

**LA QUINTA  
FAIRWAYS  
HOMEOWNERS  
ASSOCIATION**

**RULES & REGULATIONS**

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**ELECTION PROCEDURES**

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**ARCHITECTURAL GUIDELINES**

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**EFFECTIVE: JANUARY 1, 2007**

**THIS HANDBOOK PROVIDES DETAILED, ADDITIONAL EXPLANATIONS OF THE LA QUINTA FAIRWAYS HOMEOWNERS ASSOCIATION'S (HOA) CC&R'S AND IS NOT MEANT TO REPLACE THE GOVERNING RULES OF THE ASSOCIATION.**

**IN ORDER TO PRESERVE THE "QUALITY OF LIVING", WE RESIDENTS (homeowners, tenants, and guests) MUST HAVE RULES TO GOVERN OUR CONDUCT. THESE RULES HAVE BEEN ADOPTED BY THE BOARD OF DIRECTORS OF LA QUINTA FAIRWAYS HOMEOWNERS ASSOCIATION.**

**The '*Rule of Reasonableness*' as determined by the Board of Directors shall be the prevailing policy.**

**It is everyone's responsibility to call an infraction of the Rules and Regulations to the attention of the person violating the rules. Serious or repeated violations should be brought to the attention of the Board of Directors through its management company, Avail Property Management at (760) 568-2717, P.O. Box 1032, Palm Desert, CA 92261-1032.**

## General Appearance

1. Garage doors shall be kept closed except during the exit or entry of vehicle.
2. For sale or for lease signs shall be no larger than 24" x 24", have a light beige background with dark brown letters in plastic or metal. No more than two signs are permitted per residence. Signs shall not be placed in common areas without permission from the HOA. The HOA's 'Open House' sign shall be utilized at the front entry the day of an Open House.
3. Window covering materials shall be draperies, blinds, shutters, or shades. No other materials shall be acceptable. Garage windows must also have similar coverings.
4. Balconies shall contain patio furniture only. No towels, swimsuits, clothing, and/or other such items shall be placed on patio walls, balcony railings, or gates.
5. Front walkways shall be kept clean of rubbish and kept free from a cluttered appearance.
6. If residents are not home, arrangements should be made for regular pick up of newspapers and mail.
7. Trash containers shall be placed at side of house near the side or back gate for refuse collection. DO NOT take containers to street curb as walk-up collection service is provided by the HOA.
8. Recycle containers must be taken to street curb for pick-up as walk-up collection is NOT provided by the HOA for recycling. Recycle containers shall be put out after nightfall of the day preceding collection, and removed by nightfall of collection day. (Ref. CC&R's, 5.1.14).
9. Front house address lights must be operational (lighted) at night for safety reasons.

## General Rules

1. No skateboards, vehicles, or bicycles are allowed on lawns.
2. Climbing over perimeter walls and fences is prohibited.
3. Homeowners are responsible at all times for the actions of their children, guests, and pets.
4. Homeowners are responsible for damages to the common area caused by themselves, their children, their guests, or their pets.
5. Common courtesy shall be observed at all times. No disruptive behavior is permitted.
6. Machinery operated for hobby-home use is not permitted between the hours of 9 p.m. and 7 a.m.
7. Residents may not annoy others with unreasonable noise. No outside speakers or other sound devices except security devices shall be located or used on the property.
8. Resale purchasers shall accept the conditions of the adjacent properties' landscaping/structures as they exist at the time of purchase, i.e., approved patio covers, trees, etc.
9. Residents shall not solicit the sale and/or service of any product within the complex.
10. Service contractors shall complete their tasks only between the hours of 7 am to 5 pm, Monday through Friday; 8 am to noon on Saturday, and service contractors' work shall be done on Sunday and Holidays only in an emergency.
11. Residents are responsible for contacting the guard house in advance for admittance of guests and/or service personnel. No one will be allowed into the property UNLESS authorized by an owner or management.
12. The Dunes Golf Course around which LQF is built is private property, not belonging to LQF. LQF homeowners, guests and invitees shall not enter the golf course property from any portion of the LQF complex at any time. (Refer to CC&R's, 4.3).

## Pets

1. Unleashed dogs are not allowed anywhere in the community, except within fenced yards or inside homes. Dogs are not allowed on the golf course at anytime.
2. All dogs shall be licensed by the city, and the license tag must be worn at all times.
3. Pet owners shall clean up immediately after their pets have used any portion of the LQF common areas.
4. No structures shall be erected for pets without the authorization of the Architectural Committee.
5. Any animal which disturbs the peace and comfort of any resident within the community and/or interferes with the reasonable and comfortable enjoyment of the property by any owner shall be considered a nuisance and subject to removal from the property by the city.
6. Owners are liable for any damage or injuries resulting from the direct action of their pets.
7. All pets shall be controlled by their handlers while in the common areas.

## Vehicles and Parking

1. Speed limit within the complex is 20 MPH MAXIMUM.
2. Residents shall park their vehicles in their garages at all times, or on their driveway if the vehicle is too large to fit into the garage. Parking in the streets is only allowed for short term guest vehicles displaying a current LQF permit only (7 days or less). Long term guests shall park in the owner's driveway (over 7 days). Residents' third vehicles may be parked in the driveway, but not in the street.

3. Residents' motor homes, recreational vehicles, trailers, boats, trucks, or similar vehicles are not allowed on the streets or driveways except for loading and unloading and are not to exceed 18 hours in the complex.
4. Service vehicles performing services shall not remain overnight.
5. Guest of residents bringing motor homes, boats, trailers, etc., are not allowed to be parked overnight in the complex.
6. No vehicle shall be stored on the premises except in a garage.
7. Except in emergencies, vehicles shall not be repaired in the driveway. No automotive fluids shall be dumped or otherwise disposed of on the premises.
8. Motorcycles with California approved mufflers and motor driven cycles shall be driven quietly to a garage and parked therein. Any other type of use is prohibited.
9. Motor operated vehicles shall be driven ONLY by persons of legal age with valid operator licenses; this includes golf carts.
10. All guests and service personnel (except for HOA common area maintenance contractors) shall have a 'visitor pass' visible in their vehicles at all times. If guests arrive after the guard is gone for the day, owners shall make prior arrangements to pick up the pass.
11. Streets are swept once every two weeks, normally Friday mornings. Please move all vehicles from the street on that day for best results.
12. The issued HOA windshield decals must be properly displayed at all times in the lower left corner of the resident's vehicle windshield.
13. Drivers of vehicles who habitually speed in the complex will be warned and fined.

## Responsibility for Tenants

Owners who rent or lease their property shall be responsible for informing their tenants of all the rules and regulations. The homeowner shall provide a copy of this booklet to their tenants and review the contents with them. The booklet will then be left in the house for future reference by the tenant.

Owners shall be responsible for seeing that their tenants comply with these regulations. Owners shall be liable for their tenants' non-compliance with the rules. Any expense for damage to the common areas by guests or tenants shall be charged to the responsible owner's account. Agreement to abide by the documents shall be in writing.

Homes cannot be rented or leased for a period shorter than 30 days.

Homeowners shall notify the management company (Avail Property Management, 760-568-2717) when they have rented or leased their unit. They shall supply the tenant's name and the renting or leasing dates.

## Architectural/Landscaping Committee

In order to maintain a uniform and well maintained appearance throughout the community, no exterior improvements or exterior structure shall be commenced, erected, altered, or maintained in the project without the prior approval of the Architectural/Landscape Committee (ALC). (Refer to CC&R's, 10.8, Page 57)

# **La Quinta Fairways Homeowners Association**

## **ELECTION RULES**

**In accordance with Civil Code 1363.03 and 1357.100, effective July 1, 2006, listed below are the guidelines for all elections and voting within the Association.**

- 1. No member shall have access to the association's media, i.e., Newsletter, within 30 days prior to the date that the first election ballot materials are sent to the membership. For the purpose of campaigning or advocating a point of view, all candidates or members must be given equal access to the Newsletter. The Association may also include a disclaimer regarding the content of any such statement by candidates or members. Personal resumes and qualifications, sent by the Association, shall not be considered campaigning.**
- 2. In each election for the board of directors, the Association shall hold a forum (at no charge) for the nominees prior to the date that the election materials are sent to the membership. The forum will be for the purpose of allowing the members to meet and ask questions of all nominees, and all nominees standing for election shall be invited to attend the forum. For ballot measures that are required to be submitted to the membership, unrelated to the board election, the Association shall have a town hall meeting, prior to the time election materials are sent to the membership.**
- 3. In order to run for the board of directors, a member must meet the eligibility/qualifications identified below.**
  - Nominee must be a member in good standing with the Association.**
  - Not more than 1 member of a household may run for, or serve on the board at the same time.**
- 4. The nominating process to nominate a candidate to run for the board of directors shall be as follows:**
  - a. A nominating committee consisting of 3 persons, one being a member of the board and 2 other persons, shall be appointed by the Board. They shall make as many nominations for election to the board as they deemed necessary, but not less than the number of vacancies to be filled. Such nominations may be made from among members or non-members.**
  - b. Anyone may self-nominate himself/herself for election to the board. Submittal as candidates must be made 60 days prior to the election date. All submittals must be mailed to the Management office, along with a written statement nominating himself/herself for election to the board, a brief resume, nominee statement, and qualification.**
  - c. Membership shall be notified in writing of the self-nominating process and the deadline for Association's receipt of same.**



5. Only members of record 30 days prior to the election date will be entitled to receive election information and be entitled to vote.
6. The Board shall elect 3 electors of inspection. 2 shall be members of the association who may not be members of the current board, a nominee for the board, related to a member of the board of a nominee. The third elector of inspection shall be a representative from the property management company.
7. The inspector(s) of election shall determine the number of members entitled to vote and the voting power of each member. They shall receive the ballots, hear and determine all challenges and questions in any way arising out of or in connection with the right to vote, count and tabulate the ballots, determine the results of election and shall further perform any action which may be proper to conduct the election with fairness to all members in accordance with *Civil Code* 1363.03 and the association's governing documents
8. Notwithstanding any other law or provision of the association's governing documents, board of directors elections and other elections required to be submitted to the membership pursuant to *Civil Code* 1363.03(b) shall be conducted by a secret written ballot submitted to the members without a meeting. A Ballot and two pre-addressed envelopes with instructions on how to return ballots, must be mailed by first class mail or delivered by the association to every member not less than thirty (30) days prior to the deadline for voting. In order to preserve confidentiality, a voter may not be identified by name, address, or account number on the ballot itself. The balloting materials shall include all of the following:
  - a. The Ballot, which itself is not to be signed by the voter, but is voted and then placed into a ballot envelope, which is then sealed ('Ballot Envelope'). The Ballot Envelope is then inserted into the second pre-addressed envelope ('Address Envelope') that is then sealed. In the upper left hand corner of the Address Envelope, the owner prints and signs his/her name and account number.
  - b. The Address Envelope is addressed to the inspector of election. The Address Envelope can be mailed or delivered to a location specified by the inspectors of election. Any member may request a receipt for delivery of their ballot.
  - c. The sealed ballots shall be kept in the custody of the inspector of election or at a location designated by the inspectors until after tabulation of the vote, at which time custody can then be transferred to the Association. After tabulation, election ballots shall be stored by the Association for no less than 1 year after the date of election.
  - d. Ballots distributed to each member shall identify the proposed action, provide an opportunity to specify approval or disapproval and provide at least 30 days upon which to return the ballot to the inspectors of election. The voting instructions contained within the ballot materials will show a date and location to which the ballots must be mailed or delivered.

- e. Since the ballot elections described above are to be submitted to the membership without a meeting, there shall be no proxies permitted in such balloting process (except to establish a quorum for any annual membership meeting). For elections to the board of directors, ballots must be returned to the inspectors of election at the close of business the day prior to the annual meeting (at which point the polls will close and no further ballots will be accepted). Since the election process will be done by mail balloting ONLY, and NOT at the annual meeting, no ballots will be cast at the annual meeting. Cumulative voting shall be permitted by the secret ballot process pursuant to *Civil Code* 1363.03.
  - f. Counting of the votes for the election of the board of directors shall be by the inspectors of election the day of the annual meeting. No persons, including any member of the Association, or a representative of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated. Results of the election shall be announced at the annual meeting.
  - g. Written ballots may not be revoked once they are submitted to the inspectors of election.
9. The balloting process for amendments to governing documents shall be submitted to the membership in a similar manner, except that:
- a. The Ballots can be sent to the membership at any time and not in conjunction with the timing for the annual meeting.
  - b. The addressed envelope will include a statement above the signature line by the owner which would provide, to comply with the governing documents: *“By signing below, my vote shall act as my written approval or, if applicable, my written disapproval of the pending ballot measure”*.
  - c. The counting of the votes by the inspectors of election shall be conducted at a properly noticed open meeting of the board of directors. No person shall open or review any ballot prior to the time and place the ballots are to be counted by the inspectors of election.
10. The results of any election shall be promptly reported to the board of directors and shall be recorded in the minutes of the next board meeting. Within 15 days of the election, the board shall publicize the results of the election to the membership.
11. Association funds should not be used for campaign purposes in connection with any Association election, except to comply with the duties of the Association imposed by law. The Association may use its funds to have council review or prepare the appropriate ballots, if the board deems it necessary. The Association will distribute, for election of the board of directors, a biographical description of the nominees with the election materials.
12. If an owner loses his/her ballot, they may request another ballot, along with the appropriate envelopes from the inspector of election, but they must sign a statement that the ballot was lost, destroyed, or never received.

LA QUINTA FAIRWAYS  
HOMEOWNERS ASSOCIATION

Architectural/Landscaping Guidelines

Mission Statement

THE BOARD OF DIRECTORS HAS ADOPTED ARCHITECTURAL GUIDELINES TO BE ADMINISTERED BY THE ARCHITECTURAL/LANDSCAPING COMMITTEE (ALC) AND THE BOARD OF DIRECTORS WITH THE FOLLOWING OBJECTIVES:

- 1) TO ESTABLISH AND PRESERVE HARMONIOUS DESIGN FOR THE ASSOCIATION
- 2) TO PROTECT, ENSURE AND ENHANCE THE VALUE OF THE PROPERTY
- 3) TO ENSURE COMPLIANCE WITH THE CC&R'S
- 4) TO PROVIDE EACH HOMEOWNER A METHOD OF MAKING CHANGES.

A REQUEST FOR ARCHITECTURAL VARIANCE APPROVAL IS REQUIRED FOR ANY AND ALL ADDITIONS, ALTERATIONS, PAINTING, AND/OR CHANGES TO THE EXTERIOR OF YOUR HOME, INCLUDING REPLACEMENTS. All required building plans and specifications MUST be submitted along with the request to the management company. Forms may be obtained either by calling Management at 760-568-2717 or picking up a form from the guard house. No work shall be started without first obtaining written approval from the Property Manager.

Owners are responsible for any damage to their home, neighboring homes, or the common area of the association which may occur during any alteration; therefore, all work for hire should be performed by a reputable, licensed contractor who shall maintain proper workers' compensation insurance and other types of insurance necessary to fully protect the owner, other residents, and the association.

Except for normal maintenance and repair, no owner shall build, construct, erect, install, plant or attach any improvements or any trees, shrubs, plants, or other landscaping or change or otherwise alter the exterior of any existing residence or existing landscaping in the Association until all conditions that may be required by the City of La Quinta have been satisfied and until building plans and specifications and/or landscape plans, as the case may be, showing the nature, kind, color, shape, dimensions, materials, variety and location of the proposed improvements have been submitted to and approved in writing by the ALC as to location and harmony of external design in relation to existing structures, topography, landscaping and the general theme of development for the Association. (Refer to CC&R's, Par. 10.8, Page 57)

## 1. EXTERIORS

Exposed wood is a high-maintenance item and therefore is not an approved material for exterior use for addition to primary house structures. All exposed wood beams, fascias, columns, trellises, etc. shall have a stucco-type finish. Color must conform with surrounding decor. Wood 'accents' will be allowed on the entry gates. Variations must be approved by ALC.

The maintenance and repair of all driveways and walkways is the responsibility of the homeowner. Any driveway or walkway alteration must be submitted to the ALC for review and approval prior to starting any work.

## 2. WALLS/FENCES

No walls shall be constructed except as provided by the developer as part of the original construction of the residence. Homeowners shall be responsible for maintenance/repair of their lot perimeter block walls.

Fences installed on golf course lots must be open and shall be constructed of wrought iron material. The fence may be no higher than the lot separation wall or as required by normal insurance regulations and/or appropriate government ordinance or regulations, including the City of La Quinta. Color must conform with the surrounding decor. (Refer to CC&R's Par. 5.1.18, Page 21).

Homeowners are responsible for establishing their property line(s). Installation of any wall/fencing improvements on the golf course property would be viewed as an encroachment and could result in its removal by the golf course owner.

Any wall or fence alterations or new installations must first be submitted to the ALC for review and approval prior to any work starting.

### 3. ELEVATION/DRAINAGE

All elevation and drainage patterns shall be referenced to the home foundation slab. No improvement, repair, excavation or other work which in any way alters the appearance of any lot or the improvements located thereon from its natural or improved state existing on the date such lot was first conveyed to an owner shall be made or done without the prior approval of the ALC.

No structure, slabs, planting or other material shall be installed or be permitted to remain or any other activities undertaken which may damage or interfere with or cause the failure of any drainage areas, drainage improvements, irrigation improvements or slopes, or which may change the direction of flow of drainage channels or obstruct or retard the flow of water through drainage areas or drainage improvement.

(Refer to CC&R's Par. 3.7, Page 10, Par. 5.1.28 & 5.1.29, Page 23).

#### 4. POOLS/SPAS

In addition to complying to city code, the following guidelines shall apply to swimming pools/spas constructed on lots:

- a. Prior to any construction, detailed plans must be submitted to the ALC for written approval.
- b. All swimming pool equipment shall be stored in an enclosed structure or otherwise be obscured from view.
- c. Swimming pool equipment pits/enclosures shall be located a minimum of two (2) feet from any property line and shall not be located within any utility easement, public or private. The access opening to such a pit shall be located a minimum of five (5) feet away from the property line.
- d. Swimming pool lighting within and around the pool decking shall not have an adverse impact on any neighboring lots.
- e. The rear yards of lots with swimming pools shall comply with applicable laws and insurance regulations with regards to fencing around the pool.
- f. No spas or mounding above 20" from grade are permitted.
- g. All earth removed from any excavation must be disposed of properly and with prior approval. Dirt may not be moved to adjoining lots/golf course without prior approval from owner.
- h. At the completion of the project, the ALC reserves the right to inspect the property for final acceptance. (Refer to CCR&S, par. 10.13, Page 59).

## 5. PATIO COVERS

Plans including location, size, design, color, materials, etc. MUST first be submitted with an Architectural Variance Request form to the ALC for approval.

All patios covers shall be constructed in accordance with the City of La Quinta building standards relative to codes/setbacks. City building permits are required.

The construction of patio covers shall conform with the exterior guidelines in Item #1, Exteriors. Patio cover shall not have exposed wood, metals, or plastic portions.

## 6. AWNINGS

Requests for awnings, both retractable and stationary, must be submitted to the ALC for review and approval prior to their installation. The request must show the location, size, color, materials, etc. of the requested awning and the support and/or housing structure. Colors shall be solid muted desert tones and be harmonious with the dominate color of the house. No patterns, e.g. stripes, flowers, etc., are allowed.

## 7. REAR YARD/FRONT COURTYARD LANDSCAPING

All proposed improvements to the rear yard and front courtyard must be first submitted on the proper ALC variance request form to the management company.

No work shall commence without first obtaining written approval from the ALC.  
(Refer to CC&R's, Par. 2.23, Page 5).

Improvements completed without benefit of prior written approval may be subject to removal. (Refer to CC&R's, Par. 10.16, Page 60).

Construction of built-in, permanent BBQ's/fireplaces shall have prior written approval and all shall be situated to avoid smoke and odors infringing on neighbors.

All landscaping installed by an owner shall be maintained in a clean, attractive and well-kept condition, and trees, shrubs and plantings shall be trimmed so that they do not overhang or encroach upon any other lot, sidewalk or street. No mature trees shall be removed by an owner without prior written approval from the ALC.  
(Refer to CC&R's, Par. 5.1.25, page 22).

#### 8. FRONT YARD LANDSCAPING/MAINTENANCE

Front yard landscape maintenance outside of the courtyards is the responsibility of the Association. (Refer to CC&R's Par. 6.2, Page 26).

Original irrigation timer clocks have been installed by the builder. To maintain uniformity, all replacement clocks shall be purchased and installed by the association and the costs billed to the individual homeowner. Homeowners shall not lock the timer box which controls the front yard irrigation which would prevent the landscapers from making seasonal adjustments. If plants and/or lawns die as a result of a locked timer box, the homeowner shall be responsible for the replacement costs.



No changes shall be made to the front yard landscaping or paving area without prior written approval of the ALC.

REMEMBER, WE LIVE IN CLOSE QUARTERS. COMPROMISE MAKES GOOD NEIGHBORS!

#### 9. ANTENNAS/SATELLITE DISHES

Satellite dishes shall not exceed 39.6 inches. The association shall have the right to require the installation of the satellite dish in an obscured location as long as the quality of reception is not impacted and there is not an unreasonable increase in cost and/or delay of the installation.

Owner/applicant shall comply with the following regulations:

- A. Owner/applicant shall be required to submit an architectural variance request form to the ALC and receive written approval prior to the installation of a satellite dish. The request must show location, color, size, and materials.
- B. Installation shall be accomplished by a qualified person who is knowledgeable about the proper installation of satellite dishes.
- C. Installation shall be made in accordance with applicable building, fire, electrical codes.
- D. Wiring or cabling shall be installed so as to be minimally visible and blend into the materials to which it is attached.
- E. Satellite dishes and their mountings shall be painted a color that blends into the background to which they are mounted or placed in order to further camouflage the dishes.
- F. No satellite dish shall be attached to any wall, fence or railing, which would be visible to the street, golf course, or neighboring houses.

G. Owner/applicant shall be responsible for the maintenance, repair, and replacement of any satellite dish installation and shall be required to repaint or replace it should the exterior become worn or deteriorated.

H. 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 or its continued maintenance. (Refer to CC&R's, Par. 5.1.6, Page 18).

## 10. EXTERNAL LIGHTING

Additional exterior lighting installations shall have prior written approval of the ALC and should be performed by a licensed electrical contractor with appropriate insurance coverage. Any permits required are the responsibility of the owner. External lighting shall conform to and blend in with the surrounding areas.

Walkway lighting shall be restricted to the planters area next to sidewalk.

New lighting in the front yard is restricted to either recessed-type fixtures installed in the soffit area or lighting fixtures installed adjacent to garage doors. These fixtures shall match the existing lights on the front side of the house. Any deviations to this must be approved by the ARC.

New lighting in the rear yard must not be obtrusive or offensive to surrounding neighbors. Lighting shall not be installed where glare of the lamps might shine directly or indirectly into a neighbor's window or yard area. Lamps shall be turned downward or shaded so they will not be an annoyance to others or a hazard to traffic on the street or common area.

All new installations shall first be submitted in writing to the ALC and be reviewed and approved before any installation may be started.

## 11. MAILBOXES

Mailboxes have been designed by the builder to be consistent with the architectural design of the development and be integrated with the surrounding landscaping. Maintenance of the mailboxes shall be the individual homeowner's responsibility.

No exterior newspaper tubes or freestanding mailboxes are permitted.  
(Refer to CC&R's, Par. 5.1.20, Page 21).

## 12. SIGNS

No neon, back-lighted, flood lighted, or other means of illuminations and/or signs are permitted on any property.

No commercial, industrial, political or business signs advertising any business, service, or other type of endeavor including personal property sale are permitted.

No signs are permitted on any of the association-owned trees, including tall date palms.

Establishment of flags (except American flags), banners, wind socks or other fabric type fliers must be submitted to the ALC for review and approval prior to installation.

### 13. STRUCTURES FOR ANIMALS

No structure for the care, housing or confinement of any house or yard pet shall be maintained on any lot that has not been previously reviewed and given prior written approval by the Architectural/Landscape Committee.

(Refer to CC&R's, Par. 5.1.5, Page 18).

### 14. COMMON AREA OBSTRUCTIONS

No materials of any kind – including but not limited to, building materials, cement, rocks, gravel and all other types of materials -- shall be placed on the common area or streets by any owner, a contractor, or the developer without proper prior written approval from the ALC and necessary permits from the City of La Quinta. Such materials may pose a serious threat, danger or hazard that may endanger other owners, residents, visitors, workers, etc. and create a liability that shall be borne by the responsible party. Under no circumstances shall the Association be held liable for any injuries and/or property damage caused by such material.

### 15. GATES

All gate covers must first be submitted in writing to the ARC for review and written approval prior to installation. Permanent attached fitted gate covers must blend with the color of the existing gate and/or the house. High maintenance materials such as wood, bamboo, plastic, etc. are not recommended.

All gates and privacy screen materials shall be kept in good condition. Accent colors are permitted, however the exact color must be approved in writing by the ALC prior to installation. Gate maintenance shall be the individual homeowner's responsibility.

## 16. DECORATIONS

Any statuary visible to the street must be in good taste and of reasonable size. Descriptions of statuary must be submitted to the ALC for review and approval prior to installing.

## 17. HOUSE PAINTING

All house painting requests (including repainting to the same color and scheme) MUST be submitted to the ALC for review and approval before any painting preparation begins. A sample of the paint color must be painted on the surface it will be covering, i.e., stucco, door, gate, to allow ALC review. Sample paint areas must be large enough to demonstrate the affect of the surface texture on the final paint color. All unreviewed or unapproved painting may be denied and the homeowner will be directed to return the areas to the original colors. The ONLY approved house, trim and accent paint colors are provided in the "La Quinta Fairways" color palette book. A copy of this palette book may be obtained on a temporary loan basis from the main gate entry security building. The approved colors within the suggested schemes may be mixed and matched with any color in the palette. The paint in the color palette book may be purchased from the Dunn-Edwards retail outlet at a discounted price when using the "La Quinta Fairways HOA" account. The account number will be made available in the approval letter to the homeowners submitting the Request for Architectural Variance Approval". Homeowners need NOT use Dunn-Edwards paint, however, the other brand paints must be matched to Dunn-Edwards color used in the palette book.

## ENFORCEMENT PROCEDURE

The following CC&R paragraphs explain enforcement procedures relative to architectural and/or landscaping changes:

2.17 / 2.23 / 5.1.8 / 5.1.9 / 5.1.25 thru 5.1.27 / 5.1.34 / 7.3.2 / 7.4.4 / 9.4 / 9.8 / 10.8 / 10.16 / 10.19 / 13.11.2

## CERTIFICATION OF ASSOCIATION

The foregoing is a true and correct copy of the Resolution duly amended and adopted by the Board of Directors of the corporation at a meeting held on September 19, 2006, and entered in the minutes of such meeting in the Minute Book of the Association. The Resolution is in conformity with the Articles of Incorporation, CC&R's, and the Bylaws of the corporation and has never been modified or appealed and is, as of now, in full force and effect.

**BOARD OF DIRECTORS,**

**La Quinta Fairways Homeowners Association, A California Nonprofit Corporation.**

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