tile, stone, brick (new or used), flagstone, stucco, or other material that blends with the architecture of the community
- Complete, detailed plans which include specifications, elevations and/or photographs must be submitted for approval.
- Units must be built on wheels and be rugged enough, with wheels strong enough, so the unit can be easily rolled on the patio.

E. Specifications for Portable Barbeque Units (Amended 3.11.13):

1. No more than one unit per lot is allowed. The maximum dimensions are 7' long x 3' wide x 38" high.
2. Fuel: Electric, Propane or Charcoal.
Electric: The unit cannot be hard-wire to an electrical source and must meet local codes for connection and use of portable electrical devices.
Propane: BBQ must meet AGA (American Gas Association) specification (including propane tank, lines and doors).
3. Construction: Must be made of nonflammable materials such as steel studs and fire-resistant board designed for the purpose and meet AGA specifications. The unit must be built on wheels and be rugged enough, with wheels strong enough, so the barbecue can be easily rolled on the patio.
4. Exterior finish: Tile, brick (new or used), flagstone, stone, stucco, or other material which blends with the architecture of the community.
5. BBQ backing:
 - a) Specifications: Backing must be constructed of non-flammable materials such as brick, stone, or stucco. The unit may not exceed forty-two inches (42") in height, eight feet (8') in length, or be no more than one brick in thickness (4"). A thickness greater than stated to accommodate décor of Lot may be allowed subject to review and approval by the A&A Committee. BBQ backings must be supported by pilasters or other suitable support. No more than two BBQ backings will be allowed on one lot.
 - b) Approval: All BBQ backings must be approved by the A&A Committee.

F. Fire Pits. All fire pits, chimineas and other similar outdoor equipment as permitted by the Association must be fueled by electricity, propane or charcoal. Wood and wood product fires are not permitted.

G. Deck Boxes: Up to two portable deck boxes of identical dimension and color may be placed on one lot. Deck boxes may not exceed thirty inches (30") in height, with a maximum capacity of 150 gallons, must be in earth tones and commercially made of high density polyethylene for UV protected outdoor use. Plastic totes, stackable storage containers and homemade boxes are not allowed. Deck boxes should be located to the rear of a lot, or placed in a location that is screened from street view to the extent possible.

SECTION 11 LIGHTING - LOT NUMBER ILLUMINATION

- A. Illuminated lot number fixtures must be operative throughout the year. Turning off electricity at the meter box when the lot is unoccupied is not allowed. The Association must have access to the meter box at all times; if the meter box is locked, the key must be left with security.
- B. All lot number light fixtures must be on a light sensor-controlled device. This light sensor will be maintained by the Association.
- C. The Association is responsible for replacement of light bulbs in lot number light fixtures; design and construction must allow easy access to the light bulb.
- D. In order to improve lot identification for safety and emergency service response:
 - 1. When hardscape changes are made to a lot, the Owner must arrange for the lot number light fixture to be relocated as required by rule Section 11.d.2, and replaced if necessary. Any replacement fixture must be approved by the A&A Committee.
 - 2. The lot number light fixture must be on the left side of the lot, viewed from street, no more than six feet (6') from the street, facing the street and illuminated by a standard 110 volt, 25 watt bulb or the equivalent. No low voltage lighting is permitted. The design must allow for easy access to the bulb.
- E. Illumination from outdoor lighting shall not unreasonably disturb any Owner's or tenant's enjoyment of his or her lot or the common area. Without limiting the foregoing, the following standards are set:
 - 1. Sodium and Mercury vapor lamps are prohibited.
 - 2. Security lighting shall not be triggered by activities from adjoining properties.
 - 3. Any owner having a lighting grievance may submit a request to the A&A Committee for determination. Any decision by the A&A Committee may be appealed to the Board and the decision of the Board shall be final. Management shall be responsible for enforcement per the Enforcement Procedures, March 2006.

SECTION 12 UTILITIES

- A. If it is necessary to remove concrete, other than the original slab, for relocation or repair of utilities or irrigation components, the Owner will be responsible for removal and replacement.

B. Electricity

1. Light bulb replacement in all light fixtures other than the lot number light fixture is the responsibility of the Owner.
2. The electric panel is the sole responsibility of the Owner.

C. Water

1. The Association is responsible for maintenance of the original piping installed by the developer for conveyance of potable water to all sites and common areas. Maintenance of any piping modified or added to accommodate lot revisions requested by the Owner is the responsibility of the Owner.
2. The Association is responsible for maintenance and/or replacement of all pipes that provide irrigation water to all sites and common areas. Maintenance of any piping modified or added to accommodate lot modifications requested by an Owner is the responsibility of the Owner.
3. Repair/replacement of water faucets is the responsibility of the Owner. Arrangements must be made with management to have the water shut off.
4. Potable water may not be used for irrigation or sprinkler systems.

D. Telephone service

1. Installation and/or maintenance of telephone services in Lots 1 through 891 are the sole responsibility of the telephone company.
2. Installation and/or maintenance of telephone services in Lots 892 through 1213 are the joint responsibility of the Telephone Company and Outdoor Resort Palm Springs Owners' Association. Please call the General Manager when services are required on those specified lots.

E. Television cable

Telephone cable service and/or maintenance if provided by the current cable supplier, coordinated through the General Manager's Office.

SECTION 13 SIGNS

- A. Up to two signs per lot may be displayed on one stake: One ORPS Rental sign and/or one Lot For Sale Sign. Each sign will be sized as required under Section 13.B (9" high by 12" wide), affixed to one stake, and bunted next to each other (one on top of the other) to give the appearance of one sign. All other requirements of this section apply. (CC&Rs, Article VI, Section 7)

- B. Sign requirements:

1. Official signs, purchased from the association, must be used.
2. Signs must be made with a beige background and dark green letters.
3. The allowed size is 9 inches by 12 inches.
4. Signs must have spaces for a telephone number and lot number only.

C. Sign placement

1. A sign must be attached to a stake, unless it is placed in/on a vehicle.
2. Signs must be placed at the front of the lot between the street and the palm tree, or in/on a vehicle.
3. Maximum height from the ground to the top of the sign can be no higher than 30".
4. Signs may not be fastened to a tree.

- C. Signs cannot be placed on any lot for any sales activity or for any other commercial purpose.

D. SIGNS/RESORT SUPPORTED ACTIVITIES

1. A Resort supported activity could be an onsite café/restaurant, beauty salon, convenience store, espresso/snack bar, bingo, or real estate office.
2. A permit is required for displaying a sign. Applications are available in the Association office and will be routed through the A&A Committee for their recommendation to the Board.
3. A permit is valid until revoked by the Board.
4. The signal shall not exceed six square feet per surface. It may be one-sided or of a sandwich board style with a two-side display.
5. The color schemes will be earth tones, i.e., browns, grays, tans, greens, etc.
6. Placement and location of signs.
7. Sandwich board signs require review and approval by the Security Department for placement on sidewalks, driveways, streets, etc.
8. One-sided sign placement requires review and recommendation from the Resort Maintenance Department and must be installed by Resort staff if attached to Resort property. All associated costs will be covered by the permit holder.
9. The number of signs permitted for each activity shall be controlled and regulated by the Board.

SECTION 14 GENERAL MANAGER APPROVAL (Amended 2.16.12)

- A. Notwithstanding anything contained herein to the contrary, the Architectural and Aesthetic Committee may designate and allow the General Manager to approve plans and specifications that relate to customary matters for which

clear A&A rules, guidelines and/or policies have been established, (and in which there is no boundary line dispute) when the A&A Committee is absent. The Committee must notify the Board and the General Manager in writing when the Committee will be absent.

- B. In lieu of the A&A Committee during the summer months, the General Manager shall have the authority to determine whether lots are being maintained and, if not, to start action to enforce the Association's governing documents subject to any hearing requirements contained within the Association's Enforcement Procedure.

1. LOT AREA <i>Refer to your Lot Plan provided by Office.</i> NOTE: Each square equals one (1) sq. ft.	1.	1. 1,925
2. HARDSCAPE AREA a) Maximum permitted by A & A Specs. Note: Equals .75% x #1 above:	2. a)	2.a) .75 x 1,925 = 1,444
b) Area proposed by Owner from sketch on Lot Plot Plan. NOTE: Must be less than #2.a) above.	2. b)	2.b)
3. GRASS AREA a) Minimum permitted by A & A specs. NOTE: Equals .10% x #1 above.	3.a)	3.a) .10 x 1,925 = 192.5
b.) Area proposed by Owner from sketch on Lot Plot Plan. NOTE: Must be greater than #3.a) above.	3.b)	3.b)

SECTION 4 – RESPONSIBILITIES AND LIABILITIES:

Owner and Owner’s contractor will be responsible for conforming all lot revisions to the plans submitted herein, existing A&A policies, and CC&R’s. Owner and/or Owner’s contractor will correct any and all deviations from the approved Permit, A&A Policies, and CC&R’s within 15 working days of written notification by the General Manager. Should such corrections not be completed within 15 working days, a \$50 per day accumulative penalty will be assessed separately against the Owner and the Owner’s contractor until appropriate corrections are completed to the satisfaction of the General Manager and an A&A representative. The Association reserves all rights of redress for noncompliance contained in Article XII of the CC&R’s including fines and penalties.

*****WE THE UNDERSIGNED, UNDERSTAND AND AGREE TO THE ABOVE RULES, CONDITIONS, AND PENALTIES***:**

OWNER: _____
DATE: _____

CONTRACTOR: _____
DATE: _____

LICENSED? YES ___ NO

\$25 Application Fee Paid: _____ **N/A:** _____ **DATE:** _____

LOT REVISION APPROVAL: _____

DATE:

A & A Representative/or/ G.M.

* * * * *

FINAL INSPECTION APPROVAL: _____

DATE: _____

A& A Representative/or/ G.M.

EXHIBIT D

LOT VARIANCE APPEAL FORM

Lot # _____ Date: _____

Owner(s) Name: _____

Variance Originally Requested:

Date Denied _____

Reason A&A Committee Denied Original Variance Request:

Provide below any information pertinent to the Board's consideration of this Lot Variance Appeal Request (attached additional pages if necessary):

Date Appeal Considered by the Board of Directors _____

Appeal Approved Appeal Denied Notice of Board's Determination (Copy Attached) Mailed to Owner on _____.

CC: Lot File

EXHIBIT E

February 20, 2009

RESOLUTION OF THE BOARD

The Board of Directors and Management on behalf of the Association recognize that in the past permission has been given to owners for plantings, i.e. hedges, shrubs, trees, flower in the Common Areas. Authorization of said planting have been given with the understanding and requirement that the Owner maintain said plantings in accordance with Association standards.

WHEREAS: Many owners honor their agreement and responsibility to maintain permitted common area plantings, and,

WHEREAS: It has come to our attention that when the ownership changes hands then the chain of responsibility is broken and often time the plantings are not maintained in accordance with Association standards, and,

WHEREAS Our Governing Documents, Article VII, Sec 1 and (c) clearly state that Common Area plantings are not allowed without approval of the Association, and,

WHEREAS: As stated in Article VII, Sec 1, all such Common Area plantings are the sole responsibility of the Association, and,

WHEREAS: The Association also assumes related liability and maintenance for those plantings,

THEREFORE, BE IT RESOLVED AND APPROVED:

That as of this date, the Outdoor Resort Board of Directors and Management will no longer allow Common Area plantings requested by Owners.

Secretary of the Board

Date

Footnote:

ARTICLE VII – EXTERIOR MAINTENANCE RESPONSIBILITIES

Section 1. Common Area and Recreation Area. The Association shall be solely responsible for and in charge of all use, maintenance, repair, upkeep and replacement within the Common Area. No person other than the Association or its duly authorized agents shall construct, reconstruct, refinish, alter or maintain any improvement upon, or shall create any excavation or fill or change the natural or existing drainage of any portion of the Common Area. In addition, no person shall remove any tree, shrub or other vegetation from, or plant any tree, shrub, or other vegetation upon the Common Area without express approval of the Association. Without limiting the foregoing, the Association shall be responsible for: The replacement of trees or other vegetation and the planting of trees, shrubs and ground cover upon an portion of the Common Area.



Exhibit "F"
**REQUEST FOR APPROVAL TO THE A&A COMMITTEE
TO ALLOW RV'S MORE THAN 15 YEARS OLD THAT ARE NOT
GRANDFATHERED TO REMAIN IN THE RESORT**

Date: _____

Owner's Name: _____ Lot No. _____

Address: _____ Phone No. _____

Email Address: _____

RV Make & Model _____ Model Year _____

Vin No. _____ Vin Location on Rig _____

By: _____
Signature of Owner/Owner's Agent

This form implements Section 2.A, Age, A&A Rules & Regulations:

"Section 2.A.5, Owner's Non-Grandfathered RV that turns 16 years old: An owner's RV that is not grandfathered per Section 2.A.2, Grandfathered RV, and then turns 16 years old may remain in the Resort, subject to an inspection every four years to ensure adherence to Resort appearance standards (see Section 1.B, A&A Rules). Inspection Fees will apply. Upon completion of a successful inspection, a numbered Inspection Sticker will be placed on the RV. The sticker will be matched with the name on the RV registration and recorded in the Resort database. RV's failing to remedy inspection findings must be removed from the Resort."

Upon submittal of this Exhibit F a quorum of the A&A Committee will complete an inspection of the RV using Inspection Criteria on the reverse side. (Note that inspections will only occur during the months of November through April.) Each element will be scored from 1 (low) to 5 (high). Any element that scores 2 or lower will require corrective action. An Inspection Sticker will be issued when all elements are corrected to a level 3 or higher.

Inspection Completed on: _____

RV passes inspection with no corrective action required. Yes No

Inspection Sticker Issued: _____ Sticker Valid Through: _____

Corrective action required for elements indicated on reverse. Yes

Upon notification that correction action has been completed, the A&A Committee will conduct a follow-up inspection. If corrective action does not bring the RV to standards, the RV must be removed from the Resort within 60 days of notice.

By: _____ Date: _____

Chair A&A Committee

SCHEDULE F – P. 2

INSPECTION CRITERIA – RV’s MORE THAN 15 YEARS OLD

RV Make & Model: _____

Owner _____ Lot # _____

EXTERNAL SIDE WALLS/SEPARATE ELEMENTS: Conduct visual inspection of fiberglass, gel coat, full body paint, decals cracking or faded, and general visual aesthetics.

EXTERNAL SIDE WALLS	Scoring*					COMMENTS
	(See Criteria Below)					
	1	2	3	4	5	
Condition of Side 1 (door side)						
Condition of Side 2						
Condition of Front						
Condition of Rear						
Condition of Cap Rails						
SEPARATE ELEMENTS	Scoring					COMMENTS
	(1 = lowest; 5 – highest)					
	1	2	3	4	5	
Awnings (Faded/torn/missing)						
Slide-Out Seals (Cracked/loose/missing)						
Windows (Window seals/cracks/ missing/handles/fogging)						
Front Storage Enclosure & Steps (Caulking/paint/vents/brick on bottom/door sagging)						
Skirting/Lattice (Broken/paint condition/rotting wood)						
Other						

***Scoring Criteria for External Side Walls:**

- 5 = Excellent – new decals, excellent gel finish and shine
- 4 = Good – has normal wear no visual defect signs
- 3 = Borderline - finish ok but no shine, decals are showing signs of wear up close, awnings are showing wear/age.
- 2 = Failed criteria – oxidized, decals have failed, awnings need replacement, numerous defects
- 1 = Failed criteria - obvious neglect, no owner improvements, no obvious maintenance or upkeep.

Note: A score of 2 or lower on any single element will require corrective action before approval.

