

**LOST DUTCHMAN GARDENS  
ASSOCIATION RULE ON VARIANCE GUIDELINES FOR  
COMMERCIAL VEHICLE PARKING ON LOTS  
ADOPTED FEBRUARY 26, 2001**

**RECITALS:**

- A) The Board of Lost Dutchman Gardens Homeowners Association is empowered to adopt Association Rules regarding Lot maintenance by virtue of A.R.S. §33-1801 et seq. and Section 5.3 of the Declaration of Covenants, Conditions, Restrictions and Easements for Lost Dutchman Gardens recorded on March 31, 2000 at Fee No. 2000-013890 in the Official Records of the Pinal County, Arizona Recorder (the "Declaration").
- B) The Board is also empowered to grant variances from certain restrictions in the Declaration pursuant to the provisions of Section 3.27 of the Declaration.
- C) The Declaration permits Commercial Vehicles to be parked within an enclosed garage or within a Private Yard of a Lot as long as the Commercial Vehicle is not generally Visible from Neighboring Property.
- D) Certain Commercial Vehicles may, because of their height, be Visible from Neighboring Property even when parked in Private Yards. The community is of a type where there is a demand for such recreational vehicle parking and the Board desires to set some guidelines for the granting of a variance for that purpose to benefit and also to protect the community.
- E) The purpose of these Association Rules is to set forth the grounds on which the Board will be willing to grant a variance for those Persons who wish to park a Commercial Vehicle on the Private Yard of their Lot and to put all Persons acquiring a Lot within Lost Dutchman Gardens on notice as to those grounds.
- F) All terms used without definition in these Rules shall have the meanings set forth in the Declaration.

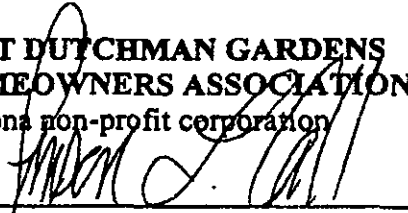
**RULE:** The Board will favorably consider granting a variance for the parking of Vehicles on Lots upon the following grounds and upon proper application as provided in Section 3.1 of the Declaration. Once granted, the variance shall be permanent as to the particular Lot Owner only, except further that the Owner to whom the variance has been granted may not substitute a larger Vehicle or different type of Vehicle without again submitting for a variance.

- 1) Commercial Vehicles that are determined to be of a common recreational type such as a camper, camper shell, boat, recreational vehicle or "rv," or travel trailer may be parked on the Private Yard of a Lot immediately adjacent to the side of the Residential Dwelling as long as the height of the Vehicle does not exceed eight (8) feet above the fence line and as long as the length of the Commercial Vehicle does not exceed the width of the wall of the Residential

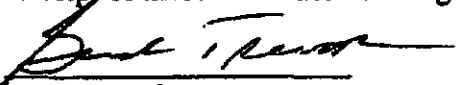
Dwelling by more than ten (10) feet. No Commercial Vehicle may be parked within two (2) feet of the side yard fence line bordering an adjacent Lot. All Commercial recreational Vehicles which are parked in accordance with a variance granted pursuant to this Rule shall be painted muted colors that blend in with or are in harmony with the surrounding Residential Dwellings.

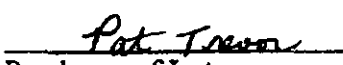
- 2) Nothing contained in this Rule shall be construed as permitting an Owner or Resident to park a Commercial Vehicle on the street, driveway, Common Area or Public Yard of a Lot (unless within the fully enclosed garage of a Residential Dwelling or unless parked temporarily for unloading and loading as further provided in the Declaration).
- 3) Nothing contained in this Rule shall be construed as permitting an Owner to park a Commercial Vehicle that will be Visible from Neighboring Property on his Lot without having made application for a variance to maintain such Vehicle on his Lot and without otherwise complying with this Rule.

**LOST DUTCHMAN GARDENS  
HOMEOWNERS ASSOCIATION**, an  
Arizona non-profit corporation

By   
A. Ladell Call  
Its President

Receipt of these Rules acknowledged by:

  
Purchaser of Lot \_\_\_\_\_  
Date: 8/30, 2001

  
Purchaser of Lot \_\_\_\_\_  
Date: 8/30, 2001