

First Amendment To the RVR Master Design Guidelines

Seventh Edition, Revised March 8, 2010

The following additions, relevant to Section 6.64 of the RVR Master Design Guidelines, were reviewed and unanimously approved by the RVR Design Review Committee on Thursday, May 31, 2012. For related information, refer to Section 6.64 of the RVR Master Design Guidelines.

Section 6.6 - Improvements, Lawn Ornaments, Sculpture, Flag Poles, Structures, Play Structures

6.64 – Landscape Structures, Play Equipment and Outdoor Cooking Facilities

6.64 a: The Community Manager should continue to specifically and actively enforce the Design Guidelines and the Declaration of Conditions, Covenants and Restrictions with respect to playground equipment, a.k.a. "children's' recreational equipment." Playground equipment includes, but is not limited to swing sets, rope swings, slides, jungle gyms, trampolines, pools, soccer or hockey goals, tents, and play houses. Playground equipment does not include portable toys such as balls, bats, Frisbees, hula hoops, small splash pools etc. which may be used and re-stored manually, out of view by adjacent Owners, the Golf Course, Streets or Common areas, each day, after use. If non-compliant or nuisance installations are noticed by the Association or are brought to the attention of the Association, the Manager shall contact and officially notice the non-compliant or nuisance entity. The non-compliant or nuisance entity will be given 15 days to either (a) remove the subject placement, or (b) submit a revised plan of the site showing the proposed installation for approval by the Design Review Committee, per Section 3.1 and 3.9 of the Declaration and Section 3.14 and other relevant provisions of the Design Guidelines. If no action is taken within 15 days of notice, the Association will fine the non-compliant or nuisance entity as per Section 7.30 and Appendix K of the Design Guidelines and Section 10.10 of the Declaration. Fines may be up to \$1000 per offense.

6.64 b: Following are specific design criteria for Trampolines at River Valley Ranch:

1. The trampoline design criteria shall be an addition to Section 6.64 of the Development Guidelines, as revised, March 8th, 2010.

2. Trampolines will only be considered if the site accommodates such use as determined by the Design Review Committee.
3. Trampoline location shall be considerate of integration into the site plan for the entire property and adjacent properties.
4. Trampoline location shall not be within the front or side yards of any residence, trampolines must be located in the rear yard only and are encouraged to be located within the building envelope.
5. All trampolines must be installed in such a manner by which the surface of the trampoline is no more than 4 feet, not including safety netting, above the approved final grade of the trampoline location. Safety netting may not exceed 6 feet above surface of the trampoline. Trampolines designed for at-grade, pit installation are commercially available. At grade, pit installation may be the only option for installation in order to minimize the impact to adjacent property owners. There may be specific and unique circumstances presented by location, topography, existing conditions, vegetation etc. where an adjustment to this requirement may be considered by the Design Review Committee. Further, there may be specific and unique circumstances presented by location, topography, existing conditions, vegetation, view corridor, etc. that will make the installation of a trampoline impossible. These situations are determined at the sole discretion of the Design Review Committee.
6. All trampolines, support structures, nets, pads and all other related equipment shall be black or muted earth tones.
7. The DRC may require vegetative or structural screening to further hide the trampoline from adjacent property owners, the Common Interest Community and the Golf Course.
8. All trampolines which have been processed and approved by the DRC as of May 30th, 2012 shall be considered grandfathered and therefore not subject to this addition.
9. Any trampolines which have not been processed and approved the DRC, regardless of placement or installation date, are considered to be in violation of the Design Guidelines and the Master Declaration and will be dealt with accordingly.
10. Any trampoline approval is specific to a specific property. Trampolines, as an allowable use, are not a transferable right or approval from one property to another.

11. All approved trampolines must be kept in attractive, functional, and good working order.

12. All approved above-ground trampolines must be taken down and appropriately stored not later than November 15th of each year. Above-ground trampolines may not be set up earlier than April 1st of each year.

The following addition, relevant to Section 7.0 of the RVR Master Design Guidelines, was reviewed and unanimously approved by the RVR Design Review Committee on Thursday, May 31, 2012. For related information, refer to Section 7.0 "Design Review Process of the RVR Master Design Guidelines.

Section 7.0 – Design Review Process

7.4 – Submittals for Improvement

7.4 a: Upon submittal and determination of a complete Design Review Application, the DRC Administrator or Community Manager shall courtesy notice the immediately adjacent and abutting property owners via email at the email address of record that a DRC application has been submitted, is on file, and is available for review and comment for a period of 14 days from the date of notice, but prior to any Final review by the Design Review Committee. The noticed parties must provide comments, if any, to the DRC Administrator within the 14 day period. These comments will be provided to the Design Review Committee prior to or at the Final Review of the application. The notice, review and comment period and process is as a courtesy to adjacent property Owners only. Any and all comments received are non-binding upon Staff, the Design Review Committee, The DRC Administrator and the Executive Board of Directors.

Section 7.0 – Design Review Process

7.51 – Non-Liability

7.51 a: The following notice shall be affixed to all DRC forms. The Owner, the Owner's Representative, Architect and/or builder hereby acknowledge and understand the following: As per the Amended and Restated Master Declaration of Protective Covenants for River Valley Ranch, recorded March 25th, 1998, Reception No. 522481, B1059, P623, Section 4.20, (As amended) Non-liability for Approval or Disapproval of Plans and Specifications, Issuance for Certificates of Compliance, or for Registration of Builders, "Neither the Development (Design) Review Committee, any member thereof, the Master Association, the Executive Board nor the Declarant shall be liable to any Lot or Unit Owner, Occupant or other Person for any injury, damage, loss or prejudice suffered or claimed on

account of (a) the approval or disapproval of any plans, drawings or specifications, (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications, whether or not defective (c) the issuance of a Certificate of Compliance for and Improvements, or (d) the development or manner of development of any property within the Common Interest Community.”