

Lost Dutchman Gardens Homeowners Association

Resolution of the Board of Directors

Residential Dwelling Exterior Paint Policy

(Effective September 1, 2021)

A Meeting of the Board of Directors (the "Board") of the Lost Dutchman Gardens Homeowners Association ("Association") was duly called and held on the ___10th___ day of _____August_____, 2021. A quorum of the Board was present and at the meeting it was resolved, by majority vote, that it is advisable to adopt this Resolution regarding Residential Dwelling exterior painting to make certain that all Owners are aware that two neighboring residences may not be painted the same or similar color.

WHEREFORE, pursuant to Article 7, Section 7.2 of the CC&Rs, Owners are responsible to maintain their Lots, which includes regularly painting their Residential Dwelling exterior in accordance with the color scheme established by the Board from time to time; however, there also exists a prohibition on painting the residence the same or similar color as the house to either side of a particular residence.

WHEREFORE, pursuant to Article 5, Sections 5.3 and 5.10 of the CC&Rs, the Association has the authority to adopt rules relating to the minimum standards for maintenance of the Lots including the exterior appearance of the Residential Dwellings. The Board, at this time, has opted to regulate the appearance of the residences so that no two residences, located side by side may be painted the same or similar color. This limitation is designed to maintain the aesthetic harmony of the appearance of the Residential Dwellings.

NOW, THEREFORE, IT IS RESOLVED, that the Board of Directors has adopted this Resolution and clarifies that the prohibition against two side-by-side Residential Dwellings being painted the same or similar color is hereby part of the architectural Rules as follows:

RESIDENTIAL DWELLING EXTERIOR PAINT POLICY

1. Paint schemes should not be similar to the home on either side of the property. It is the responsibility of each homeowner to visually confirm that the chosen paint scheme is not similar or the same as the home to either side of the property.
2. The Board of Directors will not approve any application nor any request for a variance for Residential Dwelling exterior paint color if such color is the same or

3. The Board of Directors will not approve any application nor any request for a variance for a Residential Dwelling exterior paint color extending more than two paint colors on an Owner's Residential Dwelling.

IT IS FURTHER RESOLVED, that should any Owner violate this paint rule, the Association is authorized to seek all available legal remedies against the violating Owner pursuant to Article 9, Section 9.1 of the CC&Rs. The Association, the management company or the individual members of the Board shall not be held personally liable to any Member for any damage, loss or prejudice suffered or claimed on account of the Association disallowing two neighboring owners to paint the neighboring houses the same color.

SIGNED this _____ day of _____, 2021.

CERTIFICATION OF ADOPTION

I, _____, am the President of the Association and affirm that on the 12 day of 13, 2022, the Association's Board of Directors met in a duly noticed open meeting and adopted the above Resolution.

Lost Dutchman Gardens Homeowners Association

By: 

Its: President