

## DESERT SHORES RACQUET CLUB

c/o Community Management Group  
3360 West Sahara Avenue Suite 200  
Las Vegas, NV 89102  
Phone: 702.942.2500 | Fax: 702.942.2510  
Email: [info@cmg-hoa.com](mailto:info@cmg-hoa.com) | Website: [www.cmg-hoa.com](http://www.cmg-hoa.com)

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February 23, 2011

Dear Homeowners,

At the November 3, 2010 meeting, the Board adopted revised Rules and Regulations as the previous rules had not been updated in several years. While most of the rules will remain the same, it is very important for you to read through the enclosure in its entirety to familiarize yourself with the all of the rules. **The new Rules and Regulations will go into effect on April 1, 2011.** *Please retain these documents for future reference as they are now part of the governing documents for your community.*

We have found that a majority of violations are caused by tenants who are not familiar with the rules of the Association. **Remember: It is each owner's responsibility to notify tenants of the rules of the Association!** Please provide your tenants with a copy of the rules and regulations as soon as possible to avoid receiving violation notices. With every owner's help, we can keep Desert Shores Racquet Club a great place to live!

While most of the rules will remain the same, there is a major change regarding guest parking spots that we'd like to bring to your attention.

**As we mentioned in a recent newsletter, the Association will no longer allow owners to park in the guest parking areas for extended periods of time.** Many owners have complained that some of the residents are using the guest parking areas as permanent parking for their vehicles, and when guests visit, there are relatively few places for them to park. The security officer will be patrolling the guest parking areas and tagging any vehicles that have been seen in the guest parking for longer than 48 hours.

If you have a guest who will be staying with you longer than 48 hours, please contact Management in writing for temporary approval to use the guest parking spaces for longer than this allotted time. Management will inform the security officer of the approval so that your guests' vehicles are not tagged.

Security will be monitoring the guest parking areas for owners who violate this 48 hour rule. Please be advised that the 48 hour period does not need to be consecutive for your vehicle to be tagged. If you park in the guest parking area and your vehicle is tagged, the next time your vehicle is seen in ANY guest parking space without prior approval, it may be towed at the your expense.

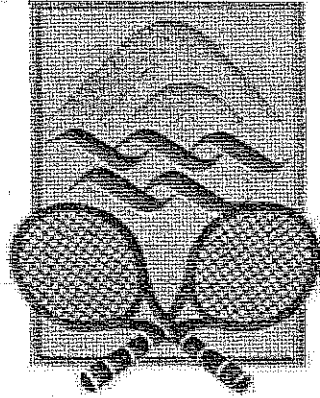
If you have any questions on the enclosed materials, please contact your Management Team at 702.942.2500.

Sincerely,

A handwritten signature in black ink that reads "C. Murphy". The signature is written in a cursive, flowing style.

Courtney Murphy, SCM, CMCA®, AMS®  
Supervising Community Manager for:  
Desert Shores Racquet Club Homeowners Association

Enclosure (as noted)



**DESERT SHORES  
RACQUET CLUB**

**POLICIES, RULES AND REGULATIONS**

**Adopted: November 3, 2010**

**DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION  
RULES AND REGULATIONS**

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# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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## PREAMBLE

Desert Shores Racquet Club Homeowners Association strives to foster a good neighbor policy. Living in a planned community becomes a more pleasurable experience when all residents practice and encourage courteous communication, cooperation and thoughtfulness at home and when interacting with fellow residents. This is more likely to occur when all residents read and abide by all the governing documents.

The DSRC Board of Directors has the duty, responsibility and authority to adopt and enforce the Rules and Regulations governing the conduct of owners, residents and their guest(s). These Rules and Regulations do not supersede the Governing Documents (better known as the Articles of Incorporation, By-laws and the Covenants, Conditions, and Restrictions and Reservation of Easements ("CC&Rs"). The Rules and Regulations are simply an additional Governing Document.

Unlike the CC&Rs which are a recorded document that can only be amended with a vote of the membership, the Rules and Regulations are adopted by a majority vote of the Board and may be changed by the Board, provided a majority of the Board approve the proposed change. This allows the Board some flexibility so that they may respond to changing needs and circumstances within the community during its long life. However, the Rules and Regulations adopted by the Board must not conflict with the Governing Documents. **These Rules and Regulations have been adopted by the Board and are intended to replace and supersede any and all previous versions.**

The following Rules and Regulations were adopted to help 1) protect property values, 2) foster good neighbor practices, and 3) ensure that all members of the Association have a pleasant community environment in which to live. However, the homeowners and residents themselves are the ones who insure the DSRC Homeowners Association evolves into a community in which all owners can enjoy living in and are proud to call home.

These Rules and Regulations are to be adhered to in addition to the CC&Rs. For complete information regarding the covenants, conditions and restrictions in the community, please always refer to your CC&Rs.

These rules and regulations have been duly adopted at the November 3, 2010 Board of Directors meeting.

Any questions, comments or concerns should be directed to Management as follows:

Desert Shores Racquet Club Homeowners Association  
c/o Community Management Group  
3360 W. Sahara Ave Ste 200 Las Vegas, NV 89102  
Phone: 702.942.2500 | Fax: 702.942.2510  
Email: [info@cmg-hoa.com](mailto:info@cmg-hoa.com) | Website: [www.cmg-hoa.com](http://www.cmg-hoa.com)

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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## GENERAL MEMBERSHIP INFORMATION

OUR BEAUTIFUL COMMUNITY IS SERVED BY THREE MAJOR ENTITIES:

1. Desert Shores Community Association, (DSCA) – a Master Association  
2500 Regatta Drive Las Vegas, NV 89128
2. Desert Shores Racquet Club (DSRC) – a Sub-Association  
2551 Golden Sands Drive Las Vegas, NV 89128
3. And the DSRC Management Company (Management)  
Community Management Group  
3360 W. Sahara Ave Ste 200 Las Vegas, NV 89102  
Phone: 702.942.2500 | Fax: 702.942.2510  
Email: [info@cmg-hoa.com](mailto:info@cmg-hoa.com) | Website: [www.cmg-hoa.com](http://www.cmg-hoa.com)

The community is comprised of sixty five (65) patio homes and one hundred thirty (130) townhouses. The Association maintains the landscaping and exteriors of the townhouses. Patio homeowners are responsible for their own landscaping and exterior maintenance.

## GATE ACCESS

Access through our security gates is accomplished through the use of electronic remote openers or security cards. The pedestrian gates on the north and east sides of the complex are key-operated. Key fobs allow access into the Racquet Clubhouse and swimming pool/spa facility. You can purchase a pedestrian gate key and a key fob through the DSRC Management Company. Access codes are also available to each resident for vendors, such as your pest control and landscaping companies. Please contact Management for these numbers.

Visitors can access the DSRC complex by calling the owner's code number on the gate directory at the DSRC complex entrance.

Please exercise caution when entering or exiting the gates and use the gates appropriately. You should never attempt to follow a vehicle through the gate or open the gate with your vehicle. Entry gates are for entry purposes only and exit gates are for exiting the property only. You should never attempt to enter the property through the exit gate, or vice versa.

**DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION  
RULES AND REGULATIONS**

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**ASSESSMENT COLLECTION POLICY**

**RESOLUTION OF THE BOARD OF DIRECTORS**

**WHEREAS** the Board of Directors of the Association is charged with the responsibility of collecting assessments for common expenses from homeowners and from time to time homeowners become delinquent in their payments of these assessments and fail to respond to the demands from the Board to bring their accounts current; and

**WHEREAS** the Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner, and further believes it to be in the best interest of the Association to refer these accounts promptly for collection so as to minimize the Association's loss of assessment revenue;

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors of the Association adopts the following policy and practice effective January 1, 2011.

This document sets forth the association's policy regarding the collection of assessments pursuant to the Association's Article VII of the Declaration of Covenants, Conditions and Restrictions, and Nevada Revised Statute Chapter 116.

The Board establishes the Association's fiscal year, January 1 to December 31, as the Regular assessment period.

- 1.0 **Assessments:** The Association has a duty to levy regular and special assessments sufficient to perform its obligations under the governing documents and Nevada law. Regular assessments are levied annually and are payable during the year in twelve (12) monthly installments.
  
- 2.0 **Notice of Address Changes:** It is the responsibility of each owner to advise the association of any mailing address changes. The Board of Directors may elect from time to time to provide additional periodic statements of assessments and charges, but lack of such statements does not relieve the owners of the obligation to pay assessments.
  
- 3.0 **Due Date/ Delinquency Date of Assessments:** The following procedure for collection shall be initiated on all delinquent assessments:
  1. Payments are due on the first (1<sup>st</sup>) day of each month and considered delinquent if it is not received by the 30<sup>th</sup> day of the month.
  2. Approximately 30 days after the due date, a \$50.00 late fee will be added to the owners account. A \$50.00 late charge will be applied for each month the assessment remains delinquent.
  3. Approximately, 60 days after the due date, an "Intent to Lien" letter will be mailed to the owner by prepaid, return receipt request mail and regular mail resulting in a \$45.00 collection charge plus related postage.

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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4. Approximately 60 days after the due date, the unpaid balance of such assessments levied against the Owner's unit are to be immediately due and payable without further demand, and the collection of the full remaining annual assessment and all charges will be turned over to a collection agency for filing of a lien.
5. Approximately 120 days after the due date, the collection agency will commence foreclosure proceedings as detailed in the governing documents. In the event such action is taken, the right of the Owner to vote as a Member of the Association shall be suspended until such action has been resolved.

**4.0 Application of Payments:** All payments will be applied to the delinquent account in the following order:

Past Due Assessments, Current Assessments, Late Charges/Interest, Collection Fees, Miscellaneous Charges.

In accordance with NRS116.310315, owners will have a separate compliance account to account for fines. Payments for assessments will not be applied to violation fines.

**5.0 Interest Charges:** The unpaid balance of an assessment account plus all reasonable costs of collection (including attorney's fees and late charges) shall bear interest commencing 30 days from the due date until paid, at the rate of 18% per annum. Should state or national laws require a longer period before interest charges are applied, the Association shall follow these superseding regulations.

**6.0 Good Faith Payment Agreement:** An owner may request (in writing) a payment agreement to allow the owner to make periodic partial payments on the entire balance of the assessment account, in addition to the ongoing assessment payments, in amounts and on a payment schedule agreed to by the Board of Directors. The Association has no obligation to enter into such a payment agreement and the initiation and responsibility of such an agreement shall rest solely with the property owner and shall in no way relieve the owner of any expenses/interest incurred or accruing.

**7.0 Release of Lien:** A release of lien will not be recorded until the entire balance of the owner's account is paid. All charges incurred in recording a Release of Lien, including reasonable attorney's fees, will be charged to the homeowner's account.

**8.0 Dishonored Checks:** At any time that the Association or its designated agent receives a check dishonored by the bank for any reason, a charge of \$25.00 shall be imposed. The Board of Directors may immediately proceed with the collection process if the assessments are not paid within 10 days after notice of dishonored check is sent to the owner. The Association may also seek damages in accordance with Nevada Revised Statutes. After the second occurrence of a returned check, all future payments must be made only by cashiers check or money order until written authorization from the Board of Directors to accept personal checks.

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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9.0 **Address of the Association and the Board of Directors:** Owners should respond in writing or make payments to the address as directed by the designated agent. If no address is given, responses and petitions should be mailed to the Association at the following address:

Board of Directors  
Desert Shores Racquet Club Homeowners Association  
3360 West Sahara Avenue, Suite 200  
Las Vegas, NV 89102

10.0 **Void Provisions:** If any provision of this Policy is determined to be null and void, all other provisions of the Policy shall remain in full force and effect.

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This Assessment Collection Policy has been duly adopted by the Board of Directors at the November 3, 2010 Board of Directors meeting.



# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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## PROPERTY RULES & REGULATION

1. Homeowners are prohibited from destroying, removing or altering the landscaping in the common area regardless of the condition of the plantings. Landscaping requests should be submitted in writing to Management.
2. Littering of the common areas is not permitted.
3. When visible from the streets or by other residences, only outdoor furniture is permitted on patios.
4. Sanitary trash containers must be stored in an area not visible from any neighboring residential unit or common area. Trash containers may be placed at curbside the twelve (12) hours prior to the scheduled pick-up and must be removed from the front of house twelve (12) hours after the scheduled pickup. Trash containers should not remain in front of homes for a period greater than twenty-four (24) hours.
5. Roller blades, roller skates, motorized skateboards, skateboards, bicycle, tricycles, motorcycles, and any other form of wheeled toy or vehicle are prohibited on any of the landscaped area or private property of other owners.
6. No clothing, household fabrics or other unsightly articles shall be hung, dried or aired on any portion of the property including the interior of any residence which is visible from other residences or the common areas.
7. No one other than an owner or designated tenant shall be in possession of a key to DSRC facilities gates, doors, pool areas or community boat dock.
8. DSRC homeowners and/or residents are responsible for removing pet feces from common areas immediately and are also subject to pet rules and regulations.
9. All homeowners who allow their front yards, bedding areas and rear yard to deteriorate to an unkempt or unattractive condition will be deemed a "nuisance" in accordance with the DSRC CC&Rs.

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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## TENANT RULES AND REGULATIONS

1. The homeowner shall have the responsibility of providing the DSRC CC&Rs and Rules and Regulations to any tenant.
2. The homeowner shall have the responsibility to acquaint his/her tenants and guests with the Rules and Regulations of the Association.
3. For the purpose of these Rules and Regulations, a tenant shall be defined as anyone who is not listed on the deed who is residing in a owner's residence, whether rent is paid or not.
4. The homeowner is ultimately responsible for the actions of his/her tenants. Violations involving a tenant will be acted on in accordance with NRS 116.31031.
5. Residential units shall not be rented or leased for a period of less than twelve (12) months. A copy of the lease must be provided to Management when the property is rented and/or upon request.

## SIGN RULES

1. No sign, poster, billboard or advertising device shall be displayed on the properties without the prior written approval of the Architectural Review Committee (ARC).
2. Only one 18" x 30" "Real Estate for Sale, Lease or Rent" sign may be displayed within a window of a townhome; townhomes are not permitted to post these signs in the landscaping. Only one standard real estate sign is allowed per patio home.
3. One "Neighborhood Watch" or security sign is allowed per lot.
4. Political signs are permitted in accordance with NRS 116.325:
  - a. Political signs must not be larger than 24 inches by 36 inches.
  - b. An owner or occupant may exhibit as many political signs as desired, but may not exhibit more than one political sign for each candidate, political party or ballot question.
5. Signs other than those approved by the DSRC Board or ARC will be removed from the property.

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION

## RULES AND REGULATIONS

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### PARKING RULES

1. No automobile or other motor vehicles shall be parked in the Community Common Area or in any street within the Community except in parking areas as designated by the Association or by ordinance of the city. Any vehicles parked illegally in the street will be ticketed and subject to towing at the owner's expense.
2. Members who own two (2) or more vehicles must park both vehicles in their assigned garage.
3. Common area/guest parking spaces are to be used for guest parking only, not for owner's excess vehicles. Any vehicles parked in the guest parking area longer than forty-eight (48) hours may be ticketed and towed at the owner's expense. If an owner or guest needs to utilize the guest parking space for a period greater than forty-eight (48) hours, written permission must be obtained from the Association through the Management company.
4. In the townhome area, guests may not park in driveways unless they have written permission from the Association through the Management company, since guest parking areas are provided in the townhome area. If a vehicle is parked in the driveway without written permission, the vehicle may be ticketed and subject to towing at the owners expense.
5. In the patio home area, guests may park in the driveway until 12am, after which the owner must have written permission from the Association through the Management company. If a vehicle is parked in the driveway past 12am without written permission, the vehicle may be ticketed and subject to violation fines.
6. Recreational vehicles shall be parked in enclosed garages.
7. Mopeds and motor bikes are subject to city and county vehicle code restrictions.
8. With the exception of maintenance vehicles or equipment, all motor vehicles shall be operated only upon paved roads within the properties. No off-road riding will be permitted.
9. Homeowners are responsible for all parking violations of tenants and guests. Homeowners are encouraged to educate guests and tenants of these regulations prior to granting access to the community.
10. Oversized non-primary vehicles, including but not limited to commercial-type vehicles, recreational vehicles, inoperable vehicles, dump trucks, cement mixer trucks, oil or gas trucks, delivery trucks, camper units, motor homes, buses, trailers, trailer coaches, camp trailers, boats, aircrafts, mobile homes or any other similar vehicle or vehicular equipment deemed to be a nuisance by the Board are not permitted in the community. These types of vehicles must be stored off the premises.
11. Garages are not to be used for any purpose but to park vehicles owned, operated or within the control of the residents of a residential lot. Garage doors must be kept closed except for reasonable periods while the garages are being used.
12. Vehicles shall not be stored or overhauled on the common areas or on any street within the Community for purposes of accomplishing repairs. Repairs shall not be conducted on any portion of the properties except in owner's garage with the garage door closed. The vehicle and all tools must remain inside the garage.

## DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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13. No garage, trailer, camper, motor home or recreational vehicle shall be used as a residence in the properties for either temporary or permanent purposes.
14. Any vehicle parked anywhere in the DSRC confines without a proper vehicle license shall be subject to a violation of the DSRC Rules and Regulations and can be ticketed and/or towed.
15. In accordance with state law, vehicles will be ticketed at least forty-eight (48) hours prior to being towed off the premises. Owners are responsible for all fees associated with the removal of the vehicles.

### PET RULES

1. No insects, reptiles, poultry or animals of any kind may be raised or kept on any lot or the common area except ordinary dogs, cats, fish, birds and other common household pets. Breeding of any animals is not permitted at any time.
2. No unreasonable quantities of household pets may be kept in or upon residential units. "Unreasonable" shall ordinarily mean more than a total of two (2) pets per residence, such as two cats, two dogs or one of each.
3. Dogs or cats are not allowed to be unattended in the common areas. All dogs must be maintained on a leash and held by an individual capable of controlling the animal when off the owner's property.
4. Local county and/or municipal animal ordinances will be strictly enforced, such as licensing, vaccines, leash laws, etc.
5. Each homeowner is responsible for removing defecation of his/her dog, cat or other animal from the property of the Association or a neighbor's property and may be fined for failure to follow this rule.
6. Excessive dog barking or other animal noise will be deemed a nuisance.
7. Each homeowner will be held responsible for any damage to the common areas due to his/her pet(s). In addition, each homeowner will be responsible for any damage to the property of others due to his/her pet(s) either by financial reimbursement or corrective action to be determined by the Board of Directors.
8. The Association shall have the right to prohibit housing to any animal which continues a nuisance and/or a danger.
9. All homeowners having pets are required to remove the defecation of their own pets in their own yards a least once per day as the aroma can cause a nuisance condition to neighbors and the feces may be considered a health hazard.

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION

## RULES AND REGULATIONS

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### POOL/SPA RULES

**In accordance with Clark County Ordinances, the following pool and spa rules must be followed at all times**

1. All patrons must shower before using pool.
2. Food and drinks in designated areas only. Alcohol and glass containers are not permitted.
3. Children under the age of fourteen (14) are not permitted in the pool unless accompanied by an adult. Children under the age of twelve (12) years are not permitted in the spa unless accompanied by an adult. The maximum recommended time for such children to use the spa is 10 minutes
4. Solo bathing is prohibited.
5. Conduct by an owner or occupant that deprives any other owner or occupant use of the pool, spa or common area shall not be allowed.
6. Diving from the pool deck is prohibited..
7. No Running at any time.
8. Horseplay (shoving, dunking, sitting on shoulders, etc.) is not permitted in pool or on deck.
9. Abusive and/or foul language and individuals under the influence of alcohol or drugs is prohibited and will not be tolerated
10. Smoking, gum chewing, and spitting are not permitted.
11. Persons with open sores, cuts, or rashes are not permitted in pool complex; bandages are prohibited in pool.
12. Pool hours are 7:00 a.m. through 10:00 pm daily.
13. Radio/stereo noise is to be kept at a level so as not to annoy other persons using the recreation facility or adjacent dwelling units
14. Guest(s) must be accompanied by homeowner or tenant.
15. No pets (dogs, cats, etc.) are allowed anywhere inside the fence of the pool.
16. Showering is required by state law prior to using the pool or spa.
17. No street clothes are allowed in the pool or spa. Health District requirements, only clothing specifically designed for swimming is allowed (swim suits appropriate for family environments only). This policy is designed to help maintain a sanitary environment as well as to minimize specific drowning-hazards.
18. Patrons who wear diapers must use swim diapers/plastic pants with elastic legs and waist in addition to wearing a swim suit.
19. The Association may be required to close the pool in cases of inclement weather and/or after pool contamination incidents, pursuant to Heath District regulations.

# DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

## RACQUET AND BASKETBALL COURT RULES AND REGULATIONS

1. Residents are required to complete use form, available at Management, the guard shack or from the DSRC prior to initial use of the court(s).
2. Racquetball/Basketball courts are available on a first come, first served basis. Time schedules are posted on the court's wallboard.
3. Tennis shoes are the only footwear permitted on the courts.
4. Play is limited to one (1) hour, unless no one is waiting for the court(s).
5. Players must sign in and out.
6. Guests must be accompanied by a DSRC member. A limit of two (2) guests per member is permitted at courts at one time.
7. No wheeled toys (such as skates, bikes, big wheel or skateboards) will be permitted.
8. Radio/stereo noise is to be kept at a level not to annoy other persons using the recreation facility.
9. The courts and clubhouse are to be kept clean at all times.

## RACQUET CLUB/ SAILING CLUB FACILITY RESERVATION POLICY

Usage of the DSRC facilities is for Members who are current with their Association assessments. The use of the facilities may be restricted by the Board of Directors for violation of the DSRC CC&Rs, Rules and Regulations, delinquent assessments or deliberate abuse of the recreational facilities or common areas.

The fee for using the facilities is as follows:

Non-refundable usage fee: \$50.00

Refundable cleaning deposit: \$50.00

Note: this deposit is only refundable if the facility is cleaned properly after use.

Refundable Damage/Cleaning deposit: \$300

Note: Upon inspection of the facility, the rental applicant will be responsible for the cleanup, moping of floors, removing all garbage from clubhouse and patio area.

The owner should submit three separate checks, payable to Desert Shores Racquet Club, along with the rental application. The application can be obtained by contacting Management.

Refund of deposits will be made five (5) business days after the event after an inspection has occurred. Deposits will not be returned if any damage to any facility, its contents and/or the common areas exists.

## DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

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A member, at his/her discretion, may assign the usage of either club to a tenant who holds a valid lease. However, homeowners must maintain responsibility for all damages caused by their tenants and/or guests.

The rental applicant is held responsible for all guests' actions and will be charged for any damage repairs or clean-up required as a result of negligence or willful misconduct. The DSRC Board of Directors has the authority to assess any homeowner for any damage in excess of the \$300.00 refundable damage/cleaning deposit

Regularly scheduled Association events have precedence over non-scheduled or reserved events in either facility. The Board of Directors reserves the right to close any facility any time for repair cleaning and maintenance.

1. Commercial use or other use not endorsed and pre-approved by the DSRC Board of Directors is prohibited. Use of either facility by outside organizations is prohibited. Products may not be sold in either recreational facility for the profit of any individual or commercial enterprise. The applicant hereby agrees upon signing of the rental form that no profit making activities will take place. Soliciting will not be allowed within the recreational facilities or the DSRC Community by members or guests unless approved by the DSRC Board of Directors
2. Advanced reservation either facility may be reserved at least one week in advance of usage. Recreations may not be made further than ninety (90) days in advance on a first come, first serve basis. Social Committee or Board of Directors sanctioned functions will be given priority on all official holidays.
3. Applications for reservation of either facility must be made by a member or a designated lessee through Management. The applicant must be present during the period the facility is under such reservation. The applicant shall cooperate with the Association representatives in filling out required rental forms, paying rental payment/deposit checks in advance and reviewing the facility/equipment checklist upon completion of the event.
4. All events shall conclude by 10:00pm.
5. Maximum occupancy of the facilities as per fire regulations is as follows:  
Pool: 120                  Racquet Club: 80                  Sail Club: 71
6. Alcoholic beverages and the use of controlled substances is strictly prohibited.
7. **Smoking is absolutely not permitted** in either facility at any time. Applicant will be subject to any charges incurred for deodorizing the facilities if smoking occurs.
8. The applicant shall arrange for all pick-ups and deliveries (if any) to be made on the day of the event and must be present to handle them. The applicant may have the temporary use of the Sail Club's telephone. All electrical and sound facilities are to be provided by the reserving party and must be removed upon completion of the event. Limited kitchen equipment is available upon request.
9. Furniture must not be removed from any of the facilities at any time. Amenities of either clubhouse do not include exclusive use of other recreational facilities –pool, outdoor furniture, spa, racquetball courts and/or weight room,
10. Injuries and/or accidents involving the recreational facilities and/or amenities must be reported to DSRC Management within 24 hours. DSRC will not be held

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responsible for any accident or injury in connection with the use of the facilities or common areas by residents or their guests.

11. Members reserving DRSC facility must supply a copy of current homeowner insurance coverage
12. Noise (i.e., radio, stereo, DJ, Live entertainment) must be kept at a reasonable level. The DSRC Board of Directors/Social Committee and security guards shall have discretionary power to limit noise levels. DSRC reserves the right to immediately terminate any event creating excessive noise nuisance.
13. Members scheduling the Racquet Club building should inform guest that street parking is absolutely prohibited. Guest should park in the designated guest parking or on west side of the Mariner. Sail Club events may use limited parking in the turnout on Seashore Drive or use the west side of Mariner. It is important that streets be kept clear for emergency vehicles at all times Please advise guests that cars maybe towed if in violation.
14. Notify guests to check in with the guard house before entering the property. Guests may also contact the Sail Club by telephoning from the directory at the front gate and then be admitted by answering the Sailing Club telephone and pressing "9" to open the gates. The guard house contact number is 702.228.7218.
15. Management and the guard house security officer must be contacted 24 hours prior to event with a list of all guests entering the community.

### BOATING RULES AND REGULATIONS PRIVATE BOATS

ALL BOATS ARE TO BE REGISTERED WITH DSCA AND DSRC.

In the interest of safety and fun for everyone, various boating policies are necessary and have been established by the DSRC Board of Directors. Boating will be limited to single-hull sailboats, rowboats, paddleboats, electric boat and pontoon (patio) boats, hereinafter cumulatively referred to as "boat(s)." The regulations limit boat size to an eight (8) feet minimum length and a maximum overall length of sixteen (16) feet and a maximum overall length of eighteen feet (18) feet for oar powered boats. However, the Board may permit larger boats of varying types on the lake for special events.

1. Boats cannot be anchored to the lake bottom.
2. Electric boats must have horsepower capacity low enough to maintain a wakeless speed of five (5) miles per hour or less.
3. No aluminum boats will be permitted due to the chemicals used in the lakes.
4. There will be no commercial advertising permitted on any vessel, around the lake or in the beach facility. This applies to any such advertising on the vessel itself.
5. Mooring of boats is limited to designated tie-up areas.
  - A. Overnight mooring of boats at any location is prohibited except at private docks.
  - B. Abandoned boats will be removed with costs of removal billed to the homeowner.



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- C. There shall be only one boat per private dock.
6. Boating is restricted to residents and their guests. Children under the age of sixteen (16) must be accompanied at all times by a parent/guardian of age eighteen or older while on or near the lake at all times.
  7. Windsurfers and similar craft are prohibited.
  8. Swimming, beaching of boats and littering is not permitted.
  9. Launching and removal of boats is only to take place at the public launch facilities and not at the private boat docks.
  10. No boat racing is permitted unless sanctioned by DSCA.
  11. Each boat dock owner must have a DSCA boat sticker as outlined in Article 12, Section 12.02 in the CC&Rs of the Desert Shores Master Association.
  12. Boats may be moved by DSCA with or without the consent of the owner if such boats are maintained in any area contrary to these guidelines or if the boat prevents proper utilization of the facility, or presents a potential hazard to DSCA property. The owner of the craft shall be responsible for any costs incurred.
  13. Life jackets are required for each boat passenger.
  14. All boating regulations must conform to the laws of the State of Nevada.
  15. The Association is not responsible for damage to boats.
  16. Use of private boats shall be allowed on all lakes until 10:30pm provided that said boats meet Nevada Wildlife Department night lighting requirements.
  17. Boat slip 1B has been designated for private boat docking with a three hour maximum time limit. DSRC is not responsible for damage of vessel or theft of personal property while private boats are docked at the DSRC owned slip.
  18. Article 1, Section 1.13 in the CC&Rs outlines conditions regarding the sale of boat slips. There shall be no deviation from these declarations.
  19. The Board of Directors and DSRC shall be held harmless from any liability resulting from damage incurred by unauthorized boats maintained or rented by anyone other than the deeded owners of the individual boat slips.
  20. The owner of a boat slip(s) may allow his/her tenant who is residing in his/her deeded property which includes a boat slip, to utilize that particular boat slip(s). The tenant must abide by the same insurance guidelines and Rules and Regulations as members. The owner of the boat slip(s) is responsible for the actions of his/her tenant.
  21. Boats may only be docked by owners who own that dock slip. If a boat is docked in another owner's dock, the Association reserves the right to tow the boat at the boat owner's expense.
  22. Due to high wind conditions that may erupt spontaneously, boats must be securely tied down at all times.
  23. No food or beverage allowed on boats.

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## TERMS AND CONDITIONS FOR BOAT USE AND/OR STORAGE IN OR AT DSCA AND/OR DSRC

1. Additional Coverage: Show proof of additional boat coverage added on to your current Homeowner's Insurance Policy, designating limits of not less than \$500,000 liability and property damage coverage.
2. Endorsement naming additional insured: Proof of insurance shall be provided to the Association office with the above mentioned coverage. DSRC and its Board of Directors is to be named as an additional insured for the purpose of bodily injury, liability and proper damage liability coverage on the policy in connection with ownership, maintenance and operation of members' insurance coverage shall be the primary insurance with respect to DSCA.
3. Thirty (30) day written notice of cancellation: Your policy shall state that thirty (30) days prior written notice of cancellation or change will be given to DSCA and DSRC.
4. Certificate from Carrier: This certification completed by the insurance carrier stating that your policy/policies is in effect and complies with the foregoing requirements, must be sent to DSCA and DSRC prior to the registering of the above mentioned boat and its placement on the lakes at Desert Shores.
5. Storage: Lessee does agree that it shall not make any claim against or seek to recover from DSCA or DSRC any loss or damage to its property of others, resulting from fire or other hazards of any kind whatsoever. Lessee agrees to provide his/her own insurance against such risks of damage, or loss, if he deems it necessary.
6. Current Registration Sticker: Private Boats must be registered with the Association office and display a current DSCA registration sticker.

Please contact Management for the Lake Boat Information and Certificate of Insurance form.

## ANTENNAE AND SATELLITE RECEIVER GUIDELINES

**NO EXTERIOR RADIO ANTENNA, TELEVISION ANTENNA, "C.B" ANTENNA OR OTHER ANTENNA OF ANY TYPE SHALL BE ERECTED OR MAINTAINED ON ANY LOT OR CONDOMINIUM WITHOUT PRIOR WRITTEN CONSENT FROM THE ARCHITECTURAL REVIEW COMMITTEE. NOTWITHSTANDING THE FOREGOING, TELEVISION SATELLITE DISHES ADHEARING TO THE FOLLOWING STANDARDS AND RESTRICTIONS MAY BE ALLOWED ONLY UPON PRIOR REVIEW AND APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE PER ARTICLE VIII, ARCHITECTURAL CONTROL OF THE DSRC CC&RS.**

1. FCC regulations will be adhered to for all satellite dishes. If, at any point, these regulations conflict with the FCC Guidelines, the FCC Guidelines will prevail.
2. The maximum allowable diameter of the dish is three (3) feet.
3. Maximum allowable height from ground to top edge of the dish is five (5) feet.

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4. Satellite dishes may be installed only in the rear yard of the lot or in the least visible location from the common areas. Satellite dishes may be placed where it receives the best signal but can only be attached to property owned/controlled by the owner.
5. Satellite dishes cannot be attached to any structure other than a pole designed specifically for that purpose. Said pole may not protrude above the surrounding property fence.
6. Satellite dish must be fully screened from view from adjacent streets sidewalk, lakes and common grounds. The dish may not protrude above the surrounding property fence.
7. Shrouded Umbrella-style receivers will be strictly prohibited.
8. Other general guidelines:
  - A. For single family detached homes, Meter (39") Satellite Dish must be ground mounted at the base plate of the house in rear or side yards. If this does not provide adequate reception, then other options will be considered on a case-by-case basis. If installed in side yards, they shall be mounted no closer to the front property line than the front edge of the garage or house. The maximum installed height from ground to top of the dish shall be 50".
  - B. For attached family homes, 1 Meter (39') Satellite Dish must be ground mounted at the base plate of the house only in the rear or side yard with sufficient screening and not in the common area. If this does not provide adequate reception than other options will be considered on a case-by-case basis. Maximum height from the ground to the top of the dish shall be 50".
  - C. Any transmission cable from the dish to the house base plate must be underground.
  - D. A ground mounted or mounted at the base plate satellite dish must be screened or disguised by materials such a shrubs, imitation boulders, etc. appropriate to the site as approved by the ARC. The ARC will inspect the final dish installation for compliance with the ARC approved plan.

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**RULES ENFORCEMENT & FINE RESOLUTION**

A RESOLUTION PERTAINING TO: CC&R ARTICLE XV, SECTION 15.1

**AUTHORITY AND PURPOSE OF RESOLUTION:**

WHEREAS, Desert Shores Racquet Club Homeowners Association (the Association) is a Nevada Non-Profit Corporation duly organized and existing under the laws of the State of Nevada; and CC&R Article XV, Section 15.1, gives the Board Enforcement and Remedies authority and details the action which may be taken to enforce the obligations of each Owner to obey the Association Rules and Restrictions through the use of such remedies as are deemed appropriate by the Board and available by law or in equity, including, but not limited to the hiring of counsel, the imposition of fines and monetary penalties, the pursuit of legal action, corrective action in an emergency or/and the suspension of the Owner's right to use the Common Areas; and

WHEREAS, NRS 116.3102 gives the Board of Directors rule-making authority; and

WHEREAS, there is a need to establish an orderly procedure for violations of the Declaration, Bylaws and Rules & Regulations for the Association, and NRS 116.3102 gives the Board rule-making authority to implement schedules of reasonable fines and penalties for particular offenses that are common or recurring in nature after proper notice and an opportunity to be heard.

PLEASE BE ADVISED THAT IF A HEALTH, SAFETY OR WELFARE VIOLATION IS NOTED, THIS POLICY WILL BE EXPEDITED AND/OR ABANDONED WITH OTHER STEPS TAKEN TO ELIMINATE THE LIABILITY AS SOON AS POSSIBLE.

**RESOLUTION**

NOW, THEREFORE, BE IT RESOLVED that the enforcement procedure be as follows:

1.0 Inspection: A monthly inspection will be conducted by an authorized individual. The report will be continuous and list all outstanding violations by date.

2.0 Procedure:

2.1 Courtesy Notice: The homeowner(s) will be sent a Courtesy Notice advising them that they are in violation of the Covenants, Conditions & Restrictions (CC&Rs) or Rules and Regulations of the Association. This notice is intended to remind the owner of the rule.

2.2 Formal Notice: The homeowner(s) may be sent a Formal Notice and given 14 days to correct the non-compliance. The letter advises the homeowner of hearing rights. If the non-compliance still exists at the time of the next monthly inspection, the homeowner will be sent a notice of non-compliance via certified mail. This notice advises

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homeowners again they have 15 days to request a hearing if the homeowner(s) wish to appeal the violation (see section 4.0 Hearings).

- 2.3 Right to Hearing Notice / Fine Pending: The homeowner(s) will be sent a Hearing notice informing them of the date, time and location of their scheduled hearing, as required per NRS116.31031. After the hearing, the homeowner(s) will receive written communication of the Board's decision regarding the violation.
- 2.4 Refer to Attorney / Fine Notice: The violation will be referred to the Association's attorney for further action and weekly fines will accrue on the owner's account.
- 2.5 Continue to Fine / Legal Council: The Association's attorney will seek further action through the Nevada Real Estate Division for compliance. All attorneys' costs and fees associated with these actions will be charged to the owner's account. Weekly fines will continue to accrue until compliance occurs.
- 2.6 Repeat Violations: If a repeat violation occurs (same as previously documented – same owner), the homeowner will be fined immediately and sent a notice of violation and a fine of up to \$100.0 per week via certified mail:
  - 2.6.1 Health/Safety/Welfare: If the violation is a health, safety or welfare issue, fines may be assessed at an alternate amount at the Board's discretion.
  - 2.6.2 Construction penalties: If the violation is a construction penalty, fines may be assessed in accordance with NRS116.310305
- 3.0 Schedule of Violation Fines: If the Board chooses to proceed with the fine process after the Hearing, the schedule of fines will be as follows:
  - 3.1 Initial Violation fine after Hearing: \$100
  - 3.2 Fine after 14-day period following Hearing: \$100
  - 3.3 Fine for Continuing Violations: \$100 every seven (7) days
  - 3.4 Fine for Health/Safety/Welfare Violations: up to \$1,000 depending on severity of violation
- 4.0 Cost of Violations. All legal costs necessary to correct the violations and collect fines shall be charged to the violator (mailings, attorney fees, etc). Fines that have been assessed shall not be removed unless approved by the Board. Costs incurred by the Association shall not be removed unless approved by the Board.
- 5.0 Hearings. Every homeowner who is alleged to be in violation of the CC&Rs will be advised of his or her right to have a hearing with the Board at the first occurrence of a violation before a fine is assessed. The homeowner shall have 15 days from the date of the "Notice of Violations" to contact the management company to request a hearing. Hearings will be scheduled within 30 days of the request. No fines will be assessed if a hearing is scheduled. Since the homeowner is given an opportunity for a hearing on every first –time violation, fines will be assessed without hearings on repeat violations.
- 6.0 Liens. Property shall have a lien applied for violation costs, fines and attorney fees.
- 7.0 Board has the authority to proceed directly to hearing status at their discretion.

This Fine and Enforcement policy has been duly adopted by the Board of Directors at the November 3, 2010 Board of Directors meeting.

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**AMENDMENTS TO THE RULES AND REGULATIONS**

**THESE RULES AND REGULATIONS ARE SUBJECT TO CHANGES, ADDITIONS AND/OR AMENDMENTS UPON APPROVAL OF A MAJORITY OF THE BOARD OF DIRECTORS.**

*In the event that there is a conflict between the Rules and Regulations and the CC&Rs, the CC&Rs shall prevail.* The Rules and Regulations may be modified from time to time pursuant to the following criteria:

1. Amendment must be approved by a majority of the Board of Directors;
2. Owners are welcome to submit their written recommendations for changes to the Rules and Regulations to the Board of Directors;
3. Upon adoption by the Board, the Board shall cause the revised Rules and Regulations to be mailed to all homeowners and the revised/amended portions of the Rules and Regulations shall become effective thirty (30) days after the date they were mailed.

**IN WITNESS WHEREOF**, these Revised Rules and Regulations have been executed by the Association as of November 3, 2010. The undersigned hereby certify that these Revised Rules and Regulations have been adopted and approved in accordance with the NRS 116 and the Association Governing Documents.

**DESERT SHORES RACQUET CLUB HOMEOWNERS ASSOCIATION**

By: Joe Manwello (Print Name): JOE MANWELLO  
President

By: Virginia Hastings (Print Name): Virginia Hastings  
Secretary

Any questions, comments or concerns should be directed to Management as follows:

Desert Shores Racquet Club Homeowners  
c/o Community Management Group  
3360 W. Sahara Ave Ste 200 Las Vegas, NV 89102  
Phone: 702.942.2500 | Fax: 702.942.2510  
Email: [info@cmg-hoa.com](mailto:info@cmg-hoa.com) | Website: [www.cmg-hoa.com](http://www.cmg-hoa.com)