

HERITAGE PALMS MASTER HOMEOWNERS ASSOCIATION

Amended & Restated Association Rules

Effective: December 1, 2006

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (p) OF SECTION 12955, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

AMENDED AND RESTATED ASSOCIATION RULES

Heritage Palms Master Homeowner Association

I. Community Rules

A. General: The Board of Directors has adopted these Amended & Restated Association Rules of the Heritage Palms Master Homeowner Association ("Rules") as a supplement to the Declaration of Covenants, Conditions and Restrictions (CC&R's) and pursuant to its specific authority contained within the CC&Rs and subject to the laws of the State of California. The Board may modify these Rules from time to time, as needed to conform to current law and/or to more effectively govern the Association (which changes will be presented to all Members for notice and comment, in accordance with *Civil Code* Section 1357.100, et seq.). These Association Rules supplement the CC&R's, however, should conflicts arise between the two documents, the CC&R's will control. Additionally, the Association's Architectural and Landscaping Guidelines ("Guidelines") are also an essential component of the Association's governing documents and should be consulted by all Members when seeking to make architectural and/or landscaping modifications. The Association's CC&Rs, Guidelines, Enforcement Procedure and these Rules shall hereinafter, collectively be referred to as the "Governing Documents".

The intent of these Rules is to preserve the peaceful enjoyment of Association amenities within the Heritage Palms community ("Community") for all Members. Your compliance with the Governing Documents will promote an overall benefit for everyone.

Violations of these Rules may result in citations being issued and further disciplinary actions being taken (as more fully set forth within the Association's Enforcement Procedure). In accordance with the Enforcement Procedure, the Board of Directors is empowered to levy Remedial Assessments, suspend Membership privileges (including, but not limited to, use of all recreational amenities and golf course usage); and to pursue other legal action to ensure compliance with these Rules.

B. Definitions: Unless otherwise specified in these Rules, the definitions set forth in Article I of the CC&Rs, apply to these Rules. The following definitions are terms that are used throughout these Rules.

1. "Guest" shall mean any person who is authorized by the Resident Owner to enter Heritage Palms including, but not limited to all invitees, vendors, service personnel and contractors. A Guest may not occupy a Residence more than sixty (60) cumulative days in any calendar year.
2. "Lot", "Property" or "Residence" shall have the meaning referred to in Section 1.25 of the CC&Rs.
3. "Common Areas" or "Recreational Facilities" shall have the meaning referred to in Section 1.9 of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) recorded April 2, 1996 as document #116946 with The County of Riverside which includes, but is not limited to, the Golf Course Property (defined in Section 1.20 of the CC&Rs) and the improvements thereon, a club house, exercise facilities and recreational amenities.
4. "Member" shall have the meaning referred to in Section 1.27 of the CC&Rs and shall mean and refer to every person or entity that is an Owner. Ownership of a Lot shall be the sole qualification for membership; provided, however, that the Member's voting rights and/or privileges in the Common Areas, may be regulated or suspended as provided in the Governing Documents. Only one Membership shall exist for each Lot owned within Heritage Palms.
5. "Member in Good Standing" shall mean an Owner who is current in the payment of all assessments levied against the Member's Lot and who is not subject to any suspension of Membership Privileges as a result of any disciplinary proceeding conducted in accordance with the Governing Documents.
6. "Owner" shall have the meaning referred to in Section 1.31 of the CC&Rs.
7. "Privileges" or "Membership Privileges" shall mean and include any and/or all of the following: voting privileges; and/or Common Area privileges which include, but are not limited to, the right to use Common Areas / Recreational Facilities, such as the golf course, golf driving range, putting greens, tennis courts, swimming pools, fitness center, restaurant, bar and clubhouse, charging privileges, if any, transponder privileges, if any; and/or the Owner's bulk cable television privileges.
8. "Renter" or "Lessee" shall mean any person or persons who lease a Lot within the Heritage Palms subdivision in accordance with *Article I, Section M. Lease Procedures* within these Rules.
9. "Resident" or "Occupant" shall mean any person or persons who reside and/or occupy a Property within the Community for more than sixty (60) cumulative days in any calendar year. All Residents and Occupants must register at the Association office.
10. "Service Personnel" shall mean a person or entity that performs work either inside or outside of a Residence on a regularly scheduled basis (at least once a month) and whose identity has been

the exterior of the Property, through any modification to the Property, or through the operation of any business activity. Approval will be needed from City of Indio if required. All home occupations shall comply with the Rules adopted by the Board of Directors, but shall include at a minimum the following:

- a. All employees shall be members of the resident family and shall reside on the premises;
- b. There shall be no direct sales of products or merchandise;
- c. There shall be no displays, inordinate amount of delivery of mail or merchandise;
- d. There shall be no advertising (including in any telephone book) which identifies the home occupation by street address;
- e. Pedestrian and vehicular traffic will be limited to that normally associated with residential districts;
- f. The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses;
- g. No more than twenty-five percent (25%) of the living space or two hundred fifty (250) square feet, whichever is greater, of the home may be used for storage of materials and supplies related to the home occupation;
- h. There shall be no outdoor storage of materials or equipment, nor shall merchandise be visible from outside the home;
- i. The home occupation shall be confined within the main building of the home; garages shall not be used for home occupation, except for incidental storage;
- j. The appearance of the home shall not be altered nor the occupation within the home be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emissions of sounds, noises and vibrations;
- k. No use shall create or cause noise, dust, vibration, odor, smoke, glare, or electrical interference or other hazards or nuisances;
- l. Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises; and
- m. If the home occupation is to be conducted on leased property, the Owner's written authorization for the proposed use shall be obtained prior to the approval of the home occupation.

F. Conduct:

1. No improper conduct, obscenities, verbal or physical threats by or among Owners, Residents, Renters, family and/or Guests will be tolerated. Hostile or antagonistic activities of any kind by anyone, are not permitted. Actions by any person of any nature, particularly in the Common Areas which may be dangerous, create a health or safety problem, create a hostile environment, or disturb others are not permitted and are in violation of the Rules. This includes, but is not limited to, noise, intoxication, quarreling, threatening, fighting, offensive or abusive language or behavior.
2. No loud noises or noxious odors from motor vehicles (including motorcycles, off-road vehicles, automobiles, trucks or RV's), large power tools, or items which may unreasonably interfere with the television or radio reception of any Owner/Renter may be located, used or placed on any portion of the Community. The Board shall have the right to determine if any noise, odor, or activity producing such noise or odor constitutes a nuisance. This provision shall also apply to all contractors operating within the Community.
3. All Owners are responsible for the conduct of their Residents, Guests, family, Lessees, and all service personnel, vendors, contractors, and any other invitees.
4. All Owners, Residents, Lessees, family and/or Guests are expected to treat each other and employee's of the Association in a courteous and considerate manner. Use of obscenities, disparaging remarks based on race, color, gender, religion, disability, sexual orientation, national origin, ancestry or political affiliation and/or verbal or physical threats, or attacks, directed toward any Owner (including his/her Lessees, Residents, Guests, invitees, agents and employees), or to Association employees, will not be tolerated. Action by any person within the Community, including but not limited to all Common Areas (such as the golf course, clubhouse and related Recreational Facilities) which may be considered dangerous or create a health or safety concern, a hostile environment, turmoil, disruption or disturbance among Owners, Lessees, Residents, Guests, family member, invitees, agents and/or employees is not permitted. The Board of Directors has the

authorized lighted flagpole which complies with U.S. flag courtesies, procedures and etiquette. U.S. flags must not be flown if they are faded, ragged or torn. If not on flagpoles, the U.S. flag is preferably flown from a pole attached to the house. When state and/or city flag is flown with the U.S. flag, they must be flown on a self-standing flagpole. No flag may be flown above the U.S. flag. Specific guidelines relative to installation and maintenance of permanent flagpoles are contained in *Section B.16 of the Architectural and Landscaping Guidelines*. Not more than two (2) flags, banners or non-commercial displays may be flown on any Property. No more than a total of two (2) flagpoles may be on a Property. One (1) can be a self-standing flagpole and one (1) can be attached to the house. More than one (1) of either type of flagpole is not allowed.

6. Displays which violate any local, state or federal law and/or adversely affect public safety, including traffic safety, are not permitted.
 7. Displays which do not conform with the foregoing regulations may be removed by the Association without notice.
 8. Except for Association Displays, there shall be no other Displays whatsoever on Association Common Areas unless approved by the Board of Directors.
 9. Winter holiday displays may be made up of lights and may be displayed no earlier than Thanksgiving Day and must be removed no later than January 15th. Winter holiday displays that contain decorative signs such as "Happy Holidays", Seasons Greetings", "Merry Christmas", "Happy Hanukkah" or similar signs may exceed the nine (9) square foot limitation provided they do not:
 - a. impact public safety concerns;
 - b. impact any building component that the Association is obligated to maintain;
 - c. interfere with the quiet enjoyment of the residential Lots within the surrounding area.
 10. School, college, city, state, and theme flags or banners shall be classified as non-commercial displays therefore they may be flown within the Community subject to the foregoing restrictions.
- I. Furniture, Fixtures or Equipment:** Except as authorized by the Association, no furniture, fixtures or equipment owned by the Association shall be removed from *their* assigned area.
- J. Garage Doors:**
1. Garage doors shall not be open except for entering or exiting the garage with the exception of maintenance of the yard, washing of car(s) or other temporary purposes (collectively, "Temporary Purpose"). When the garage door is open, the Owner, Resident or authorized service personnel must be in the garage or nearby in an adjacent area. When the Temporary Purpose is completed, the garage door must be closed. During summer months, garage doors are allowed to remain ajar a distance of no more than 6 inches (6") to remove excess heat from the garage (however, it is recommended that even in hot weather the garage door remain completely closed).
 2. Exterior overhead garage lights must be consistent in color with the surrounding neighbor's garage lights. Except for yellow bug light bulbs, no colored light bulbs are allowed.
 3. No other lights such as security lights or rope lighting other than the installed standard overhead lights are to be installed over the garage door, on patios, patio covers or roofs unless approved by the Architectural Committee or are part of winter holiday display. Refer to Article I, *Section H.9.* of these Rules for holiday lighting criteria.
 4. Owners are responsible for repair, maintenance and replacement of garage doors (See Architectural Guidelines, *Subsection 9. Doors and Windows* for approval requirements.)
 5. Garages shall not be converted for living or recreational purposes.
 6. No repair, maintenance or restoration of any vehicle is permitted except within an enclosed garage with the garage door closed.
- K. Golf Course:** In addition to the *Golf Rules and Regulations* set forth in *Article V.* below and the Heritage Palms Golfers Packet, all Owners, Residents, Lessees, Guests and/or family members must comply with the following:
1. Unless otherwise authorized, walking, hiking, biking or jogging on the golf course or golf cart paths at any time is not permitted (including, but not limited to, early morning or evening walks).
 2. Animals are not permitted within 100 feet (100') of the driving range, driving range parking area, driving range walkways and lawns. Pets are not permitted on the golf cart and/or golf cart paths and may not walk or ride in golf carts on the golf course or on golf cart paths.
 3. Fishing or wading in any of the golf course lakes is not permitted.

Renter/Lessee who reside within his/her Property, or to his/her Guests, subject to these Rules. In the event and for as long as an Owner delegates said rights of enjoyment to his/her Renters/Lessees, said Owner shall not be entitled to said rights.

- b. Lessee(s) shall be eligible to use and shall be considered Member(s) for purposes of use of the Recreational Facilities, including golf, provided all Owners of the Lot relinquish their right to use all Recreational Facilities, including golf, for the entire length of the lease and transfer said right to the lessee(s), pursuant to a Transfer of Privileges Agreement. Owners may not transfer a portion of their Member privileges and thereafter continue to use other portions. Owners must determine if they intend to transfer "all" or "none" of their Membership privileges and so identify same within the lease agreement. (Approved by the Board of Directors)
- c. A lessee may not transfer privileges to another person.
- d. An Owner may not transfer his/her voting privileges.

O. Patios and Patio Furniture;

1. The installation of patios in the front or back yards of any Property must be approved (in writing) by the Architectural Committee. Patio furniture such as tables, chairs, umbrellas and the like may be placed only on an authorized hardscape but not on the golf course property and never between Properties or on sidewalks between the Properties.
2. Free standing barbecues are to be stored on the rear patio and must not extend beyond the side of the house (exceptions may be allowed if approved, in writing, by the Architectural Committee) and may not be located within 15 feet of the golf course. (exceptions may be allowed if approved by the Architectural Committee in writing).

P. Rubbish; Trash:

1. Trash day at Heritage Palms is Tuesday. The following rules apply even if the Trash pickup day is changed. No trash shall be put curbside for pick up more than 24 hours in advance of the actual trash pickup. Residents who will be away during the 24 hour period are expected to make arrangements so as to comply with this requirement.
2. Trash containers must be kept out of view at all times. No trash cans, garbage bags, garden equipment, building materials, furniture, unused pottery, patio furniture or other unsightly items shall be stored on the patios or exterior of any Property and/or between Properties. See *Article I, Section P. Satellite Dish* below.
3. All Properties, occupied or unoccupied, including any improvements to the Property, shall be maintained at all times. In the event any Property or improvement is not maintained, the Association may cause such maintenance, restoration, or repair to be accomplished, the cost of same will be assessed to the Owner. See CC&Rs, Section 7.3 Right of Association to Maintain and Install.
4. No trash, garbage, landscaping refuse or any other refuse shall be dumped or stored on any Property or be thrown into or left on the shoreline of any lake within the Community. Outside burning of trash or garbage is prohibited.

Q. Satellite Dish: (See also Association's Architectural and Landscape Guidelines.)

1. Absolutely NO satellite dish of any nature will be acceptable on the exterior of the units or Lots anywhere within the Community, unless the satellite dish has a diameter or diagonal measurement of 39.6 inches or less (herein "conforming satellite dish").
2. To expedite siting the satellite dish and to assist the Association, Owner/Applicant should submit an Informational Satellite Dish Siting Request Form (available at Association Office). The Association's designated representative shall work together with the Owner or his/her installer to jointly site the satellite dish as set forth below.
3. Within one (1) business day of Association's receipt of the completed Siting Form seeking to install a conforming satellite dish, Association and Owner/Applicant shall agree upon a date and time for the Architectural Committee or its representative to assist Owner/Applicant in siting a location for the satellite dish which would be least obtrusive to the surrounding neighborhood and minimize any negative impact. The Association shall have the right to require the installation of the satellite dish in an obscure 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. The Association, by and through the Architectural Committee, may also require that any satellite dish be painted to match a particular color in order to further camouflage the satellite dish.

- subsequent retransfer) must be made known to the Association by providing a copy of such transfer document to the Association Office.
2. All grant deeds must be recorded with the County. Any change to a grant deed must be reported to the Association by providing a copy of such transfer document to the Association Office.
 3. Common area privileges including golf will be granted once the Association Office has been notified and a copy of the deed is on file.

W. Vehicle and Parking Regulations:

1. Definitions (See also CC&Rs, Section 11.13)

- a. "Conventional passenger vehicles" are defined to be station wagons, family sedans, compacts, subcompacts, SUVs and similar passenger vehicles, as well as pick-up trucks of less than one (1) ton capacity and passenger vans.
- b. "Commercial vehicles" are defined as a truck of greater than one (1) ton capacity and/or any vehicle with a sign displaying advertising of any type of business or on which racks, materials, and/or tools are visible, or with a body type normally employed as a business vehicle whether or not a sign is displayed. The type of motor vehicle license plate shall not be material in defining commercial vehicles.
- c. "RVs" are defined to include: vehicles larger than 7 ft. in height and greater than 124 inch wheel base length, van conversions, motor homes, travel trailers, tent trailers, utility trailers, camper shells, detached campers, boats, boat trailers, or any other similar equipment.
- d. "Temporary parking" shall mean parking for a short period of time for the purposes of furnishing services to an Owner/Resident/Lessee or for loading and unloading purposes related to the Lot. Temporary parking shall only be permitted during normal business hours and construction. Temporary parking may be identified by the Association from time to time. There shall be no temporary parking overnight within any portion of the Community.

2. General Rules

- a. With the exception of RVs, all vehicles of Residents, Owners and Renters must display a Heritage Palms Vehicle Decal. Residents, Owners and/or Lessees whose vehicles do not have a current Heritage Palms decal will be issued a violation notice and may be subject to disciplinary action in accordance with the Association's Enforcement Policy.
- b. Unregistered motor vehicles are not permitted on Association streets.
- c. *Unlicensed drivers* shall not be permitted to drive any motor vehicle, including a golf cart, on Association streets and Common Areas.
- d. A licensed person must accompany drivers with learner's permit.
- e. Reckless operation in or on any vehicle is prohibited.
- f. All vehicles must stop for posted stop signs.
- g. All vehicles shall be driven with the flow of traffic on divided streets.
- h. All vehicles shall be driven on the right side of two-way streets.
- i. No motor vehicle or golf cart shall be permitted at any time to cross over center dividers except at designated paved locations.
- j. All bicycles and golf carts must obey all traffic rules.
- k. All vehicles, including golf carts, must have front and rear lights and/or front lights with rear reflectors when operated from sundown to sunrise.
- l. There shall be no loud noises or noxious odors from motor vehicles (including, but not limited to, motorcycles, motorbikes, mini-bikes, off-road vehicles, motor scooters, conventional passenger vehicles and/or commercial vehicles) which may unreasonably disturb the quiet enjoyment of the Community. Motor vehicles shall not be allowed to create excessive noise in the driveway or yard of any Property. Any vehicle parked in a red zone shall be towed at vehicle owner's expense without notice.
- m. Vehicles (including golf carts) may not display a "For Sale" sign or any other type of advertisement when parked on a street, or on the owner's property or while on any common area.
- n. The use of vehicle covers is prohibited within the gated community of Heritage Palms.
- o. All passengers in golf and/or electric cars shall remain seated at all times during operation and follow the safety and operations instructions posted in the golf cart and /or electric car. See also *Article V., Section I. Golf Cart Use.*

through one of the two staffed access gates so that passes may be verified.

- b. All passes for RVs must be obtained from the HOA office or from Front Gate personnel on duty.
- c. Camping and/or overnight living in any RV parked within the Community is prohibited. RVs shall not be parked with stabilizer jacks down or slide outs extended except for the purpose of loading/unloading and washing the RV. Trailers may be unhitched and parked in front of the homeowner's lot using the tongue jack to enable the towing vehicle to be parked in the driveway or garage. Any jacks used must incorporate a protective device to protect the street from damage.
- d. Owners may be granted two (2) overnight RV passes per calendar month, for a maximum of twenty-four (24) hours per pass, for the purpose of loading, unloading, washing and cleaning the RV. Overnight passes will not be issued consecutively (*i.e.* RVs are not permitted within the Community for periods exceeding twenty-four (24) hours).
- e. Guests with RVs must obtain a pass from Front Gate personnel and may park within the Community for up to four (4) hours during any forty-eight (48) hour period.
- f. No gray water, black water or waste from any RV, other than household trash, shall be discharged from the RV within the Community.

X. Voting / Election Rules: See Exhibit A.

Y. Window Coverings: Aluminum foil, exterior shutters and retractable awnings shall be prohibited on any *window* structure within the Community. The only permissible window coverings are blinds, shades, curtains, drapes and shutters installed on the interior of the home. Tinted windows are permissible with prior written approval from the Architectural Review Committee and in conformance with the Association's Architectural Guidelines.

Z. Yard or Garage Sales: Yard sales or garage sales are prohibited within the Community.

II. USE OF CLUBHOUSE AND ALL OTHER RECREATIONAL FACILITIES (except Golf Course):

A. General:

- 1. Use of the Clubhouse / Recreational Facilities shall be granted only to Owners in good standing and their visiting Guests. Exceptions for special outside groups/events may be granted by the Board of Directors or its designee, the Association General Manager.
- 2. Shoes with metal spikes are not allowed inside any Association building.
- 3. Bare Feet are not allowed inside any Association building, except locker rooms and pool area.
- 4. Wet bathing suits are strictly prohibited inside the Clubhouse and auxiliary buildings. Dry bathing suits must be adequately covered.
- 5. Residents and their Guest(s) may wear informal attire but must be properly and conventionally dressed. No tank tops are allowed in the Clubhouse after 6 PM. All Residents and Guests must be conventionally dressed after 6 PM including collared shirts for men.
- 6. Owners are responsible for supervising their Guests in all Common Areas.
- 7. Owners and all Heritage Palm's clubs and/or groups may reserve any room for their use. A setup and cleaning charge may be imposed at the discretion of the General Manager based on the size and type of event and particularly when food and/or beverages are served. Resident clubs and all groups are expected to leave the room in the condition they received it.
- 8. The Association reserves the right to charge for use of rooms in the Clubhouse or common areas should there be special requests from outside groups for such events as weddings, banquets etc.
- 9. Rooms that have been reserved in advance take priority. Rooms can be reserved up to one (1) year in advance. Reservations can be made at the Association Office.
- 10. No one under the age of 18 years shall be permitted in the Fitness Center or Pool area without the supervision of a responsible adult who must remain with the Guest or Guests while in the respective areas.

B. Food and Beverage

1. General:

- a. No pets, with the exception of service animals, are allowed within 100 ft of the clubhouse, and/or any area where food and/or beverages are served, and/or restaurant patios and/or within any Common Areas / Recreational Facilities.
- b. Only food that is purchased from the club is allowed in the clubhouse premises and/or

C. Fitness Center:

1. The Fitness Center shall be open to all Members in Good Standing and their Guests. Owners are responsible for supervising their Guests in the Fitness Center and Pool Area.
2. No one under the age of 18 years shall be permitted in the Fitness Center or Pool area without the supervision of a responsible adult who must remain with the Guest or Guests while in the respective areas.
3. The Association reserves the right to require a medical release from a doctor prior to use of the Fitness Center.
4. Owners and their Guests should not use any fitness or exercise equipment unless they are knowledgeable in its use or have been given assistance by a staff member.
5. Owners and their Guests must be aware that there may be time constraints put on certain exercise equipment when others are waiting to use the equipment. Fitness Center staff will manage the time limit on fitness equipment when necessary.
6. Shower facilities and a limited number of lockers are available for all Owners and their Guests. Locks may be kept on lockers for day usage only. The Association will remove all locks kept on overnight.
7. Use of the Fitness Center by Guests is permitted only in accordance with the Rules pertaining to access granted to Guests (e.g. a Guest may not occupy a Residence more than sixty (60) cumulative days in any one twelve (12) month period) and may not be used on a routine / regular basis in excess of same.
8. The same Non-Occupying Guest may not use the Fitness Center more than once every thirty (30) days.

D. Swimming Pools and Spas:

1. Association staff members have the right and responsibility to enforce these rules and impose restrictions at the swimming pools and spa.
2. No lifeguards are on duty at the swimming pools within the Community. Use of the swimming pools and spas is at users own risk. It is recommended that you never swim alone.
3. Swimming pools and spas shall be open to all Residents and their Guests. Owners are responsible for supervising their Guests in the pool / spa areas.
4. No one under the age of 18 years shall be permitted in the Fitness Center or Pool area without the supervision of a responsible adult who must remain with the Guest or Guests while in the respective areas.
5. Incontinent persons of any age are not allowed to use the pools or spa at any time unless wearing appropriate waterproof rubber pants. Non-compliance could result in the pool being closed for cleaning or draining because of a potential health hazard, and such cost for cleaning/draining may be levied upon the Owner for non-compliance.
6. Pool equipment such as rafts, floats, inner tubes, water noodles etc. are permissible in the pool. At times, Owners and their Guests may be requested to refrain from their usage if the pools are crowded.
7. No glass containers of any kind shall be permitted in the pool/spa areas.
8. Personal alcoholic beverages are not permitted. All alcohol must be purchased from the Heritage Palms Grille.
9. No animals or pets are allowed in or near the pool / spa areas.
10. Only battery operated electronic devices such as radios, I-pods etc will be permitted in the pool and spa areas. Radios or similar devices shall be operated in a considerate manner so as not to annoy or bother other people in the area.
11. Loud noise or boisterous activity shall not be permitted around the pool / spa areas.
12. No running, "cannon balls", diving or flips will be permitted in the pool / spa areas. Jumping in feet first is permitted.
13. Use of the pool / spa areas is permitted only in accordance with the Rules pertaining to access granted to Guests (e.g. a Guest may not occupy a Residence more than sixty (60) cumulative days in any one twelve (12) month period) and may not be used on a routine / regular basis in excess of same.
14. The same Non-Occupying Guest may not use the pool / spa areas more than once every thirty (30) days.

IV. FRONT GATE PROCEDURES:

- A. Heritage Palms is a gated community with controlled access through its gates. Residents gain entry into the Community by use of a pass card, which is read by an electronic gate card reader at each gate. The gate attendant at the front gates controls entry by all others. This method allows rapid entry by Residents and ensures others are screened by the gate attendant prior to entry. Loaning Access Cards is prohibited as is using an Access Card at any entrance to bypass established gate access controls.
- B. Residents can speed up the screening process at the gate for Guests, Contractors and Service Personnel by following these procedures:
 1. Make sure you have a current "Resident Information" form on file with the Association Office.
 2. Always call the gate attendant when expecting Guests, Contractors and/or deliveries. Provide the gate attendant with your name, address, and the name of the person or company you are expecting and the approximate time of arrival.
- C. Failure to follow these Front Gate Procedures will cause a delay at the gate as the attendant looks up your "Resident Information" in the computer to determine if the Guest, Contractor and/or Service Personnel is on your authorized list. If the Guest, Contractor and/or Service Personnel is not on your authorized list, entry will be denied until the attendant contacts you to grant approval for entry.

V. GOLF RULES AND REGULATIONS

A. General

1. It is the intent of the Association to limit these Rules to the minimum required for the mutual enjoyment of the club by all its Members, Guests and golfers. The obligation of enforcing these Rules for the good of all Members is placed primarily in the hands of a carefully selected and trained staff whose principal responsibility is to assure the Members of all the courtesies, comforts and services to which they are entitled. Further, it is the duty of the Members to know and understand these Golf Rules and Regulations and to cooperate with the staff in the enforcement thereof. Members are responsible for their Guests at all times and should make sure they abide by these Association Rules and Golf Rules and Regulations. These Golf Rules are promulgated by the Board of Directors of the Association and are additional Association Rules specific to the use of the Golf Course Property.
2. The golf course will be made available to all Members in Good Standing of the Association as well as the general public on a space available basis. Members of the Association will receive first priority when reserving tee times in advance of the general public.
3. No one under the age of 18 years shall be permitted to use the Golf Course without responsible adult supervision.
4. Hours of the golf shop will fluctuate during the year. Please check your monthly Member Newsletter for hours of operation.
5. Walking, jogging, bicycling, walking of dogs or pets of any kind is not permitted on the golf course, driving range or cart paths at any time. Walking may be permitted on special times when so authorized by the Board of Directors.
6. Fishing in the lakes on the golf course is *not* permitted.
7. Please respect our golf course, our players and Members living adjacent to our fairways. Do not attempt to hit a golf ball from any residential Lot.

REMINDERS TO ALL HOMEOWNERS:

8. It is illegal for any person to bring alcoholic beverages into the clubhouse, on to the golf course or any Common Areas / Recreational Facilities for any reason.
9. Please call the Pro Shop at 772-7334 to report activity that does not comply with these Golf Rules.

B. Registration

1. All golfers must register at the Golf Shop before beginning play.
2. All golfers are responsible for the payment of golf fees, cart fees, merchandise and food & beverage purchases.

C. Reservations

1. The hours of golf course play, practice areas and Golf Shop will be posted in the Golf Shop and in the club bulletin, and are subject to change depending on golf course and weather conditions. The Golf Professional in consultation with the Golf Course Superintendent shall determine when the golf course is playable and such decision shall be final. No golf course play shall be permitted during any period that the course is determined not fit for play.

areas. T-shirts, tank tops, blue jeans and blue jeans shorts, cutoffs, jams, sweat pants, tennis or other athletic shorts, and bathing suits are not permitted at any time. Women must wear appropriate length shorts and blouses when using the practice facility or while playing the golf course. No cut off tops will be permitted. Levis, jogging shorts or tennis shorts are prohibited while using either practice facility or course. Due to ladies golf fashion, sleeveless golf shirts must have a collar, yet golf blouses that have sleeves may not always require a collar. Men must wear a collared shirt and golf attire shorts or pants when utilizing the facility for practice or playing *golf*. Levis, jogging shorts or tennis shorts are prohibited.

2. In order to give the best playing conditions possible, Heritage Palms is a soft spike facility only.

I. Golf Cart Use / Private Golf Carts.

1. The right to use a privately owned golf cart on the golf course is currently granted by the Club and is a non-assignable license and personal right. The Club may terminate this license and right at any time. Privately owned golf carts to be used on the golf course must be approved annually by the Director of Golf for appearance and for compliance with other standards as may be determined by the Club.
2. All private golf cart owners shall be required to sign a release of liability, which holds the Club harmless as a result of any loss or damage relating to the owner's operation of the golf cart. Each year, a Member who owns a private golf cart and wishes to use it on the golf course shall be required to provide the Club with proof that the operation of the golf cart is covered by a liability insurance policy of the Member with a combined single limit of at least \$300,000 per occurrence for personal bodily injury, including death and property damage coverage.
3. A Member using a golf cart will be held fully responsible for any and all damages caused by the misuse of the golf cart by the Member's Guests. The Member shall reimburse the Club for any and all damages the Club may sustain by reason of misuse, including without limitation, damage to other golf carts and property of the Club.
4. Privately owned golf carts must be battery powered, rear wheel drive and have four wheels. The maximum width of a golf cart must not exceed 48". The Board of Directors will establish an annual trail fee for privately owned golf carts for each season and identify same in the in the Heritage Palms Golfers Packet. The annual trail fee will be billed and is payable on an annual basis. The annual trail fee is non-refundable and NOT transferable. The annual trail fee shall not be prorated. Private golf cart owners must complete and sign the release of liability, provide proof of liability insurance, have the cart approved for usage, and pay the annual trail fee before the cart is permitted to be used on the golf course. An identification number and a yearly decal will be issued for the cart when the release of liability, proof of liability insurance and payment are received. The identification number and yearly decal is to be placed on the cart by the Golf Shop Staff. It is required that the decal be placed on drivers side of the golf cart immediately below the seat. All Guests and Residents who are not enrolled in the private golf cart program shall pay the current applicable golf cart rates when they ride in a private golf cart. In addition, those who are enrolled in the private golf cart program shall pay the current applicable golf cart rates when using a club owned golf cart.
5. Residents with private golf carts may ride with each other. Residents paying the annual trail fee must check in at the golf shop prior to beginning play. Golf Cart traffic on the golf course is restricted to nine and eighteen hole rounds of play. Starting times must be scheduled as provided in the Heritage Palms Golfers Packet.
6. A maximum of two (2) riders and two (2) golf bags per golf cart is allowed. A maximum of two (2) golf cars per foursome is allowed. This also applies to private golf cart owners. No privately owned golf carts will be stored, recharged or maintained by the Association. Privately owned golf carts that become disabled or immobile on the golf course shall be removed only by authorized Golf Club personnel.
7. When a Resident is no longer paying the annual trail fee for a private golf cart, all Club decals must be removed from the golf cart. Private golf carts without a current trail fee decal will not be allowed access to the golf course. The Association will not allow a Resident to pay and use a private golf cart on a per round basis. Residents with private golf carts are required to ensure that only licensed drivers who will operate the cart in a safe and prudent manner and in accordance with any and all government regulations operate their private carts. Privately owned golf carts shall be driven on the golf course only when the golf course is open for play.
8. **General Golf Cart Rules.** The use of golf carts on the golf course will be mandatory for all players. Association golf carts shall be assigned at the Golf Shop at the time of registration. Only Association golf carts provided by the club or carts licensed to operate on club property will be

EXHIBIT A
ELECTION RULES OF
HERITAGE PALMS MASTER HOMEOWNERS ASSOCIATION, INC.
ELECTION RULES

1. No member shall be provided access to association media within thirty (30) days of an association election. For purposes of this paragraph, "association media" means the association's newsletter, cable channel, internet websites and/or other written communication from the Association. The term "within thirty (30) days of an association election" shall mean the thirty (30) days prior to the date the first election ballot material is sent to the membership. The term "association media" does not include, within its definition, the official ballot materials sent to the membership inclusive, for board of director's election, any biographical description and/or photographs of nominees that are running for the board of directors. To the extent that the association permits any other access to association media by a nominee (or a member advocating a point of view) for purposes that are reasonably related to an election, equal access shall be provided to all other nominees (or members advocating a point of view) that are reasonably related to the election at issue. The association will not edit or redact any content from a nominee or member communication related to an election, provided, that the nominee or member offering a statement or commentary is responsible for the content and any published comment or comments made. The association may include a disclaimer specifying that the nominee or member, and not the association, is solely responsible for the content of the communication.
2. In each election for the board of directors, the association shall hold a forum (at no charge) for the nominees within the association clubhouse prior to the date that the election materials are sent to the membership. The forum will be for the purposes 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. The association shall ensure that each nominee is given an equal opportunity to participate in the forum. For ballot measures that are required to be submitted to the membership that are unrelated to board of directors election, the association shall have a town hall meeting (not a formal membership meeting, but an informal gathering of the members, in which the members can express their points of view) prior to the time election materials are sent to the membership to amend the bylaws/CC&Rs or similar ballot measures requiring membership approval.
3. In order to run for the board of directors, a candidate / nominee must be a member of the Association.
4. The process to nominate a nominee to run for the board of directors shall be by any of the following:
 - a. The nominating committee (consisting of members appointed by the Board) shall make as many nominations for election to the Board as it shall, in its discretion, determine, but not less than the number of vacancies that are to be filled, and forward to the Board its nomination or nominations for announcement on or before the Board meeting not less than ninety-five (95) days before the date of the election.
 - b. In lieu of the petition process set forth in *Section 6.2* of the Bylaws and, in accordance with Civil Code §1363.03(a)(3), any member of the Association may submit to the Association, at any time before the fiftieth (50th) day preceding such election, a written statement nominating himself/herself for election to the board of directors ("Self Nomination Statement"). The Association shall notify the members (via a document delivery that complies with Civil Code §1350.7, e.g., newsletter, information within billing statement, mail) of the self-nomination process and the deadline for Association receipt of the Self-Nomination Statement.
5. In accordance with *Section 5.11* of the Bylaws, the Board hereby establishes that the record date for members entitled to receive notice of any association election, as well as entitled to vote shall be the date thirty (30) days prior to the day the election materials are sent out by the association.
6. The board of directors shall select (one (1) or three (3)) inspector(s) of election. The inspector(s) of election shall be any one of the following, as determined by the board of directors at an open board meeting prior to the distribution of the ballot material: a member of the Association as appointed by the Board (e.g. inspector(s) of election may not be a member of the board of directors, a nominee for the board of directors, related to a member of the board of directors and/or related to a nominee for the board of directors), Association's General Manager and/or Association's Controller.

9. The balloting process for amendments to governing documents shall be submitted to the membership in a similar manner as the election for the board of directors, except that:
 - a. The ballots could be sent to the membership at any time and not in conjunction with the timing of any annual meeting.
 - b. The addressed envelope should 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 tabulation and counting of the votes by the inspector(s) of election shall begin at the commencement of a properly noticed open meeting of the board of directors. No person, including any member of the association or an employee 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 by the inspector(s) 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 and shall be available for review by members of the association. Within fifteen (15) days of the election, the board shall publicize the results of the election in a communication directed to all members (this could be done in the form of a newsletter if it is mailed to the members within the 15 day timeline).
11. Association funds may not be used for campaign purposes in connection with any association election, except to the extent necessary to comply with the duties of the association imposed by law. For purposes of this paragraph, the association can use its funds to have corporate counsel (or other Board-designated individuals) prepare and review appropriate ballots as well as the copying, printing and mailing costs necessary to provide the ballots to the membership consistent with the association's governing documents and California law. Association can also add background information and explanation of ballot material. The association may use funds to distribute, for election of board of directors, a biographical description and photograph of the nominees within said election materials. The board shall not advocate the election or defeat of any nominee that is on an association election ballot for the board of directors.
12. If the owner loses his/her ballot, they may request another ballot, along with the appropriate envelopes from the inspector(s) of election, but they must sign a statement, under penalty of perjury that the original ballot was either lost, destroyed or never received. The inspector(s) of election shall maintain a record of each such request and, if it is determined that the owner voted twice, even by mistake, neither ballot would be counted. (Conforms to the Guide to Absentee Voting in California.)

**HERITAGE PALMS MASTER HOMEOWNERS ASSOCIATION INC.
 PLANNED DEVELOPMENT ARCHITECTURAL COMMITTEE
 ARCHITECTURAL AND LANDSCAPING GUIDELINES**

A. General Principles	
1. Application procedures and requirements	Page 2
B. Specific Application Guidelines	Page 3
1. Patio Covers	Page 3
2. Barbecues	Page 3
3. Landscaping	Page 4
4. Patio Decking & Patio Extensions	Page 5
5. Pools, Spas & Water Features	Page 5
6. Walls/Fencing	Page 6
7. Skylights	Page 6
8. Mini TV Satellite	Page 7
9. Doors and Windows	Page 7
10. Sidewalks/Driveways	Page 7
11. Lattice and Trellis	Page 7
12. Golf Ball Screens	Page 8
13. Sun Screens	Page 9
14. Paint Standards	Page 9
15. Other	Page 10
16. Flagpoles	Page 10
17. Mechanical Cooling Unit	Page 10
C. Application Forms	
1. Application & Document Checklist	Page 12
2. Adjacent Neighbors' Notification	Page 13
3. Construction Regulations	Page 14
4. Conditions of Approval and Disclaimer	Page 15
Appendix 1: Recommended Plant Palette	Page 15
Appendix 2: Construction Standards	Page 17
Appendix 3: Informational Satellite Dish Siting Request Form	Page 18
Appendix 4: Sample Landscape plan	Page 19
City of Indio permit requirements	Page 20
Exhibit A - Golf Ball Screens	Page 21
Exhibit B – Golf Ball Screens	Page 22

A. General Principals:

1. Application procedures and requirements

-Applications-

- a) Homeowners must submit a completed signed application for each change to the architectural structure or landscape design of homes in the Association. Applications must also be accompanied by two copies of drawings or detailed plans, including plot plan, the manufacturer's brochure, the adjacent neighbor's notification, signed construction regulations, and signed agreements and conditions. An elevation view may be required.
- b) Architectural and landscaping options that are purchased through the Builders Design Center do not require Architect Committee Applications.
- c) The Architectural Review Committee meets on the first and third Tuesday of each month. All applications will be approved or rejected within 60 days.
- d) If structure or landscaping changes have been made without an approved application, those changes may be subject to removal or to be brought into compliance at any time.

-Deposits-

- a) The purpose of these deposits is to assure the association that all necessary permits are obtained, that all contractors with the potential to lien Association property have been paid and that the project is completed and any incidental damage is corrected. The deposit is returned after the Association Manager receives copies of all permits with a signed notice of completion, and a committee member has inspected the site. Once inspection is completed and approved deposits are returned in approximately 10-14 business days. If necessary, this deposit may be used to bring the property into compliance. No interest on the deposit will be returned to the Homeowner.

-Criteria of the Committee-

- a) The applied for change should blend in with and complement the existing architecture, color scheme and aesthetics of the surrounding Heritage Palms homes and not unreasonably impact a neighbor's view or rights.

-Compliance-

- a) In all cases the Association CC&R's, by-laws and rules will apply. The property must already be in compliance with these before an application will be considered. All City and County Building codes must be met and permits obtained where required. Architectural Changes that were made before the Committee was formed shall be considered a developer exemption in so long as the changes are contained within the owner's property lines.

-Owner's Responsibility-

- a) It is the responsibility of all homeowners to understand where their property lines are before they begin any architectural change or Landscaping change. **PROPERTY CORNERS MUST BE LOCATED AND IDENTIFIED** with a stake before any work is to begin. Property corner stakes must be left in place until the project has been signed off by the Architectural Committee. Owners may wish to have their contractor perform this task as part of their contract. All homeowners must understand Compliance with applicable law and any damage caused in construction shall be the responsibility of the homeowner even if he employs a Contractor.
- b) Specific guidelines, as stated in this document, supersede any overlooked items by the Committee during plan check. **It is the homeowner's responsibility to read and fully comply with the guidelines.** If violations are found during the final inspection of your project, you will be required to make corrections before your project will be signed off and your deposit refunded.
- c) It is expected that all projects will be completed within 90 days.
- d) City Permits are mandatory where required. A copy must be submitted to the HOA upon completion of project in order to receive your deposit.

-Contractor-

- a) Owners are responsible for their contractors.
- b) No dumping debris of any kind at Heritage Palms. Excess dirt and construction debris must be disposed of off the property.
- c) Access from the golf course and adjacent unfinished lots is prohibited.
- d) The job site shall be cleaned up every day.
- e) The street shall not be used for storing materials; these may be placed only on owner's property.

B. Specific Application Guidelines:

1. Patio Covers

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer.
- b) Two sets of detailed location drawings, including plot plans and elevation view, two copies of the manufacturer's brochure if applicable(indicating specifics such as color, size, style and hardware)
- c) \$500 refundable deposit
- d) Copies of applicable city permits must be obtained after the approval of the architectural review committee. Any changes required by the city must be resubmitted to the Architectural Review Committee.

-Color-

- a) It must be a solid, uniform color with no pattern or design and as closely matched to the existing structure's color as possible.

-Material-

- a) Alumawood is the only approved material..

-Criteria-

- a) This should blend in with and compliment the existing architecture, color scheme and aesthetics, not unreasonably impair any neighbor's view and have all required City permits.
- b) No side walls or solid covers of any kind will be permitted on patio covers.
- c) Patio Covers must be cantilevered at least 18" from support posts. Cantilever must maintain a 5' side and 3' rear setback. Non golf course lots shall have a 7' rear setback.

-Installation-

- a) It must be secure enough to prevent wind damage or accidents, and installation should do as little harm to the existing structure as possible.
- b) Patio Covers will only be allowed in rear yards and side yards where applicable.
- c) The patio cover shall be supported within itself, no poles, cables or knee bracing.
- d) Patio covers require a City permit.
- e) No window awnings or exterior shutters of any kind will be allowed.

2. Barbecues

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer.
- b) Two sets of drawings with specific dimensions showing the proposed size and location of the barbecue, including plot plan.
- c) \$500 refundable deposit
- d) Copy of all City required permits. If the homeowner is merely replacing the existing barbecue at the same location no city permits are needed, and therefore no deposit is required. But any added cabinetry does require approval.
- e) Freestanding barbecue units shall not be located within 15' of rear lot line or extend beyond the side of the house.
- f) Barbecues may not exceed 36" in height 16 feet in exterior length. Color is to match existing structures color as close as possible.
- g) Any modifications to gas lines, electrical or plumbing require City permits, which are the responsibility of the homeowner.
- h) The barbecue should blend in with and compliment the existing architecture, color scheme and aesthetics and not unreasonably impair any neighbor's view.

3. Landscaping

-Required-

- a) All landscaping on new homes must be installed within 90 days of closing.
- b) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer.
- c) Two sets of detailed landscaping/irrigation/lighting plans including plot plans showing the proposed changes including plant species, size and location provisions for irrigation and lighting alterations.
- d) \$500.00 refundable deposit
- e) Side yards may be grassed or granular stone ground cover.
- f) Front lots must be at least 40% grass excluding the courtyard area.
- g) Corner Lots shall have at least 40% grassed side yard on street side.
- h) Rear yards without sod abutting the golf course shall have fiberglass bender board installed along the property line no higher than the golf course sod. The homeowner shall be responsible for trimming grass at the property line as necessary.
- i) Rear yards abutting the golf course may have bushes, natural vegetation hedges and fountains that do not exceed 36" in height.
- j) Rear yards abutting another residential rear yard or side yard shall be planted sod to sod. Block walls, fencing, trellis or lattice will not be permitted along the property line unless provided by the developer. This situation will most often be found on cul-de-sac streets. Natural vegetation hedges not to exceed 5 ½ FT. in height may be approved if ALL affected parties are in agreement.
- k) Accent areas of flowers, desert plants, rocks and gravel and ground cover may be used in all yards.
- l) Over seeding must be completed on an annual basis during months of September & October.
- m) No drainage piping of any kind shall be installed on golf course property.
- n) Please refer to the attached example of the landscape plan, Appendix 3 to show how detailed submissions must be.

4. Patio Decking & Patio Extensions

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed plans showing all dimensions including plot plans of both the existing patio and the proposed extension, the type of material to be used if resurfacing with a manufacturer's brochure if available, and any landscape/irrigation/lighting changes that may be required.
- c) \$500 refundable deposit
- d) Any modification to gas lines, electrical or plumbing requires City permits, which are the responsibility of the homeowner.

-Restrictions on Extensions-

- a) The patio extensions may only extend to within 3' of the rear and 5' of the side property line.
- b) Stepping stones of any size may not be placed together to form a "patio type" surface if located within the 5' side & 3' rear setback.

-Criteria-

- a) Color and/or material to be used must be approved by the Committee. Color is to blend in with exterior stucco color. There are several concrete surfaces currently approved: Kool deck, exposed aggregate, rock salt finish and broom finish. There are also tile and slate patios.
- b) Landscape/irrigation/lighting changes must adhere to the original theme unless otherwise approved, and any damage or change shall be at the homeowner's expense.

5. Pools ,Spas & Water Features

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Detailed plans showing existing property lines (surveyed and engineered, not based on "out of bounds" stakes) as well as landscape, irrigation, lighting and electrical changes (and temporary provisions if needed)
- c) Refundable deposit of \$2,500 for a spa or \$5,000 for pool and spa.

-Criteria-

- a) Side setbacks must be a minimum of five (5) feet and rear setbacks must be a minimum of three (3) feet.
- b) The three (3) ft. rear setback must include sod and/or vegetation. No rock or gravel allowed on rear property lines abutting the golf course unless approved bender board is used to keep gravel off of golf course property.
- c) Owners are responsible for all restoration in and around their home as well as to surrounding impacted properties, including the golf course, resulting from pool construction. This means landscaping, irrigation, wiring, lighting, cable, walls, sidewalks, driveways, turf, cart path etc.
- d) Where a pool or spa installation impacts the structure of the home, engineering will be required certifying that it can withstand the surcharge of the pool/spa. This complies with section 11.27 in the CC & R's.
- e) Pools and Spas adjacent to the golf course shall have ample shrubbery or hedge shielding view of pool from golf course. Such plant material must be maintained to a maximum height of three (3) feet. All new plantings must be started with a 5 gal. minimum size.
- f) In addition to the shrubbery or hedge, pools & spas located adjacent to the Golf course or lots that do not abut perimeter walls must also comply with the State of California Health and Safety Code Section 115922. This Safety Code requires that owners building pools or spa shall install at least one of the following:
 - 1. The pool shall be equipped with an approved safety pool cover that meets all of the performance standards of the American society for Testing and Materials (ASTM). This pool/spa cover can either be manually or power operated.
 - 2. The residence shall be equipped with exit alarms on those doors providing direct access to the pool; or
 - 3. All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.
- g) Decorative pool features may not exceed 18" in height above grade level.
- h) Decorative spa features may not exceed 36" in height above grade level.
- i) Waterfall features may not exceed 36" in height above grade level.
- j) No drainage piping of any kind will be allowed onto golf course property or street.
- k) Pools and Spas may not be drained into street or on golf course property.
- l) Above ground equipment is to be fully screened or enclosed with approved landscaping.
- m) Below grade equipment shall be fully covered so that it will not be a hazard.
- n) All pool equipment must be landscaped screened and located on side yard. Landscape screening not to exceed 6 inches above equipment. The location of the equipment must be approved by the committee.

-Block Walls around Pool Equipment

- a) Block Walls around pool or spa equipment shall be permitted only on lots that are able to meet the following criteria:
- b) Pool or Spa Equipment must be on the side yard. Location of equipment must be approve by the committee.
- c) Wall must match existing courtyard wall standards for color and capping
- d) Wall must allow a set back of at least 5 ft from side property line. The side setback is measured from the exterior of the wall.
- e) The Wall may not extend beyond the rear edge of the home.
- f) Wall Height may not exceed more than 6 inches above pool equipment.
- g) Wall Length may only extend a maximum 3 ft beyond equipment (in either direction)
- h) If a gate is installed, the color must match the home as closely as possible

-PORTABLE SPAS & Water Features

- a) Portable spas are permitted on lots in rear yards that are completely walled in. Any above ground spa/water feature on a non golf course lot rear yard, shall have ample shrubbery or hedge shielding the view of spa/water feature from neighbor's property.
- b) Freestanding above ground portable spas are not permitted on golf course lots.
- c) Portable spas that are lowered (sunk) **into the patio**, hard wired and meet the spa criteria of (a-g) as outlined in section 5 may be approved.
- d) Gazebos are not permitted.

6. Walls/Fencing

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed plans showing the precise location of wall
- c) Refundable \$500 deposit
- d) All courtyard walls shall be built to meet the builder's standard specifications. These specifications are available for review at the association office.
- e) Courtyard wall height shall be either 3'6" or 5'6" at the crown. Stucco is the preferred wall material with color to match existing house (not trim color). Applications of stone in some areas of the wall, cap and columns have been approved in the past on a case by case basis.
- f) The courtyard wall will be allowed to extend out to a maximum of 8'. The 8' dimension is to be measured from the garage door (not the jamb, trim or stop) to the outside edge of the wall. Please check with the association to verify the approved courtyard dimensions specific to your floor plan.
- g) Courtyard Wall Gates must be the same color or match the wall and house as closely as possible.
- h) No block walls or fences are permitted on Golf course lots at rear or side property lines unless provided by the developer.
- i) Pet enclosures will be allowed as follows: Fencing material to be 16 gauge, 2" x 3" welded green vinyl coated wire. A hedge must be planted along the outside of the pet fence so as to completely shield the fence from outside view. New hedge plantings must be started with at least 5 gal. size plants spaced appropriately to expedite full coverage. Hedge is to be maintained to a max. height of 36".
- j) The Architectural Review Committee must approve natural landscape vegetation for privacy use. It must be maintained to a maximum of 3 Ft. high on rear and side yards facing the golf course and six (6) feet high in side yards between houses.
- k) No block walls or fencing will be permitted on rear or side property lines where one residential rear or side yard is abutting another residential rear or side yard unless provided by the developer. This situation will be most often found on cul-de-sac streets. Natural vegetation hedges not to exceed 5 1/2 Ft. in height may be approved by the Architectural Review Committee.
- l) On perimeter lots where the rear property line has a block wall, side yard block walls are permitted from the perimeter wall to the rear corner of the house (some exceptions may apply). Either a gate or wing wall may be installed between the side yard wall and the house. A wing wall must be stuccoed to match existing house color. Walls to be a maximum of 5 1/2 Ft. high at the crown.
- m) Refer to the pool and spa section for walls around pool and spa equipment.

7. Skylights

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed plans showing the precise location of each skylight, the manufacturer's brochure if available showing materials, color and installation requirements, signed "Construction Regulations", and a signed "Conditions of Approval and Disclaimer."

8. Mini TV Satellite Dishes. The term "satellite dish" as used within these Guidelines shall include all direct broadcast satellite dishes, wireless cable equipment and television or other aerial, antenna, dish, tower or other transmitting structure. To expedite siting the satellite dish and to assist the Association, Owner/Applicant should submit an Informational Satellite Dish Siting Request Form (see Appendix 4, page 18 in accordance with the format attached hereto and made a part hereof by this reference (hereinafter, collectively, "Siting Form"). The Association's designated representative shall work together with the Owner or his/her installer to jointly site the satellite dish as set forth below.

Within one (1) business day of Association's receipt of Siting Form to install a conforming satellite dish, Association and Owner/Applicant in siting a location for the satellite dish which would be least obtrusive to the surrounding neighborhood and minimize any negative impact. The Association shall have the right to require the installation of the satellite dish in an obscure 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. The Association, by and through the Architectural Review Committee, may also require that any satellite dish be painted to match a particular color in order to further camouflage the satellite dish.

-Required-

- a) A signed Siting Form.

- b) Two copies of Detailed drawings showing dimensions and location on the property, how the cabling and electrical sources will be connected and what provisions are made for screening the dish from the view of the surrounding neighbors or the common areas

-Mini TV satellite dishes –

- a) Dishes that are less than 39.6" in diameter or diagonal measurement shall be permitted.
- b) Only one satellite dish will be allowed per residence.

-Criteria-

- a) The Committee's concerns are with aesthetics and installation. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached and the satellite dish, antenna, mast and/or visible wiring shall be painted so as to blend into the background to which it is mounted or placed.
- b) The dish shall not infringe on, impair or detract from the beautiful surroundings at Heritage Palms and any necessary installation permits shall be obtained. Installation shall be accomplished by a qualified person who is knowledgeable about the proper installation of satellite dishes and antennas. Installation shall be made in accordance with applicable building, fire, electrical and related codes. A building permit shall be obtained, if required by the local jurisdiction.
- c) Unless reception cannot be received at any other location, no satellite dish shall extend above any wall, fence or railing (unless there is no other suitable location from which to obtain reception of an acceptable quality signal).
- d) 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.
- e) 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.

9. Doors and Windows

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed drawings and manufacturers brochures
- c) \$500 refundable deposit

-Criteria-

- a) Windows or doors must blend in with and compliment the existing architecture, color scheme and aesthetics.
- b) No windows of any kind will be allowed on garage doors

10. Sidewalks/Driveways

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed drawings and manufacturers brochures
- c) \$500 refundable deposit

-Criteria-

- a) One side yard walkway per residence.
- b) Sidewalks on side yards may have a maximum width of 48' (inches).
- c) Sidewalks on side yards must tie into driveway as close to garage door as possible and rear patio as close to home as possible.
- d) Walkways may not extend all the way to the street. Color must be approved and match patio decking as closely as possible.
- e) All driveways must remain the standard width

11. Lattice and Trellis

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed drawings and manufacturers brochures
- c) \$500 refundable deposit

-DUPLEX PATIOS-

- a) Aluminum, fiberglass or plastic lattice is only allowed on the zero lot line of duplex patios and must be on the property of one unit or the other and not on the property line.
- b) SIZE: No longer than 8 feet, no more than 5 ½ feet high.
- c) MATERIAL: Aluminum, fiberglass or plastic, wood will not be approved.
- d) COLOR: solid uniform color matched to the existing structure's color
- e) COVERING: plant material must be planted to cover the lattice on both sides

-SINGLE FAMILY UNITS-

- a) Aluminum, fiberglass or plastic lattice is only allowed on patios under the following conditions:
- b) On the sides of the patio under the roof line of the home to a height of 5-1/2 feet and from the wall of the home to the patio supporting post.
- c) On the sides of extended covered patios from the roof line of the home to the patio cover supporting post at a height of 36 inches.
- d) MATERIAL: Aluminum, fiberglass or plastic, wood will not be approved.
- e) COLOR: Solid uniform color matched to the existing structures color.
- f) COVERING: plant material must be planted to cover the lattice.

-BETWEEN HOMES-

- a) Aluminum, fiberglass or plastic lattice will only be allowed between homes at window locations and must be on property of one home or the other and not on the property line at a maximum of 6 feet high and 8 feet long.
- b) MATERIAL: Aluminum, fiberglass or plastic, wood will not be approved.
- c) COLOR: Solid uniform color matched to the existing structures color.
- d) COVERING: Plant material must be planted to cover the lattice on both sides.

-REPLACEMENT OF EXISTING LATTICE WORK-

- a) When existing wood lattice is in need of replacement it will be replaced with aluminum, fiberglass or plastic in a color matching the home and plant material planted to cover the lattice.

12. Golf Ball Screens

+

- a) In the rear areas of homes adjacent to the Golf course, the Architecture/Landscape committee has approved two specific types of screen. Detailed specifications for screens are available from the Association Manager.
- b) Frames shall be the same color as the patio cover, if any. If there is no patio cover installed, frames shall be the same color as the house stucco.
- c) Temporary screens, canvas or portable screens of any type are NOT allowable.
- d) The applicant will provide a signed application, Adjacent Neighbor notification, Construction Regulations & Conditions and a \$500 refundable deposit.
- e) This will serve as a general guide for golf ball screens. Proposed screens may be approved on a case by case basis as determined by the Architectural Committee.

-Netting-Type Golf Ball Screens

-General Description

- a) These standards describe the materials, construction and aesthetic quality requirements of a screen consisting of an attractive metal frame to hold fine netting that **may** stop flying golf balls with a minimum of visual obstructions. The approved screens do not obscure visibility, are very adaptable to various geometrical situations and are strong and durable.

-Adaptability and Approval

- a) Owners may adapt the screens described herein to specific geometry and conditions of their individual situation. Owners must submit a Variance request to the Architecture/Landscape committee of the Association with an attached drawing which describes the location, shape, size, materials and finishes of the proposed screen.

-Screens integrated with patio covers

- a) This is the preferred option as it will result in the most aesthetic screen and the patio cover will provide additional overhead safeguard from golf balls. The metal frame, to which the netting is tightly stretched, shall be fastened to the overhead beams and support columns of the patio cover.

-Screens mounted to free standing metal frames

- a) The netting is tightly stretched on all four sides and metal moldings to cover the irregular edges of the netting.
- b) Freestanding frames may only be installed along the side of property line with a three (3) foot rear set back.

-Screens shall be mounted to a Foundation

- a) Frame legs are to be set in not less than 12" x 12" x 24" deep concrete footings.

Specifications:

1. **Metals:** Refer to drawing Exhibit A for Freestanding units and Exhibit B for screens to be used in conjunction with patio covers.
2. **Painting:** The frame shall be painted the same or as close as possible as the patio cover or outside stucco of the home. Painting shall be a two coat process. A metal primer shall be applied to the frame first, to discourage corrosion followed by a finish coat. A minimum of two coats is required.
3. **Approved Netting:** Only nylon #252, knotless, 7/8 diamond mesh, UV and weather-treated netting or equal product is allowable and may be used to cover the frame on patio covers. NO OTHER TYPE MAY BE SUBSTITUTED. The netting can be installed on new or existing patio covers. Netting shall be fastened to a patio cover with 2" or 1" aluminum strips to hide any ragged edges of the net.
4. **Maintenance:** Owner is responsible for maintaining their protective screens and metal frames in good condition at all times. Frames must be painted and free of rust at all times. Screens that have become dirty from blowing sand or dust must be cleaned at all times. Any sagging, bulging or bunching shall be immediately corrected. Nets with holes or frayed edges shall be immediately repaired or replaced. No plants or vines shall be grown on the nets at any time. For safety reasons, the owner is responsible for the replacement of the netting every few years or as needed. The Architectural Committee reserves the right to require an owner to replace a screen.
5. **Contractor:** These Architectural Guidelines do not allow deviations for owner-built installation. Contact the Association Manager for a list of the licensed contractors.

13. Sun Shades

-Required-

- a) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- b) Two sets of detailed drawings and manufacturers brochures if available
- c) Information indicating specifics such as color, size, style, hardware and material must be submitted with application.
- d) Deposit \$250.00

COLOR –

- a) It must be a solid uniform color with no pattern or design and as closely matched to the existing structure as possible.

MATERIAL – Vinyl coated, fiber glass

-Criteria-

- a) Sun Shades may only be hung on inside of covered roofline portion of patio.
- b) Sun Shades cannot be hung on any portion or part of a patio cover. They may not be attached to alumawood.
- c) Sun Shades must be on rollers and must be rolled up when not in use. Sun shades cannot be partially rolled down.
- d) Sun Shades must extend from above inside of soffited opening,(see diagram) and must be securely fastened at the bottom.

14. Paint Standards

-Modification of Exterior Color scheme

- a) Homes painted to match the existing color scheme do not need committee approval.
- HOMES THAT WILL CHANGE THE EXSISTING COLOR SCHEME SHALL REQUIRE THE FOLLOWING:**
- a) A signed application, Adjacent Neighbor Notification, Construction regulations and Conditions of Approval and Disclaimer.
 - b) Paint color palette – Including samples of all proposed color to exterior walls, trim, gates and doors. Only approved color schemes provided by builder will be permitted.
 - c) Garage doors may remain white or painted to match the trim or exterior stucco color of the house
 - d) No deposit is required for this modification.

15. Other

-Ask the Association Management-

- a) Permission to make changes to the structure or landscaping of your home in a way not covered above will be dealt with by the Architectural Committee on a case by case basis. Please contact the Association Manager to find out if what you are considering is allowed by the Association's CC&R's, by-laws and rules and what might be required besides a regular application.

16. **Permanent Flagpoles.** Permanent flagpoles for the purpose of displaying one (1) U.S. flag shall be approved by the Architectural Review Committee provided they meet the safety and public health standards set forth below.

—Required—

- a) A signed application
- b) Two copies of Detailed drawings showing dimensions and location on the property.

—Criteria—

- a) Permanently installed flagpoles must be mounted on an approved footing and must be painted white, silver, bronze or a silver galvanized color.
- b) For safety concerns, the top of the flagpoles may not be higher than 20' from ground level.
- c) Flagpoles must not be installed or encroach upon common area and may not be installed in such a manner where it will have an impact on traffic and/or pedestrian safety.
- d) Flagpole halyards must be of a type which do not make noise under any wind condition. Halyards must be kept securely tied.
- e) Only one U.S. flag, maintained in good condition, may be flown from such permanently installed flagpoles. State flags, burgees, pennants, streamers, and other flag-like items may not be displayed from such flagpoles. The commonly accepted daytime U.S. flag courtesies, procedure, and etiquette must be strictly observed; the U.S. flag must be lowered at sundown unless illuminated by a light approved by the Architectural Review Committee. Illumination of flags must not create glare/light spillover which could impact: 1) traffic and/or pedestrian safety, 2) public health, or 3) an adjacent neighbor's sleep or quiet enjoyment of their residence. All such illuminations of flags must be approved by the Architectural Review Committee.
- f) All permanent flagpole installations will require written application to and approval from the Architectural Review Committee. The homeowner will assume all liabilities associated with such installation and must keep the flagpole and U.S. flag in good repair and appearance.

18. **Mechanical Cooling Unit**

-Required-

- d) A signed application, Adjacent Neighbor Notification, Construction Regulations and Conditions of Approval and Disclaimer
- e) Two sets of detailed drawings and manufacturers brochures
- f) \$500 refundable deposit

-General Guidelines

Properly configured, installed and screened ground and mechanical cooling units may be approved for use within Heritage Palms. Such equipment may include evaporative (swamp) coolers and air conditioning units. **Note:** Roof mounted air conditioning, roof mounted evaporative cooler equipment, or window air conditioners shall not be permitted.

The following requirements are common to both evaporative coolers and air conditioning units.

- A. Applications for proposed ancillary/auxiliary cooling equipment must be submitted to the Architectural Committee for approval prior to installation. Applications shall be completed as defined in section A. "General Principles", paragraph 1. "Application procedures and requirements" of the Architectural and Landscaping Guidelines.

- B. Installation of such equipment must be in accordance with current building and mechanical codes, including obtaining required building permits.
- C. Installation of such equipment shall not interfere or diminish use or enjoyment of neighboring property in the judgment of the Architectural Committee.
- D. Such units shall be installed at least three (3) feet back from the front of the corner of the residence.
- E. Exact placement of unit must be approved by Architectural Committee prior to installation.
- F. Color of the units MUST blend with the house colors.
- G. Units shall be screened with an "L" shaped visual and sound barrier. This barrier is intended to screen the unit from the street and from the neighbors. It may consist of a wall, vine covered lattice, or shrubs. The base of the "L" will face the front of the house and the side of the "L" shall parallel the side of the house and be of sufficient length to hide equipment from the side. Screening may not extend beyond six (6) inches above the equipment. A minimum of thirty (30) inches free and clear space must be maintained for emergency access at side yard property lines. A stucco wall may only be used where a minimum clearance of a five (5) foot setback from the side property line can be achieved. It must match existing courtyard wall standards for color and capping.
If a lattice is proposed, its structure and color must conform to the standards contained in the section B. "Specific Application Guidelines", paragraph 11. "Lattice and Trellis" of the Architectural and Landscaping Guidelines.
- H. The noise level of the units must be at a pitch and volume that does not exceed the noise level of the main air conditioning unit.
- I. Equipment shall be properly maintained, ie., painting, no rust, clean, etc.
- J. Neighbor notification MUST be completed with any comments from neighbor included.

The following requirements are unique to evaporative cooler systems.

- A. The top of the evaporative cooler must be no higher than four (4) feet above the ground after installation, no wider than four and a half (4 1/2) feet, and no deeper than thirty (30) inches including sound wall or lattice work.
- B. The unit must be ground mounted.

The following requirement is unique to supplemental air conditioning units.

Air conditioning units must be mounted no higher than one (1) foot above the ground, with the top of the unit not to exceed the maximum total height of three (3) feet from the ground to the top of the unit, and no wider than four and a half (4 ½) feet, and no deeper than thirty (30) inches including sound wall or lattice work.

APPLICATION FOR ARCHITECTURAL CHANGE

Name (Please Print) _____ Phone _____

Heritage Palms Address _____

Mailing Address (if different) _____

Lot # _____

Proposed Starting Date _____ Projected Completion Time _____

Proposed Modification, Addition or Improvement: (Please check)

____ Patio Covers (\$500 deposit) ____ Patio Decking/Extension (\$500 Deposit)

____ Barbecue (\$500 deposit) ____ Pool (\$5000) or Spa (\$2500) deposit

____ Landscaping (\$500 deposit) ____ Other (Specify) Committee may require a deposit.

Documents Attached: (Please Check after consulting pages 1-7 above)

____ Detailed Plans or Drawings (2 copies) ____ Plot Plan & elevations

____ Manufacturer's Brochure (2 copies) ____ Landscape/Irrigation/Lighting Plan

____ Adjacent Neighbors' Notification ____ Construction Regulations

____ Conditions of Approval & Disclaimer ____ Required Deposit

Contractor (If applicable) _____ CA License # _____

Homeowner's Signature: _____

**HERITAGE PALMS HOMEOWNERS ASSOCIATION
ADJACENT NEIGHBOR'S NOTIFICATION
For Architectural Change Application**

Applicant's Name: _____ Lot# _____

Address of Proposed Change: _____

Proposed Change: _____

Dear Neighbors of the Applicant,

Your neighbors, as listed above, have applied to the Architectural Committee for approval to make a modification, addition or change to the exterior of their residence.

The Architectural Committee will take into account all comments from neighbors before making its final determination on approval or denial of the application submitted. Now is the time to be heard of you have any objections. We appreciate your input. Thank you for cooperating in granting approval that will not be unreasonably withheld.

Architectural Committee

Adjacent Neighbor's Name and Address (Please Print):

_____ Lot # _____

Comments: _____
I have been notified and understand the changes that will take place on my neighbor's property:

Signature: _____ Date: _____

Other Adjacent Neighbor's Name and Address (Please Print)

_____ Lot # _____

Comments: _____
I have been notified and understand the changes that will take place on my neighbor's property:

Signature: _____ Date: _____

Construction Regulations

General Information:

Contractor must be licensed.

City of Indio building permits are required when applicable.

All landscape and architectural changes must comply with the State of California, County or Riverside and City of Indio codes and regulations.

1. Any damage done to common areas as a result of this construction must be repaired prior to completion. The deposit check will be held until work is satisfactorily completed or the Architectural Committee may use funds from this deposit to correct the deficiency.

2. No dirt, debris or other related construction material is to be dumped on any part of the Heritage Palms property including the undeveloped land. All excess material is to be disposed of off-site.

3. No material is to be delivered and placed in the street. Do not stockpile material on adjacent property, including the golf course. Contractors will be required to place all pallets, cement and other materials in homeowner's driveway, yard or garage. Any material stockpiled in the driveway is to be left in such a manner that it will not be an annoyance, visual distraction or hazard to surrounding homeowners. Do not block any mailbox access.

4. All trash and debris is to be picked up daily and the street cleaned. Homeowner and contractors shall work with the Association relating to the regular day the streets are cleaned. When a hazard has been created, such as an open trench, hole, exposed wiring, etc., it must be barricaded in such a manner that injuries and accidents will be prevented.

5. The irrigation and electrical facilities are connected with adjoining units. When modifications are improper to such systems, neighboring lighting, irrigation and/or landscaping may not operate properly, resulting in expensive repairs. Contact the HOA office when any modifications are required to such facilities.

6. Access via the golf course is NOT permitted.

7. If the property is currently being purchased, no work shall begin until escrow closes. Homeowner must verify property lines before starting any work.

8. During the course of work, all vehicles shall be parked on the same side of the street so congestion will not be created. No parking in the driveways of surrounding homeowners.

9. All damages, or non-compliance with these construction regulations, whether during or upon completion of the improvement, must be repaired within five days of the completion or related damage. If not corrected, the Association will complete the work and assess the homeowner.

10. When applying surface material to patios, walkways, etc., the homeowner assumes risks for all damages, staining and breakage which may be caused by mowers, edgers or such equipment. Drainage systems must be designed to adequately carry the water away from the structure.

11. Both the homeowner and the contractor must sign these regulations. Failure to comply with the above regulations may result in denial of entry into the Heritage Palms.

Homeowner: _____ Address: _____

Contractor: _____ CA License # _____

Conditions of Approval and Disclaimer

1. Unless specifically noted otherwise by the Architectural Committee, I understand that I shall be responsible for all maintenance and upkeep connected with this improvement. **Duplex owners pay an additional amount included with their monthly HOA fees to have a contractor selected by the HOA to maintain their yard. Additional trees, flowers, shrubs, sprinklers will be the duplex owners responsibility.**

2. I further acknowledge and agree that I have independently reviewed the proposed plans, and believe that they do not in any way, other than that disclosed by the application, negatively impact the Association or cause damage to or additional maintenance for the Association-owned property. Any additional maintenance will be paid for by me.

3. The applicant further agrees to comply with all applicable Federal, state, County and City laws and ordinances and will obtain all necessary permits in connection with this application. When obtained, copies of all permits will be provided to the architectural committee prior to the commencement of any construction work.

Date: _____

Applicants Signature

Applicants Printed Name

Address of property to be improved

Appendix 1: Recommended Plant Palette

Note: The plant material below has a proven track record at Heritage Palms. Additional species will be considered on a case by case basis.

1. Trees:	Botanical name	Common name
	Brachychiton Populneus*	Bottle tree
	Ceratonia Siligua	Carob
	Cercidium microphyllum	Littleleaf Palo Verde
	Cercidium proecox	Sonoran Palo Verde
	Chamaerops humillus	Mediterranean Fan Palm
	Citrus	Dwarf
	Jacaranda mimosifolia*	Jacaranda
	Nerum Oleander	Oleander
	Rhus Lancea (Multi-trunk)	African Sumak
	Schinus Molle*	California Pepper
	Schinus Terebinthefolius	Brazilian Pepper
	Syagrus romanzoffianum	Queen Palm
	Washingtonia Robusta	Mexican Fan Palm

Do not plant near pools or patios as the debris creates problems.

2. Vines and Ground Cover:		
	Aptima (Needs partial shade)	Red Apple
	Bougainvillea (staked)	Barbara Karst, San Diego Red, Rosnka
	Bougainvillea (ground cover)	Raspberry Ice, Rosenka, Royal Purple
	Calliandra Tweedi	Pink Powder Puff
	Carissa (ground cover)	Boxwood Beauty, Green Carpet
	Flower Carpet	Rose ground cover
	Gazania (ground cover)	Yellow, orange, burgandy or rose Gazania
	Hedera**	Ivy
	Lantana	Lantana
	Lonicera japonica halliana	Hall's Honeysuckle
	Tecomaria capensis	Cape Honeysuckle
	Trachelospermum (ground cover)	Star Jasmine

**Select varieties that can withstand heat in shade or heat and sun.

3. Shrubs:		
	Agapantha (only blooms yearly)	Green Beauty, Japanese Boxwood
	Buxus japonica	Natal Plum, Tuttlei
	Carissa	Marguerite
	Chrysanthemum frutescens***	Grandiflora, Variegated
	Euonymus japonica	Wax Leaf Privet
	Ligustrum	Heavenly Bamboo
	Nandina Domestica	Pink Lady, Petite Salmon
	Nerium Oleander (dwarf)	Photinia
	Photinia frazeri	Wheeler's Dwarf, Variegated
	Pittosporum	Indian Hawthorne
	Rhaphiolepis indica	
	Ballerina (deep pink)	
	Indian Princess (light pink)	
	Rose (red, pink, white)	Simplicity (provides year long color)

*** Short-lived perennial needs replacement. Green foliage preferred to gray-green.

Appendix 2: Construction Standards

(Excerpts from New and Custom Home Guidelines applicable to Change Guidelines)

-Architectural Committee:

-“Approved” simply means that permission to proceed is granted because proposed plans are compatible with Association CC&R’s and Guidelines, and should in no way be construed as a liability incurring endorsement of the consultant’s or contractor’s product.

-If not approved, they will be returned with a written request for revisions and resubmittal. The Committee will only request revisions twice. Further review may result in consultation fees.

-Homeowner’s Responsibility:

-The Homeowner’s must use a California licensed architect, contractor and landscape architect.

-The Homeowner’s must make sure his consultants and contractor conform with approved plans, specifications and changes or revisions thereto and all governing laws and ordinances, and that they process through the Committee all architectural and landscape revisions.

-Setbacks:

5’ sides and rear. 3’ rear setback. Certain corner lots may have various restrictions not set forth in the general set back provisions.

-Walls:

-All walls require the approval of the Committee as to height, location, design, color etc.

-No masonry, wood, plastic or metal walls or fences will be permitted on rear yard property lines with exception of perimeter lots.

-Roofs:

-Flat portions of roofs are strongly discouraged.

-Roofs shall maintain as low a profile as possible and roofing materials shall be non-glossy, in colors which blend with adjacent surroundings. No metal roofs, reflective tile or wood shakes.

-Tile roofs should have at least two and preferably four shades, consistent with existing roofs.

-Sheet metal work should be kept clean and simple with the minimum of exposed metal and should be painted to blend in with surrounding materials.

-Roof terraces are not allowed.

-Skylights:

-They must be integrally designed into the structure. Smoked, tinted or frosted glass is urged.

-Barbecues:

-The design should be integral with the design of the house. Freestanding barbecue units shall not be located within 15’ of the rear lot line.

-Doors:

-Exterior doors should be consistent with each other. Similar jamb and head details should be used around the entire exterior of the house.

-All garage doors should be matching and must retain their original architectural facade.

Columns:

-Columns should be constructed with substantial materials, proportionate to other design elements, complimentary to the overall architectural design and consistently detailed. Consideration should be given to planting pockets at their base for vine growth.

Appendix 3:
HERITAGE PALMS MASTER HOMEOWNERS ASSOCIATION
Informational Satellite Dish Siting Request Form

Date of Request: _____ Lot: _____ Tract/Unit No: _____

Name of Owner/Applicant: _____

Address: _____

Local Telephone Number: _____ Other Telephone Number: _____

Description of Satellite Dish/Antenna: _____

Preferred Location of Satellite Dish: *[Please attach sketch or map to assist Association's designated representative in siting the location of dish which would be least obtrusive to the surrounding area.]*

Suggested Date/Time Available for Satellite Dish Siting: _____

Aesthetic Considerations (i.e., painting) _____

I UNDERSTAND AND AGREE AS FOLLOWS:

1. I have read the architectural guidelines and, if applicable, have furnished copies to the contractor engaged by me for this installation.

2. I agree to comply with the architectural guidelines. If applicable, I also understand that it is my responsibility to ensure that my contractor also complies with the architectural guidelines.

3. I agree that it is my responsibility to secure proper building permit if required by the local governmental entity.

Signatures: _____
Owner Owner

[For Association Use Below]

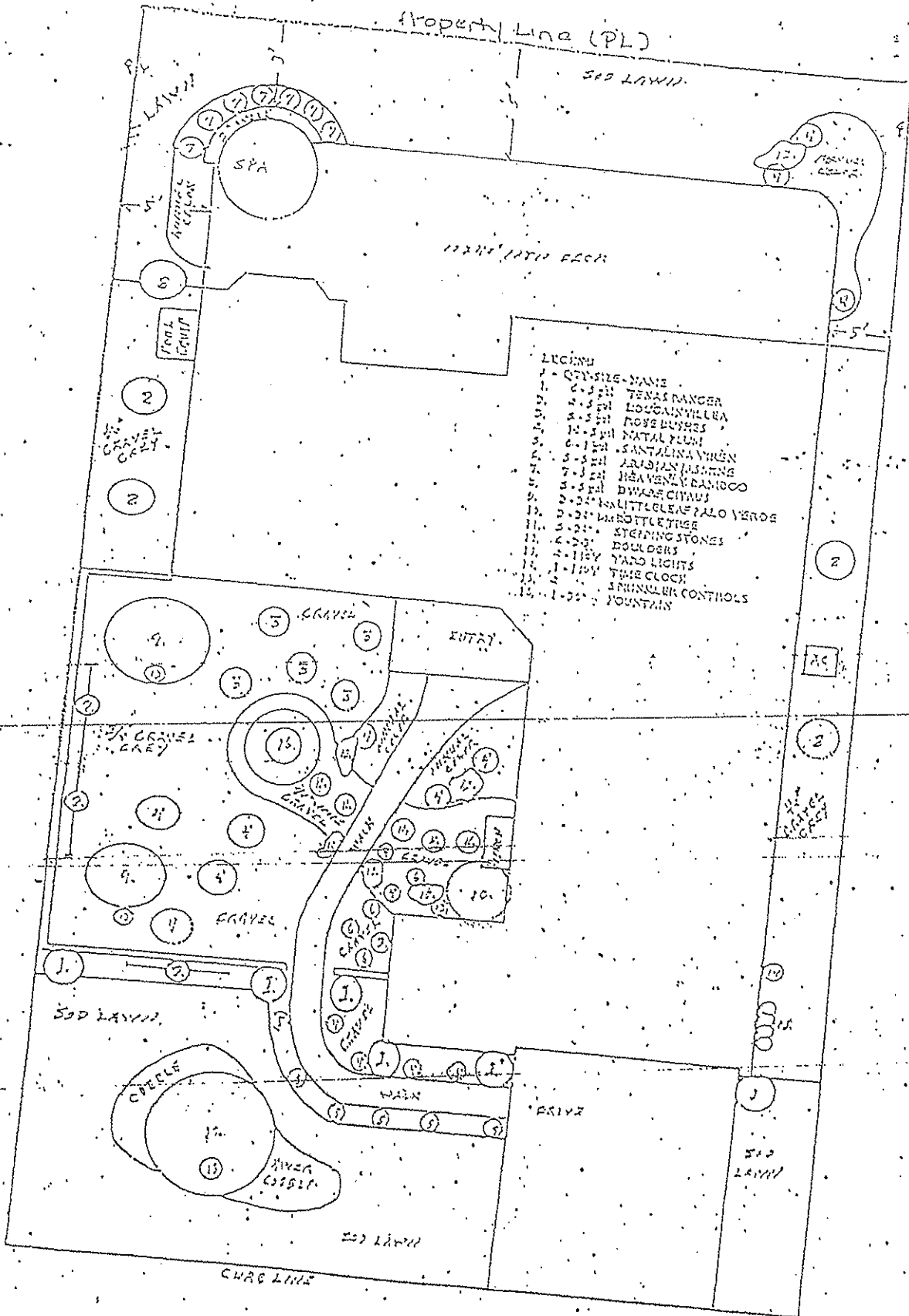
SATELLITE DISH SITING INSPECTION AND APPROVAL:

1. Date of Request Received: _____ Date of Siting: _____

2. Association and Owner have sited this satellite dish installation and approved its location as follows *[describe location or attach sketch]:*

3. **ADDITIONAL COMMENTS AND REQUIREMENTS:**

Date: _____ By: _____
Association Representative



- LUCIDU
- | 1. | QTY | SIZE | NAME |
|-----|-----|------------|------------------------|
| 1. | 2 | 3-5 ft | TENAS RANCHER |
| 2. | 2 | 3-5 ft | LOUGANVILLEA |
| 3. | 3 | 3-5 ft | ROSE BUSHES |
| 4. | 10 | 3-5 ft | NATAL PLUM |
| 5. | 6 | 1-2 ft | SANTALINA VIRENS |
| 6. | 5 | 3-5 ft | ARIZONIA ARBORESCENS |
| 7. | 7 | 3-5 ft | HEAVENLY BANCOO |
| 8. | 3 | 3-5 ft | DWARF CYPRESS |
| 9. | 3 | 3-5 ft | LITTLE LEAF PALO VERDE |
| 10. | 3 | 3-5 ft | BOTTLE TREE |
| 11. | 3 | 3-5 ft | STEINING STONES |
| 12. | 2 | 3-5 ft | DOULDER |
| 13. | 2 | 1-1 1/2 ft | YARD LIGHTS |
| 14. | 1 | 1-1 1/2 ft | TIME CLOCK |
| 15. | 2 | 1-1 1/2 ft | MOUNTAIN CONTROLS |
| 16. | 1 | 3-5 ft | MOUNTAIN |

EXAMPT. R.



CITY OF INDIO

Dear Homeowner:

Welcome to your new home the City of Indio. You may wish to make some modifications to your new home to better fit it to your personal needs. If so, the following information may be helpful in getting your project off to a smooth start.

1. A permit is required for any new addition to, or structural modification of your present structure. If in doubt, call the Building Division at: 342-6500.
2. Concrete patio slabs are often included in the purchase price of your new home. If you wish to erect a structure over the area, a permit is required.
3. If you are planning to convert the attached garage or carport to a den or family room, a building permit is required and you must provide sufficient space out of the street right-of-way to accommodate the same number of cars that the garage or carport could accommodate.
4. If you are planning to install a lawn sprinkler system a permit is required and vacuum breakers must be provided to protect the potable water system.
5. A permit is required for the installation of a water conditioner.
6. A permit is required for the construction of any type of a swimming pool or spa, and a fence is also required to protect children from entering your pool area.
7. A permit is required for the construction of a fence on your property.

As an owner you may do your own building, plumbing, electrical and mechanical work in your home. If you do not feel qualified, seek out a State and City licensed contractor to do your work for you.

Before you start your project, check your local zoning restrictions and City building regulations. If we can help you make the right start, please do not hesitate to call.

CITY OF INDIO • 100 CIVIC CENTER MALL • PO. DRAWER 1788 • INDIO, CA 92202

DEPARTMENT TELEPHONE NUMBERS, ALL IN 619 AREA CODE
 CITY CLERK 342-6570 • CITY MANAGER 342-6580 • COMMUNITY DEVELOPMENT/REDEVELOPMENT 342-6500
 FINANCE 342-6560 • FIRE 347-0756 • HUMAN RESOURCES 342-6540 • POLICE 347-8522 & FAX 347-4817
 PUBLIC SERVICES/ENGINEERING 347-6530 • CITY HALL FAX 342-6556 • CITY YARD 347-1058



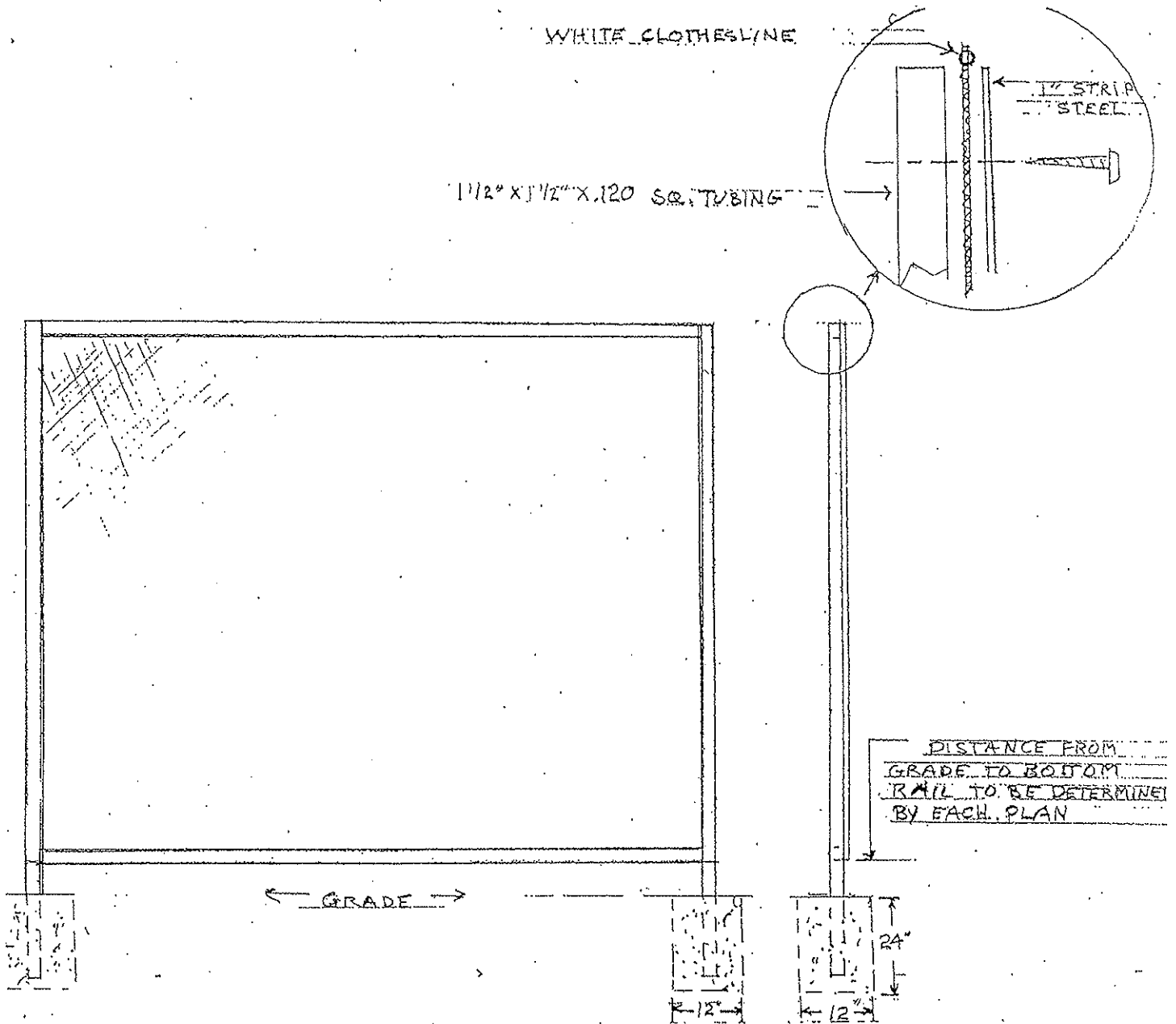


EXHIBIT "A"

FREE STANDING GOLF BALL PROTECTION SCREEN

Specifications:

- Metal framing shall be 1 1/2"x1 1/2"x .120 gauge sq. tubing with all joints welded.
- Spans of over 15 ft. require additional vertical supports.
- 1" strip steel shall cover the entire frame facing (one side) to secure netting tightly in place.
- White (approx 1/8") clothesline shall be woven throughout the outside edges of netting to prevent netting from slipping out of the 1" steel strips.
- Metal frame is to be either painted (two coat process) or powder coated to match the stucco color of the home.
- Only nylon #252 knotless, 7/8" diamond mesh, UV and weather treated netting or equal is approved. NO OTHER TYPE MAY BE SUBSTITUTED UNLESS SPECIFICALLY APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE.

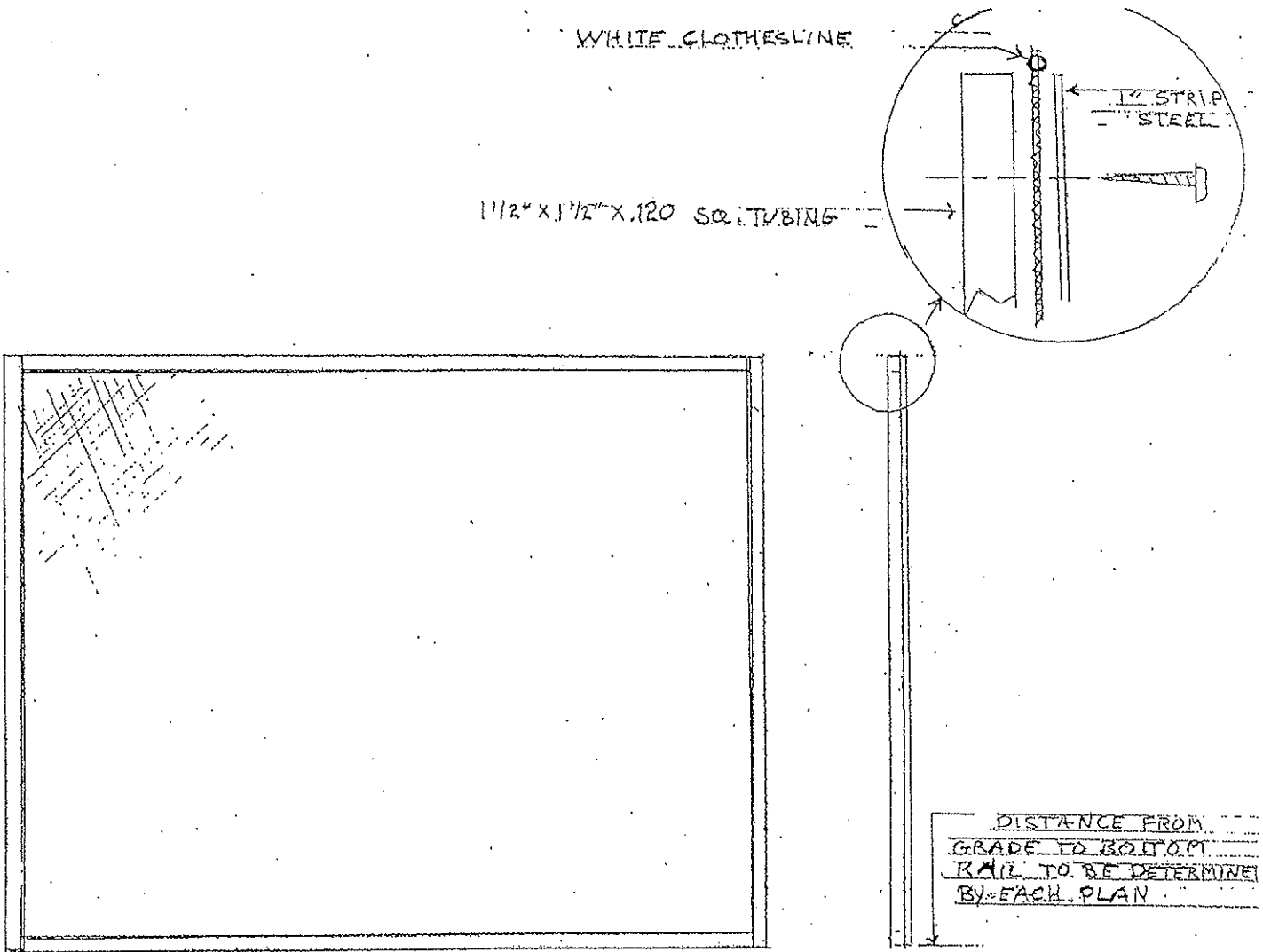


EXHIBIT "B"

INTEGRATED GOLF BALL PROTECTION SCREEN
(TO BE USED IN CONJUNCTION WITH PATIO COVERS)

Specifications:

- Metal framing shall be 1 1/2"x1 1/2"x .120 gauge sq. tubing with all joints welded.
- Spans of over 15 ft. require additional vertical supports.
- 1" strip steel shall cover the entire frame facing (one side) to secure netting tightly in place.
- White (approx 1/8") clothesline shall be woven throughout the outside edges of netting to prevent netting from slipping out of the 1" steel strips.
- Metal frame is to be either painted (two coat process) or powder coated to match the stucco color of the home.
- Only nylon #252 knotless, 7/8" diamond mesh, UV and weather treated netting or equal is approved. NO OTHER TYPE MAY BE SUBSTITUTED UNLESS SPECIFICALLY APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE.
- The frame is to be directly mounted to the *inside* overhead beam and vertical support columns of the patio cover utilizing appropriately sized fasteners.

HOA Courtyard Wall Material Specification

Columns and Wall

8" concrete block with stucco finish

Color

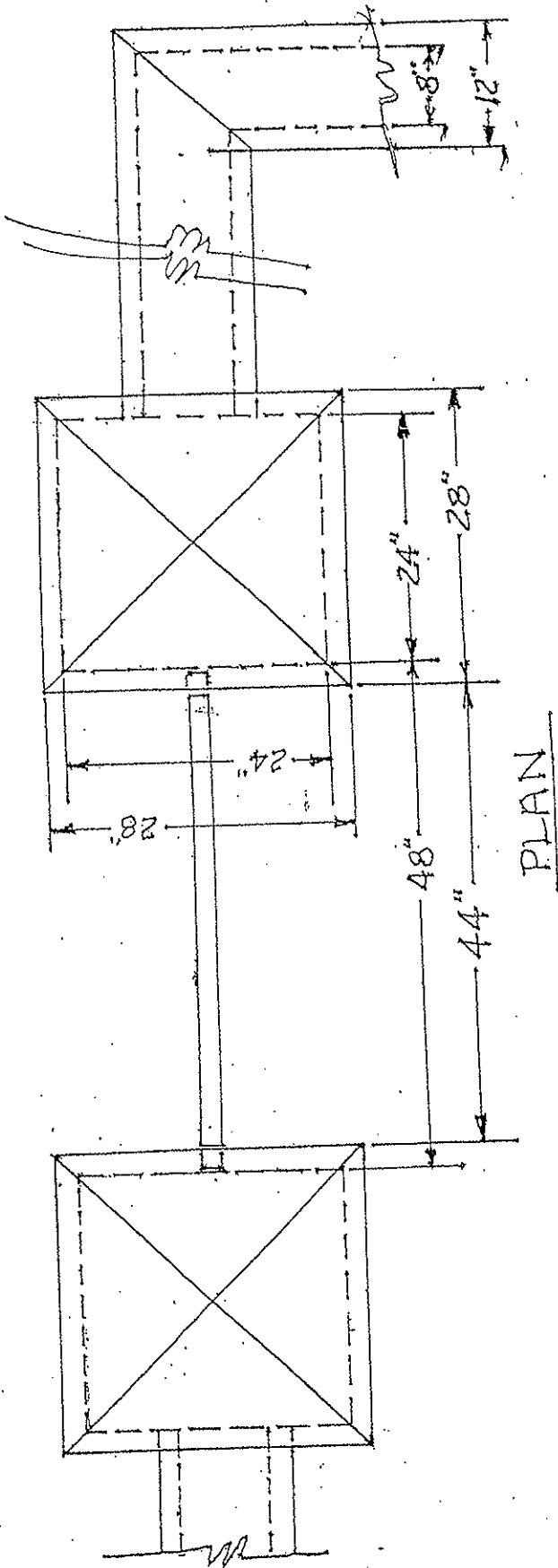
Wall and columns to be as stucco walls of house.

Cap may be color of walls or may be trim color of house.

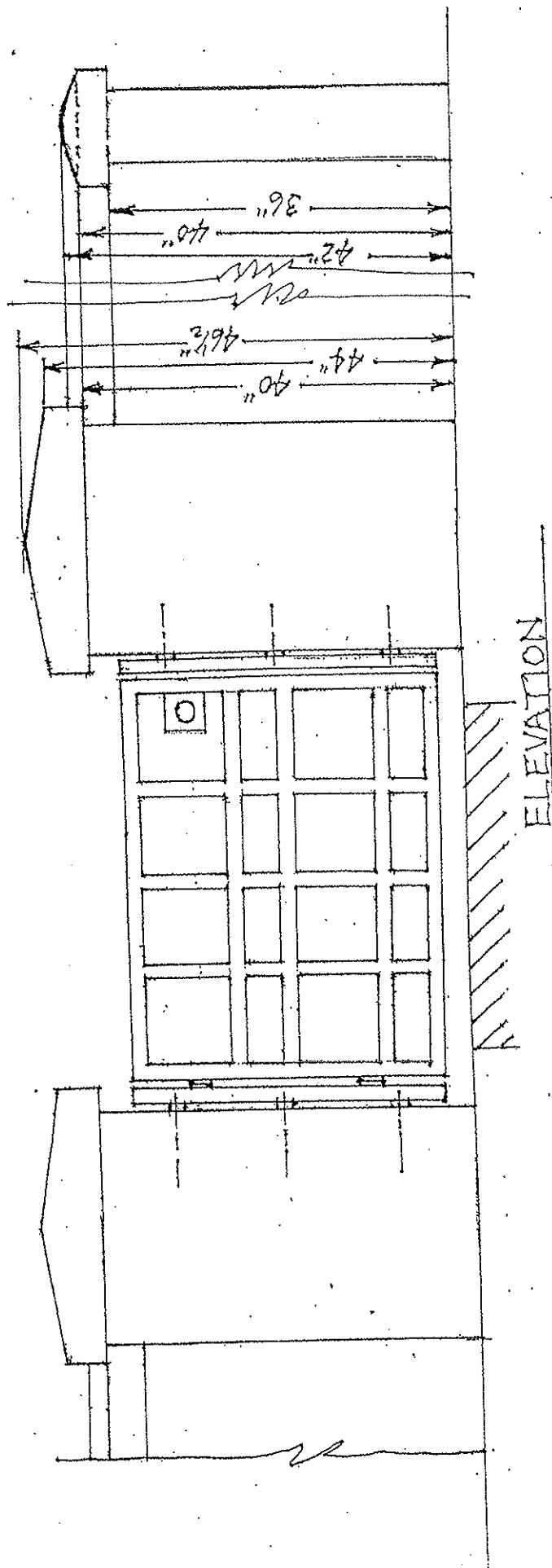
Gate

1 1/2" tubular steel construction anchored to concrete block column with 5/16" anchor bolts.

Gate to be painted either color of wall or trim color of house.



PLAN



ELEVATION