

KERRIGAN RANCH II COMMUNITY ASSOCIATION

RULES & REGULATIONS

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Living in a community such as Kerrigan Ranch II offers many privileges. It also involves certain restrictions. In order to preserve the value, desirability, attractiveness and Architectural integrity of Kerrigan Ranch II, a Declaration of Use Restrictions, hereafter referred to as "DURs", have been prepared which authorize the formation of an Architectural Committee for the homes at Kerrigan Ranch II.

The Architectural Committee, hereafter referred to as the "AC", is charged with the responsibility to review and approve certain proposed exterior improvements to residential dwellings in this community in conjunction with approval by the City of Yorba Linda.

The purpose of the AC and these Design Guidelines is not to restrict individual creativity or personal preferences, but rather to assure continuity in design that will help preserve and improve the appearance and value of your neighborhood and the Kerrigan Ranch II community. The AC has set up Design Guidelines that define standard acceptable treatments of improvements. In most cases, when these guidelines are followed and complied with, submittal to the AC can be avoided. However, certain improvements have been deemed substantial and will require submittal to the AC at all times.

These Design Guidelines are also intended to assist property owners in planning home improvements. This information is provided to increase the homeowner's awareness of the ways to maintain neighborhood integrity. It is important to note that although these Design Guidelines reflect certain aspects of the DURs, they do not cover all possible situations that may be defined in the DUR's. It is recommended that the DUR's be carefully reviewed and that your questions be directed to your community manager, Taryn Martin.

AC Operating Procedures

Before beginning any addition, alteration or construction involving the exterior appearance of a home, the homeowner must get AC approval; moreover you may still need a building permit from the City of Yorba Linda. Such AC approval is conditioned on full and continued compliance with these Design Guidelines. The AC is not responsible for homeowners' improvements or a homeowner's failure to obtain all necessary permits.

If these guidelines require you to obtain AC approval, you must obtain approval before applying for a building permit from the City of Yorba Linda. Failure to obtain the approval of the AC when required is a violation of the DUR's and you may be required to modify or remove the unauthorized work at your expense and be subject to fines as outlined by the Kerrigan Ranch II Enforcement and Fine Policy.

Once an application is approved by the AC, all work must conform exactly to the approved plans. Any modifications to the approved plans that are not covered by the standard design guidelines must receive AC approval prior to construction, just as the original plan required approval. It is important to understand that AC approval is not limited to major alterations such as room additions; approval is required for all alterations or modifications that do not comply totally with these guidelines.

If submittal to the AC is required in accordance with these Design Guidelines, plans must be submitted, even if the identical improvement may have been previously approved for a neighboring property owner. During an evaluation of an application, the AC will consider the characteristics of the housing type and the individual site, because

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what may be an acceptable design in one instance may not be acceptable in another.

Representatives of the developer and/or guest builder do not have the authority to commit to or approve your request for exterior alterations or modifications, either during or after construction. All exterior alterations or modifications must (1) comply fully with the Design Guidelines or (2) receive prior approval from the AC.

THE AC MAKES NO WARRANTY OR REPRESENTATION THAT ANY "VIEW" WILL BE PRESERVED OR PROTECTED.

Submittal and Review Procedures

- 1) Carefully compare your plans with these Design Guidelines, determine if your plans must be submitted to the AC for approval before you begin construction. **THE HOMEOWNER ASSUMES ALL RISKS IF THE PROJECT IS STARTED BEFORE AC APPROVAL IS RECEIVED.**
- 2) If submittal is required, prepare two sets of construction drawings that include the following information:
 - (a) Plan (top) view drawn to an accurate scale of all improvements including those required by the AC per the Design Guidelines (i.e. screening of pool equipment). Show overall dimensions. Note on plans those items that are not covered by the Design Guidelines and therefore must be approved by the AC.
 - (b) Elevation (side) view drawn to an accurate scale of each side of the improvements. Show overall dimensions.
 - (c) Location of improvement as it relates to the home and all adjacent property lines, including setback dimensions if any.
 - (d) Description of plant material (species and/or common name), building materials and colors including brand name and specification name and number if any.
 - (e) Any appropriate construction details.
 - (f) Name and license number of contractor.
- 3) Complete the Kerrigan Ranch II Home Improvement Application.
- 4) Sign the "Conditions of Approval and Disclaimer" form (see Exhibit "A").
- 5) Keep a copy of the completed application forms for your future reference, and include the following items with your submittal:
 - (a) Two sets of construction drawings. It is highly recommended that a professional Architect, landscape Architect or engineer prepare the construction drawings.
 - (b) Photographs of all affected exterior building elevations (sides of home).
 - (c) Material samples and color samples if those proposed deviate from the original standards.
- 6) Send all information noted above to:

StoneKastle Community Management
22722 Old Canal Road, Unit B
Yorba Linda, CA 92887
attn: Kerrigan Ranch II Community Manager

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FAILURE TO INCLUDE ALL OF THE INFORMATION REQUESTED WILL CONSTITUTE AN INCOMPLETE APPLICATION. THE APPLICATION WILL BE STAMPED INCOMPLETE AND RETURNED TO THE HOMEOWNER FOR COMPLETION PRIOR TO AC REVIEW.

- 7) The AC will evaluate all complete applications within 30 days of submittal and will indicate its approval, approval with conditions or denial. One set of the construction plans and the application will be returned to the applicant; the AC will retain the other set for file purposes.

The following guidelines apply to any and all work performed on your home whether AC approval is required or not:

- 1) Excess debris shall be removed from the site or properly contained on a daily basis.
- 2) Work shall be performed so as to minimize noise, dust and disturbance to neighbors.
- 3) No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Yorba Linda's Planning Department and the Fire Marshall.
- 4) Construction shall only be conducted from 7:00 a.m. - 4:00 p.m. on Monday - Friday and 9:00 a.m. - 4:00 p.m. on Saturday. No construction is allowed on Sunday.
- 5) All workers must comply with the DUR's (i.e. parking and the use of common area).

Landscaping, Hardscape and Irrigation

Front Yard Submittal Requirements/Guidelines

- 1) Installation of front yard landscaping is required within 6 months of close of Escrow. Front yard is defined as the portion of the yard which is in front of the entryway fence or gate or side yard fence or gate and which is viewable from a public street.
- 2) The root system of ground cover, bushes and trees must not encroach at maturity on any neighbor's yard or disturb foundations, walls or sidewalks.
- 3) Irrigation lines must be subterranean, except drip systems which must be substantially covered. All irrigation shall meet UPC (Uniform Plumbing Codes) and have appropriate backflow devices installed.
- 4) There shall be no interference with the off-site drainage pattern or from that which exists at the time the overall grading is completed by the developer or which is shown on any plan that may have been previously approved by the AC. Appropriate drainage must be installed and directed to the street in order to prevent runoff over banks or onto adjacent or common area properties.
- 5) Sprinklers must be placed so they do not spray adjacent properties or public sidewalks.
- 6) The use of synthetic grass or other synthetic plant material is prohibited.
- 7) No more than 5% of the surface area of the front yard may be used for rock beds of any kind unless approved by the AC.
- 8) Additional hardscape is limited to a 4-foot strip on one side of the driveway. Standard gray concrete with standard finish treatments such as broom finish, salt finish and exposed aggregate are acceptable. Colored concrete, painted concrete, stamp-concrete, brick, rock and tile finishes are prohibited unless they are of a natural warm color or subtle gray color that match the dwelling unit color

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- 9) No figures or sculptures shall be permitted in the front yard.
- 10) Trees that will at maturity grow over public sidewalks must be of a species that do not drop berries or other fruits that will stain or hamper access on the sidewalk.

Rear and Side Yard Submittal Requirements/Guidelines

- 1) Installation of rear yard landscaping is required within 6 months of close of escrow.
- 2) The root system of ground cover, bushes and trees must not encroach at maturity on any neighbor's yard or disturb foundations, walls or sidewalks.
- 3) Irrigation lines must be subterranean, except drip systems which must be substantially covered. All irrigation shall meet UPC (Uniform Plumbing Codes) and have appropriate backflow devices installed.
- 4) There shall be no interference with the off-site drainage pattern or from that which exists at the time the overall grading is completed by the developer or which is shown on any plan that may have been previously approved by the AC. Appropriate drainage must be installed and directed to the street in order to prevent runoff over banks or onto adjacent or common area properties.
- 5) Sprinklers must be placed so they do not spray adjacent properties, public sidewalks, or any Zone 2 areas within the Brush Management areas.
- 6) The use of synthetic grass or other synthetic plant material is prohibited.
- 7) Hardscape is limited to an area of no more than 40% of the rear yard area and 80% of the side yard area. Additional hardscape must be approved by the AC.

Fencing and Walls Submittal Requirements

- 1) Fencing and wall plans need to be submitted for approval to verify they comply with the guidelines listed below.
- 2) No changes or removal of previously installed fencing will need to be approved by the AC unless it does not comply with the guidelines listed below.
- 3) Ensure compliance with the City of Yorba Linda's Landscape Technical Manual, particularly as it relates to Zone 1 requirements.

Guidelines

- 1) Placement of the fence and support structures shall not be outside buyer's legal lot.
- 2) All fences and walls must be finished as not to show structural framing or unfinished material on any side of the fence or wall if such side is exposed to any common area, public street, sidewalk, walkway, park, recreation area or open space.
- 3) The maximum height of all fencing and/or walls shall be five feet from finished grade.
- 4) All support posts shall be set in concrete footings.
- 5) Front yard fencing is not allowed unless approved by the AC.
- 6) Side-yard fences may not extend more than four (4) feet forward from the front face of the dwelling unit and may be extended only for the purpose of constructing a single side entry gate. In no case shall fencing extend into the City required front yard setbacks.
- 7) The following fences are recommended but still need approval from the AC prior to installation:
 - (a) Wood fence stained with a natural finish or finish matching builder installed fencing
 - (b) Wrought iron painted black, dark brown, or dark green

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- (c) Tubular steel painted black, dark brown or dark green
 - (d) Masonry, only if material conforms to type, quality, color and character of masonry walls built elsewhere in the neighborhood
 - (e) Stucco over concrete block or over wood frames only if material conforms to type, quality, color, and character of similar walls built elsewhere in the neighborhood
 - (f) Masonry with wrought iron or (3/2) wall fence. Comprised of 3 feet of masonry and topped with 2 feet of wrought iron. This is highly recommended for partial privacy/partial view situations
 - (g) Wood with wrought iron or 3/2 fence. Comprised of 3 feet of wood and topped with 2 feet of wrought iron. This is highly recommended for partial privacy/partial view situations.
- 8) The following may be acceptable, but must be approved by the AC prior to installation:
- (a) Wood fence painted any color or stained with a finish other than natural or matching builder installed fencing.
 - (b) Wrought iron painted any color other than black, dark brown or dark green
 - (c) Tubular steel painted any color other than black, dark brown or dark green
- 9) The following are not acceptable fence and wall materials:
- (a) Galvanized chain link
 - (b) Aluminum or sheet metal
 - (c) Chicken wire, barbed wire or wire mesh
 - (d) Plastic webbing, reed, bamboo, or straw-like materials
 - (e) Corrugated or flat plastic sheets or panels
 - (f) Rope or other fibrous strand elements

Patio Covers and Trellises Submittal Requirements

- 1) All patio covers or trellis' need to conform to all of the following guidelines and must be submitted to the AC.
- 2) Any patio cover or trellis that is larger than 15 feet in width and/or 15 feet in depth must be approved by the AC.
- 3) Ensure compliance with the City of Yorba Linda's Landscape Technical Manual, particularly as it relates to Zone 1 requirements.

Guidelines

- 1) Patio covers and trellises shall be of wood or aluminum made to look like wood construction only with the exception of vertical supports which may be of stucco or masonry to match the color of that existing on the dwelling unit.
- 2) The following materials are not acceptable for patio covers and trellises and are not all inclusive:
 - (a) Plastic
 - (b) Fiberglass
 - (c) Plastic webbing, split bamboo, reed or straw-like materials
 - (d) Asphalt shingles or composition shingles
- 3) No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Yorba Linda's Planning Department and the Fire Marshall.
- 4) Patio covers and/or trellises must comply with all applicable setback requirements as set forth in the City of Yorba Linda Municipal Code.
- 5) Patio covers and trellises must be painted to match the exterior paint color of the home, stained a natural wood color or painted one of the home trim colors.

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Balconies/Decks Submittal Requirements

- 1) All balcony's need to conform to all of the following guidelines and must be submitted to the AC.
- 2) Ensure compliance with the City of Yorba Linda's Landscape Technical Manual, particularly as it relates to Zone 1 requirements.
 - 1) Balconies are limited to a nine (9) foot projection from the rear wall and must have direct door access from the 2nd story of the dwelling.
 - 2) No balcony shall extend into or be built over slope areas.
 - 3) Balconies must be made of wood and/or stucco that matches existing material and color of the dwelling unit.
 - 4) No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Yorba Linda's Planning Department and the Fire Marshall.
 - 5) Balconies must comply with all applicable setback requirements as set forth in the City of Yorba Linda Municipal Code.

Exterior Paint Submittal Requirements

- 1) Any proposed exterior paint color not installed by the builder of your home must be submitted to the AC for approval prior to paint application.

Guidelines

- 1) Pastel, bright and fluorescent colors are prohibited.
- 2) Colors should be representative of the Architectural style of the neighborhood, moreover, you can also refer to the approved exterior color schemes for the community by contacting StoneKastle Community Management..

Permanent Barbecues Submittal Requirements

- 1) Permanent barbecues need to be submitted for AC approval and conform to the following guidelines.

Guidelines

- 1) Permanent barbecues shall not be located in the front yard.
- 2) No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement or fuel modification zone without proper approval from the City of Yorba Linda and the Fire Marshall.

Dog Houses Submittal Requirements

- 1) Dog houses need to be submitted for AC approval and conform to the following guidelines.

Guidelines

- 1) Dog houses shall not be located in the front yard.
- 2) No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Yorba Linda and the Fire Marshall.
- 3) Dog house does not exceed 4'0" in height at the highest point of the structure.

Gutters and Downspouts Submittal Requirements

- 1) Gutters and downspouts need to be submitted for AC approval and conform to the following guidelines.
- 2) Gutters and downspouts must be primed and painted to match the existing adjacent stucco or trim color.

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- 3) Run-off from gutters and downspouts must not drain onto the common area landscaping or onto another lot and must be directed toward the street,
- 4) Downspout drainage shall not interfere with lot drainage established by builder.

Flags & Flag Poles Submittal Requirements

- 1) Flags need to be submitted for AC approval and conform to the following guidelines.

Guidelines

- 1) Homeowners may display a single flag of a reasonable size mounted from the exterior wall below the fascia of the dwelling unit.

Exterior Lighting Submittal Requirements

- 1) Exterior lighting needs to be submitted for AC approval and conform to the following guidelines.

Guidelines

- 1) Exterior lighting is to be directed onto the applicant's property and shall be adjusted or screened to prevent light from falling onto adjacent properties.
- 2) Open or uncovered floodlights or other uncovered lights are not permitted.
- 3) Exterior lights must be housed in fixtures which screen or diffuse light.
- 4) Exterior lighting fixtures must be finished with the one of the following:
 - (a) Polished brass
 - (b) Antique brass
 - (c) Verde green finish
 - (d) Black painted finish
- 5) No sports courts lighting of any kind

Room Additions Submittal Requirements

- 1) All room or other home additions must be submitted to the AC for approval.
- 2) All submittals are subject to the City of Yorba Linda's Floor Area Ratio restrictions.

Guidelines

- 1) Architectural style shall be compatible with the existing style.
- 2) Additional rooms shall be compatible in scale, materials, color and style with the existing structure.
- 3) To the extent possible the location of the proposed additions shall not materially impair the view or sunlight of adjacent properties.
- 4) Roofs must match or be complimentary to the existing structure in pitch, scale, form and materials.
- 5) No addition shall exceed the roof height of the existing structure except for chimneys or second story additions on a single story house.
- 6) Windows, window groupings and doorways shall integrate with existing exterior openings.
- 7) Excess debris shall be removed from the site or properly contained on a daily basis.
- 8) Work shall be performed so as to minimize noise, dust and disruption of neighbors.
- 9) No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Yorba Linda and the Fire Marshall.
- 10) Construction shall be conducted only from 7:00 a.m. to 4:00 p.m. Monday - Friday and 9:00 a.m. -4:00 p.m. on Saturday, none allowed on Sunday.

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Swimming Pools and Spas Submittal Requirements

- 1) Pools and spas need to be submitted for AC approval and conform to the following guidelines.
- 2) Portable or above ground spas are permitted if they comply with the following guidelines.

Guidelines

- 1) Permanent above ground pools are not allowed.
- 2) Pool/Spa equipment must be enclosed so as to screen the noise from adjacent properties and keep all equipment out of sight of neighbors and public.
- 3) Plumbing lines to a spa or pool must be completely concealed or installed underground.
- 4) Drain lines must not drain onto adjacent properties or common area properties.
- 5) Pools and spas must not be located as to adversely affect the stability of adjacent slopes.
- 6) Homeowners must obtain certification and approval from a licensed soils engineering professional prior to constructing pools.
- 7) No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement without prior approval from the City of Yorba Linda and the Fire Marshall.
- 8) Installation of pool must comply with County Health Department requirements.
- 9) Homeowners must locate any toe of slope sub-drain which may have been previously installed by the developer or builder and may not alter the drain in any manner.

Tool Sheds and Freestanding Structures Submittal Requirements

- 1) Toolsheds on any lot are prohibited within public view unless submitted to and approved by the AC.

Basketball Hoops Submittal Requirements

- 1) Portable basketball hoops are permitted on a lot provided that it is not visible from the street and is stored five (5) feet from the fence line. Basketball hoops near the fence line must be adequately screened with trees. In no event shall a free standing basketball hoop be permitted to remain overnight in a location visible from any street, sidewalk, or common area, or be stored in a location visible from any street or sidewalk.

Screen Doors Submittal Requirements

- 1) Screen doors need to be submitted for AC approval and comply with all of the following guidelines. Screen doors that do not comply with all of the following guidelines must be submitted to the AC for approval.

Guidelines

- 1) Screen doors must be installed within the existing door jamb.
- 2) Screen doors must be of high quality construction.
- 3) Wire mesh screen doors are prohibited.
- 4) Screen doors must be kept in good repair.

Window Tinting/Shading/Blinds/Security Bars Submittal Requirements

- 1) Window tinting, shading and blinds need not be submitted for AC approval provided that they comply with all of the following guidelines.
- 2) Security bars are not allowed and will be denied if submitted for AC approval.

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Guidelines

- 1) Windows may be tinted provided that no reflective materials be used to create a mirror effect from the outside.
- 2) No temporary materials such as sheets, paper or foil shall be used for shading purposes.
- 3) All window coverings must be kept in good repair.

Solar Panels Submittal Requirements

- 1) Solar Panels need to be submitted for AC Approval and comply with the following guidelines.
- 2) All solar panel applications will be reviewed by the Board of Directors at the scheduled board meeting following the application being received by Management and deemed complete.

Guidelines

- 1) Solar panels must be all black including the framing, panels, brackets, etc.
- 2) To the extent possible the location of the proposed additions shall not materially impair the view or sunlight of adjacent properties.

OTHER ISSUES

All possible architectural characteristics have not been covered in these Design Guidelines. These Design Guidelines are subject to change, and further restrictions may be imposed at a later date. Please refer to the City of Yorba Linda Declaration of Land Use Restrictions on the following issues:

- 1) Antennae
- 2) Satellite Dishes
- 3) Signs
- 4) RV/Boat/Vehicle storage is not permitted unless contained within the garage area.

One standard security sign is permitted on a stake in front of the house and one standard sign is permitted in the rear. In addition, a reasonable number of window stickers are allowed. Signs and stickers may not be attached to the house.

PARKING

Guidelines

1.) The following vehicles (collectively "Prohibited Vehicles") may not be parked, stored or kept on any street within the Kerrigan Ranch II Community:

-Any commercial type vehicle (including, but not limited to, any dump truck, cement mixer truck, oil or gas truck, delivery truck, stake-bed truck or utility truck) exceeding one (1) ton capacity.

-Any recreational vehicle (including, but not limited to, any camper unit, house/car or motor home)

-Any bus, trailer coach, camp trailer, boat, personal watercraft, aircraft or mobile home, any vehicle not in operating condition or any other similar vehicle.

-Any vehicle or equipment, mobile or otherwise, deemed to be a nuisance by the Board.

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2.) Prohibited vehicles are not allowed in any driveway or other exposed areas, or any street within the Kerrigan Ranch II Community except for the purpose of loading, unloading, making deliveries, or emergency repairs.

3.) No repairs or restorations of any motor vehicle, boat, trailer, aircraft or other vehicle or equipment may be conducted upon any street, Lot or elsewhere within the Kerrigan Ranch II Community, except wholly within the garage with the garage door closed; provided, however, that such activity within the enclosed garage may not be undertaken as a business, and provided further that such activity may be prohibited entirely if it is deemed by the Board to be a nuisance.

4.) Stored or Abandoned vehicles within the community may be towed away at vehicle owner's expense. Vehicles not moved within a 72 hour time frame are considered stored and may be towed at the vehicle owner's expense. If there are extenuating circumstances of which the Association should be made aware (i.e. vacation), it is said owner's responsibility to contact the Management Company.

EXHIBIT "A"

KERRIGAN RANCH II COMMUNITY ASSOCIATION

CONDITIONS OF APPROVAL AND DISCLAIMER

Unless specifically agreed otherwise in writing by the Board of Directors, approval of the submitted plans is expressly conditioned upon the owner agreeing to assume the cost for any additional maintenance directly or indirectly caused by the proposed modification(s), addition (s), or improvements).

During the approval process, the Association may require that its architect, landscape consultant, attorney, contractor, etc., review the proposed plans. SUCH REVIEW(S) ARE VERY LIMITED IN SCOPE AND MAY NOT BE RELIED UPON BY THE OWNER TO ENSURE CORRECTNESS OF PLANS FROM EITHER A LEGAL, ARCHITECTURAL, STRUCTURAL, ENGINEERING, LANDSCAPING, ETC., STANDPOINT.

The applicant FURTHER AGREES AND REPRESENTS that, as a condition of submittal, they have independently reviewed and confirmed that the proposed plans are correct from a legal, structural, architectural, engineering, and/or landscaping standpoint and will not in any way, other than that which has been disclosed in the application, negatively impact the Association or cause damage or additional maintenance to Association-owned land and/or Association- maintained property.

The applicant FURTHER AGREES AND REPRESENTS that the applicant has complied with all applicable Federal, State, County and City laws and ordinances and has obtained all necessary permits in connection with the proposed plans. Applicant further agrees to send copies of all permits to the Association prior to the actual implementation of the proposed plans.

PLEASE NOTE THAT APPROVAL OF THE PROPOSED PLANS BY THE ASSOCIATION DOES NOT CHANGE OR ABROGATE THE APPLICANT'S OBLIGATION TO OBTAIN ALL NECESSARY PERMITS AND/OR COMPLY WITH ALL APPLICABLE GOVERNMENTAL REGULATIONS.

Dated: _____

Accepted by:
Applicant's Signature: _____

Applicant's Name: _____