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October 27, 2009

REPLY TO **Palm Desert**  
**File 63227-01**

\*DENOTES SHAREHOLDER  
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City of Palm Springs  
Historic Site Preservation Board

**Re: Royal Hawaiian Estates Homeowners Association**

**Subject: Application for Designation as Historic District**

Dear Members of the Board:

This firm represents the Royal Hawaiian Estates Homeowners Association ("Association"). The Association's Board of Directors requested that I describe the nature of the Association, including the ownership interests in the homes within Royal Hawaiian Estates, and the maintenance responsibilities of the Association and the individual owners.

First of all, the Royal Hawaiian Estates is governed by the Restated Declaration of Covenants, Conditions and Restrictions for Royal Hawaiian Estates Homeowners Association ("CC&Rs") recorded on November 20, 1998, as Instrument No. 505752, Official Records of Riverside County, as amended. The Royal Hawaiian Estates is a "planned development" as defined in California Civil Code § 1351. It is not a condominium project. Recital Paragraph A of the CC&Rs states that: "The Royal Hawaiian Estates was established as a planned development, as defined in Civil Code Section 1351(f), and consists of forty (40) residential parcels and Parcel 41, defined as the common area." Accordingly, each of the forty members of the Association owns his or her "parcel," or lot, and the residential dwelling located on the lot, in fee. The Association owns the common area parcel, also in fee. The CC&Rs obligate the owners to pay monthly assessments to the Association. The Association uses the assessments to operate the development, and to pay for its obligation to repair, maintain, replace and restore certain components and areas of the development.

In this regard, I understand that the Board is interested in the allocation of maintenance responsibilities for the individual residences within Royal Hawaiian Estates. The maintenance responsibilities for the development are described on Exhibit "B" to the CC&Rs, a copy of which is enclosed with this letter. Generally, the Association is responsible for most of the exterior areas of the residential dwellings. As shown on Exhibit "B," the Association is responsible to

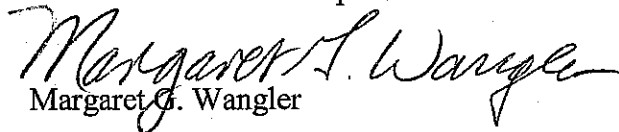
City of Palm Springs  
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paint and repaint the front doors, front door frames and all exterior walls of the dwellings, and is responsible for the repair, replacement and maintenance of all of the exterior walls, the exterior trim and the exterior structural beams of the residential dwellings. The Association also maintains the patio security and address lights for the dwellings. The individual owners are responsible for the interior areas of their dwellings, and for their roofs. Again, the Association's maintenance responsibilities are funded by the owners through their payment of assessments.

I trust that the foregoing will prove useful. Please contact me if you have additional questions.

Very truly yours,

FIORE, RACOBS & POWERS  
A Professional Law Corporation

  
Margaret G. Wangler

MGW  
Enclosure

cc: Board of Directors, Royal Hawaiian Estates Homeowners Association

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PROPERTY & CASUALTY INSURANCE CO.  
 MICOGRAHER'S DIVISION  
 9814 Norwalk Boulevard, Suite 200  
 Santa Fe Springs, CA 90670

RIVERSIDE

**EXHIBIT B - ALLOCATION OF MAINTENANCE RESPONSIBILITIES**

AREA	A=ASSOCIATION; M=MEMBER; U=UTILITY CO.		
	A	M	U
<b>RESIDENTIAL PARCEL (EXCLUDING ALL PATIOS)</b>			
Exterior painting of front door	X		
Exterior painting of front door frame	X		
Interior painting of front door		X	
Hardware, weather stripping and fixtures of all doors		X	
Replacement of front door and door frame		X	
Interior painting of Residential Parcel		X	
Repair and replacement of window screens		X	
Repair and replacement of patio door screens		X	
Repair and replacement of windows, glass and sliding doors		X	
Repair and replacement of patio doors and glass		X	
Painting exterior walls (stucco)	X		
Repair, replacement and maintenance of exterior walls and trim, including the exterior structural beam	X		
Interior wall paint and coverings		X	
Interior floor coverings		X	
Repair and replacement of entire roof system, including drains, scuppers, flashings, foam, underlayment, plywood deck, and all structural substrate		X	
Upkeep, repair and replacement of all residential building footings, foundations, stoops, thresholds / slabs		X	
Faucets - exterior of Parcel		X	
Faucets - interior of Parcel		X	
Light fixtures and bulbs - interior and exterior of Parcel, except patio security lights and address lights		X	
Skylights		X	

UNIFORM

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MICROGRAPHICS DIVISION  
5814 Norwalk Boulevard, Suite 200  
Santa Fe Springs, CA 90670

RIVERSIDE

AREA	A=ASSOCIATION; M=MEMBER; U=UTILITY CO.		
	A	M	U
<b>RESIDENTIAL PARCEL</b>			
Patio security lights and address lights	X		
Mailboxes		X	
HVAC system and water heaters		X	
<b>CARPORTS</b>			
Exterior painting of carports	X		
Carport Roof System	X		
Repair and replacement of carport slab	X		
Cleaning carport slab, including removing stains		X	
<b>ENCLOSED PATIOS</b>			
Upkeep, repair and replacement of patio concrete slab		X	
Painting of exterior walls (stucco)	X		
Maintenance and upkeep of shrubs, landscaping, and related irrigation		X	
Repair, replacement, maintenance of gates		X	
Maintenance and upkeep of irrigation system within patio		X	
Repair, replacement of patio walls, other than painting of stucco		X	
<b>NON-ENCLOSED (OPEN) PATIOS</b>			
Upkeep, repair and replacement of enclosed patio concrete slab		X	
Upkeep, repair and replacement of gate to enclosed patio (except painting)		X	
Painting of gate to enclosed patio	X		
Watering, maintenance and upkeep of plants, trees, shrubs and related irrigation system	X		
<b>UTILITIES</b>			
Electrical service up to and including the electric meter			X
Electrical distribution from the meter to and within the Parcel		X	
Repair, replacement, maintenance and bulb replacement of all exterior lights and fixtures, except for front door light and all light fixtures and lights within enclosed patio area	X		

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AREA	A=ASSOCIATION; M=MEMBER; U=UTILITY CO.		
	A	M	U
<b>UTILITIES</b>			
Repair, replacement, maintenance and bulb replacement of front door light and all light fixtures and lights within enclosed patio area		X	
Gas service up to and including the gas meter			X
Gas distribution from the meter to the Association common area	X		
Water distribution up to and including the water meter			X
Water distribution from the water meter up to the connection with the Parcel shut-off valve	X		
Water distribution from the connection to the Parcel shut-off valve to and within the Parcel and any pipes under the slab, footings, or foundations		X	
Telephone and telephone wires (either telephone company or Member)		X	X
Cable TV (either cable TV company or Member)		X	X
Sewer line breaks and/or stoppages (unless caused by roots of trees in common area)		X	
Sewer line breaks and/or stoppages caused by roots of trees located in common area	X		
Sewer line clean outs in Association common area only	X		
<b>APPLIANCES RELATED TO THE RESIDENTIAL PARCELS ONLY</b>			
Upkeep, repair and replacement of furnace		X	
Upkeep, repair and replacement of air conditioner		X	
Maintenance, repair and replacement of air duct system		X	
Upkeep, repair and replacement of dishwasher		X	
Upkeep, repair and replacement of kitchen stove		X	
Upkeep, repair and replacement of kitchen and bath cabinets		X	
Upkeep, repair and replacement of plumbing fixtures and connections to water and sewer system		X	
Upkeep, repair and replacement of bathtubs, shower stall, shower pans, bath and shower tile		X	

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AREA	A=ASSOCIATION; M=MEMBER; U=UTILITY CO.		
	A	M	U
<b>COMMON AREA PROPERTY AND LANDSCAPING</b>			
Landscaping within common area but excluding landscaping in any enclosed patios	X		
Upkeep, repair and replacement of swimming pools and spas	X		
Irrigation system - common area only (not enclosed patios)	X		
Asphalt Driveways	X		