

**AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
DREAMLAND VILLA RETIREMENT COMMUNITY**

Pursuant to A.R.S. § 10-11007, the undersigned corporation hereby adopts the following Articles of Incorporation amending and restating in their entirety the Articles of Incorporation filed with the Arizona Corporation Commission on June 1, 1961, as amended to date. The Amended and Restated Articles of Incorporation supersede the original Articles of Incorporation and all amendments thereto.

1. Name: The name of the corporation is Dreamland Villa Retirement Community (or referred to herein as "Dreamland").
2. Purpose: Dreamland is organized and shall be operated as a nonprofit corporation for the purposes set forth for "Dreamland" as provided in the Declaration, these Articles of Incorporation, the Bylaws for the corporation, and for conducting any or all lawful affairs for which corporations may be incorporated under Title 10, Arizona Revised Statutes. Dreamland shall have the power to adopt Rules and Regulations regarding its members, facilities, and property of Dreamland that is necessary or incidental to the general purpose for which Dreamland is organized. To the extent that any of the Declarations of Restrictions ("Declaration(s)") of the 18 Sections comprising Dreamland currently provide for or are amended giving power and authority to Dreamland, the purpose of Dreamland shall include enforcement of such Declarations, including all powers available pursuant to Arizona law. The existence of Dreamland shall be perpetual, with the right of termination as provided by law.
3. Character of Affairs: The character of affairs which the corporation conducts in Arizona is the fulfillment of all its duties and responsibilities, and the exercise of all its rights, powers and prerogatives under the Declaration and Bylaws. Dreamland is operated for nonprofit purposes which include the recreation and civic activities designed for retired residents.
4. Board of Directors: The business and affairs of Dreamland shall be conducted by a Board of Directors ("Board"), the number of Directors shall be set in the Bylaws. The Board shall elect such officers as required by the Bylaws. Vacancies on the Board shall be filled in the manner provided in the Bylaws.
5. Members/Membership Fee: The Members of Dreamland and their voting rights shall be determined as provided in the Declaration and Bylaws. Payment of the initial membership fee/and or the first annual dues as required for membership in Dreamland by the Declaration or Bylaws shall constitute payment in full for membership in Dreamland, and from and after that time the membership shall be nonassessable; provided however, that the Bylaws or Declaration may require payment of regular dues as a condition for the continuation of membership. The powers of voting and of holding office shall be vested in such members of Dreamland as may be designated by the Declaration or Bylaws. A

quorum of the membership and a quorum of the Board for the transaction of business shall be determined by the Bylaws.

6. Amendments: The Articles may only be amended with the approval of Members casting at least two-thirds of the votes cast at a meeting.
7. Director Liability and Indemnification: Dreamland shall indemnify Directors to the extent permitted by Arizona Revised Statutes. Further, Dreamland shall defend Directors to the extent permitted by Arizona Revised Statutes.

IN WITNESS WHEREOF, the undersigned, has executed these Amended and Restated Articles of Incorporation this 12 day of January, 2017, and attest that the Articles of Incorporation were amended by the affirmative vote of two-thirds of the votes cast in accordance with A.R.S. § 10-11003.

DREAMLAND VILLA RETIREMENT COMMUNITY

By: Pat Clark

Its: President

By: Ward Jennings

Its: Secretary/Treasurer

JAN 20 2017

FILE NO. - 0058072.7



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Clear Form

Print Form

DO NOT WRITE ABOVE THIS LINE; RESERVED FOR ACC USE ONLY.

**CERTIFICATE CONCERNING
RESTATED ARTICLES OF INCORPORATION
NONPROFIT CORPORATION**

Read the Instructions C013i

1. **ENTITY NAME** - give the exact name of the corporation as currently shown in A.C.C. records:
Dreamland Villa Community Club

2. **A.C.C. FILE NUMBER:** 00580727
Find the A.C.C. file number on the upper corner of filed documents OR on our website at: <http://www.azcc.gov/Divisions/Corporations>

3. **DATE OF ADOPTION** - date on which the restated Articles were adopted: 1/11/2017

4. **APPROVAL OF RESTATED ARTICLES** - check 4.1 or 4.2 (not both) and follow instructions:

4.1 ☐ The restated Articles were approved by the **board of directors without member or third person action**, and the approval of members or any other persons was not required - go to number 6.

4.2 ☒ The restated Articles contain one or more **amendments that required approval by members and/or other persons** - continue with number 5.

5. **APPROVAL OF AMENDMENTS** - if 4.2 is checked, check all that apply concerning member or other person approval of the restated Articles with amendments:

- ☒ Approved by members.
☐ Approved by other person(s) as required by the Articles of Incorporation.

6. **The Restated Articles or Amended and Restated Articles must be attached to this Certificate.**

SIGNATURE: By checking the box marked "I accept" below, I acknowledge *under penalty of perjury* that this document together with any attachments is submitted in compliance with Arizona law.

☒ I ACCEPT

Ward Jennings

01/13/2017

Signature

Printed Name

Date (mm/dd/yyyy)

REQUIRED - check only one:

☐ I am the **Chairman of the Board of Directors** of the corporation filing this document.

☒ I am a duly-authorized **Officer** of the corporation filing this document.

Ward Jennings

☐ I am a duly authorized **bankruptcy trustee, receiver, or other court-appointed fiduciary** for the corporation filing this document.

Filing Fee: \$25.00 (regular processing)
Expedited processing - add \$35.00 to filing fee.
All fees are nonrefundable - see Instructions.

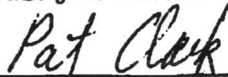
Mail: Arizona Corporation Commission - Corporate Filings Section
1300 W. Washington St., Phoenix, Arizona 85007
Fax: 602-542-4100

Please be advised that A.C.C. forms reflect only the **minimum** provisions required by statute. You should seek private legal counsel for those matters that may pertain to the individual needs of your business.
All documents filed with the Arizona Corporation Commission are **public record** and are open for public inspection.
If you have questions after reading the Instructions, please call 602-542-3026 or (within Arizona only) 800-345-5819.

**CERTIFICATE OF ADOPTION OF RESTATEMENT TO
ARTICLES OF INCORPORATION OF DREAMLAND VILLA RETIREMENT
COMMUNITY**

This restatement contains an amendment to the articles requiring approval by persons other than the board of directors (specifically, the members of the corporation). Members of the corporation holding at least two-thirds of the votes cast adopted the restatement in accordance with A.R.S. § 10-11003.

The restatement does not contain an amendment to the articles requiring approval by a person whose approval is required pursuant to A.R.S. § 10-11030.



Pat Clark
President, Dreamland Villa Retirement Community

BY LAWS of DREAMLAND VILLA RETIREMENT COMMUNITY

Incorporates items approved by the Membership at the January 8, 2019 Annual Meeting

ARTICLE I, THE PRESIDENT

Section 1. It shall be the duty of the president to preside at all meetings and enforce all rules and regulations relating to the administration of the Dreamland Villa Retirement Community.

Section 2. The president shall call meetings of the Dreamland Villa Retirement Community or Board when he or she deems it necessary, or when requested by the Board, or upon receiving a written request by Dreamland Villa Retirement Community members, signed by at least one hundred (100) members.

Section 3. The president shall provide all Board members with a copy of the Articles of Incorporation, the By Laws, and the Policies and Procedures of the Dreamland Villa Retirement Community.

ARTICLE II, THE VICE PRESIDENT

Section 1. In the absence of the president, the vice president shall have all the powers, prerogatives and duties of the president.

ARTICLE III, BONDING

Section 1. The treasurer, and such other persons who handle Dreamland Villa Retirement Community funds as the Board shall determine, shall be bonded, the bond to be paid by the Dreamland Villa Retirement Community.

ARTICLE IV, SECRETARY

Section 1. The secretary shall enter in proper books all resolutions and proceedings of the meetings of the Dreamland Villa Retirement Community and of the Board.

Section 2. The secretary shall record and publish all minutes of the Board meetings.

Section 3. The Board may from time to time elect one or more assistant secretaries to perform such duties as the Board may determine.

Section 4. Within ten (10) days of each Board meeting the secretary shall post a copy of the official minutes on the official bulletin board of the Dreamland Villa Retirement Community, and publish them in the next issue of the *Citizen*.

ARTICLE V, TREASURER

Section 1. Disbursements of the Dreamland Villa Retirement Community made by check shall be signed and countersigned. The signatures shall be by authorized members of the Board of Directors of the Dreamland Villa Retirement Community. Disbursements may also be made by credit card, electronic payment, or other financial means that has board approval.

Section 2. The treasurer shall receive, keep an accurate account of, and be responsible for all Dreamland Villa Retirement Community funds received by him or her.

Section 3. The treasurer shall disburse Dreamland Villa Retirement Community funds, other than ordinary operating expenses, only on the directive of the Board.

Section 4. Dreamland Villa Retirement Community funds shall be deposited to the account of the Dreamland Villa Retirement Community in a federally insured account at a federally insured financial institution designated by the Board.

Section 5. The treasurer shall make a report of the Dreamland Villa Retirement Community financial standing at each Board Meeting and at each Dreamland Villa Retirement Community meeting, post it on the official bulletin board, and publish it in the next issue of the *Citizen*.

Section 6. The treasurer shall post the annual statement of financial conditions after the acceptance of the audit by the Board, on the official bulletin board, and in the next issue of the *Citizen*.

Section 7. The Board may from time to time elect one or more assistant treasurers to perform such duties as the Board may determine.

ARTICLE VI, BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of seven (7) members whose terms shall be determined as specified in Article XI, Section 4, below.

Section 2. It shall be the duty of the Board to execute the policies of the Dreamland Villa Retirement Community.

Section 3. A majority of the votes cast, unless a greater percentage may be stipulated by the Board, shall constitute the decision of the Board, and that of the Dreamland Villa Retirement Community on all matters, except for those matters reserved exclusively for approval by the General Membership.

Section 4. The Board of Directors shall appoint, at the beginning of each fiscal year, a committee of three (3) qualified voting members in good standing to perform the audit and review of the Dreamland Villa Retirement Community's financial records and procedures. All audit reports shall be completed no later than one hundred and eighty (180) days following the end of the corporation's fiscal year and shall be made available, upon request, to the Members within thirty (30) days of the audit's completion.

Section 5. A member of the Board must be available for all Board meetings from October through May. A member of the Board who has two (2) or more consecutive unexcused absences from meetings of the Board may be removed from office by a two-thirds vote of a quorum of Board members present at a Board meeting.

Section 6. The Board of the Dreamland Villa Retirement Community shall not, on behalf of the Dreamland Villa Retirement Community, borrow or lend money, nor authorize the officers of the Dreamland Villa Retirement Community to borrow or lend money on behalf of the Dreamland Villa Retirement Community, unless each such transaction is approved by a two-thirds vote of the voting

members present at a meeting called for that purpose with at least ten (10) days-notice of the meeting and the purpose.

Section 7. To the extent any vacancy is created on the Board, for whatever reason, such vacancy shall be filled by a vote of a quorum of the remaining members of the Board, and the person so elected to fill the vacancy shall serve until the position is filled following the next scheduled election.

Section 8. No Board member, nor any individual who has an economic or family relationship with a Board member, shall receive any compensation, other than reimbursement for approved expenses, from any funds of the Dreamland Villa Retirement Community during the term of office of the Board member. For purposes of this section, economic relationships include a roommate, landlord/tenant, and the like, and family relationships including marriage, monogamous relationships, parents, grandparents, siblings, in-laws, aunts, uncles, step relatives, etc.

Section 9. It shall be the duty of the Board to take care of, control, and manage all the assets of the Dreamland Villa Retirement Community, and to maintain existing facilities in good repair, assigning and reassigning space as needed.

Section 10. The Board shall not authorize a capital expenditure (an expenditure for the addition or improvement to new or existing properties) in excess of twenty thousand (\$20,000.00) dollars without the approval of a majority of the voting members present at a regular or special meeting of the Dreamland Villa Retirement Community's general membership, that the membership shall be advised of such an expenditure with at least thirty (30) days prior notice published in the *Citizen* of such meeting, and that any expenditure over this amount for maintenance or repair shall not be subject to this rule, but shall require approval of the Board of Directors.

ARTICLE VII, STANDING COMMITTEES

Section 1. Standing and ad hoc committees shall be appointed by the president, with the advice and consent of the Board.

Section 2. Standing committees shall give a written report of their activities and recommendations at the monthly Board Meetings, and provide a final report at the annual meeting of the Dreamland Villa Retirement Community, these reports to be filed with the secretary.

ARTICLE VIII, MEETINGS

Section 1. The annual meeting of the Dreamland Villa Retirement Community shall be held during the second week of each January and shall include the presentation of candidates nominated for election to the Board of Directors, and any other pertinent club business appropriately placed in advance on the meeting's agenda.

Section 2. A special Dreamland Villa Retirement Community meeting may be held the first workday of April at 1 P.M. to report the results of the election of directors and officers, and to install the incoming directors and officers.

Section 2a. The treasurer may give his annual report at the March Board meeting, and it shall be published in the next issue of the *Citizen* and posted on the bulletin board at Read and Farnsworth

Halls. Annual reports of officers and committee chairpersons of the outgoing Board of Directors may also be given.

Section 3. Special meetings shall be held as outlined in Article 1, Section 2, of the By Laws.

Section 4. Board meetings may be held in the second week of each month (except June, July, August and September).

Section 5. A study session of the Board may be held prior to a Board meeting for the primary purpose of discussing topics to be included at the next Board meeting and to set the agenda for the next Board meeting, such meeting to be scheduled at a date and time not less than five (5) working days prior to the Board meeting. Members of the Dreamland Villa Retirement Community may attend as observers and shall only be permitted to participate in discussions if so invited by the presiding officer.

ARTICLE IX, QUORUM

Section 1. One hundred (100) voting members shall constitute a quorum at all general membership meetings.

Section 2. A quorum at a Board meeting shall be determined by the majority of the number of Board members stipulated in the By Laws. For example, if the Board should consist of seven (7) members but there are vacancies, the majority will still be determined using seven (7) as the determining number. A quorum of this Board would then be four (4) .

ARTICLE X, RULES

Section 1. All meetings shall be conducted in accordance with these By Laws, the Arizona statutes to the extent these By Laws are otherwise silent, and Robert's Rules of Order, as revised.

Section 2. The Board may appoint a Parliamentarian to advise on parliamentary procedures when necessary.

Section 3. All members of the Dreamland Villa Retirement Community shall be required to show their current membership cards when attending business meetings, elections, and other official functions of the Club for identification, except where public attendance is permitted by the Board of Directors.

Section 4. No smoking will be allowed in any Dreamland Villa Retirement Community indoor facilities, or in the pool areas, showers, or restrooms.

Section 5. Dreamland Villa Retirement Community shall operate on a calendar year - from January 1 through December 31.

Section 6. The By Laws may only be changed by a majority vote of the general membership.

ARTICLE XI

NOMINATION AND ELECTION OF BOARD MEMBERS AND OFFICERS

Section 1. The nominating committee shall consist of three (3) voting members to be appointed by the president and approved by the Board at the October meeting of the Board.

Section 1a. The nominating committee shall present a slate of candidates of voting members for the Board at the January membership meeting. Members interested in being candidates for the Board shall have until January 1st to announce their candidacy to the Nominating Committee Chairperson. The number of candidates nominated by the nominating committee should equal at least the total number of anticipated Director vacancies.

Section 2. Election shall be by secret ballot supervised by tellers appointed by the president. They shall receive the ballots and tabulate the results. All ballots, voted and blank, must be accounted for and kept on file for six (6) months. Counting shall be at Read Hall. Poll watchers may observe.

Section 3. Election of candidates to the Board shall be conducted on the second Tuesday in February between the hours of 8:00 a.m. and 7:00 p.m., at polling places designated by the Board, and under rules established by the Board.

Section 3b. The names of candidates shall be listed on the ballot in alphabetical order in even years and in the inverse order in odd years.

Section 3c. The ballot shall not indicate any political or other affiliation of any of the candidates. Membership cards must be presented at the time of voting. Absentee ballots will be accepted from members in good standing for the election of candidates to the Dreamland Villa Retirement Community Board of Directors according to the procedures set forth in the Administrative Policy and Procedure Manual.

Section 4a. In order to maintain the Board at the prescribed level, an appropriate number of Directors should be elected each February. Candidates receiving the highest number of votes shall fill any three-year term vacancies, then in descending order, two-year term vacancies, and one-year term vacancy. Three Director seats shall be designated to have three-year terms, three Director seats shall be designated as two-year terms, and one Director seat shall be designated to have a one-year term. In case of a tie vote, a flip of a coin shall determine the winner.

Section 4b. A director who has served two consecutive terms, not to exceed a total of six (6) years, shall not be eligible for re-election to the Board until there is a lapse of at least one (1) year following the last term served. A newly appointed director filling out a partial year until the next election shall remain eligible for election to two full consecutive terms. Further, a Board member resigning for any reason, prior to the end of his/her elected term, will be prohibited from serving on the Board again until the end of his/her elected term plus one year.

Section 5. After the February election and prior to the first workday in April the president shall call a meeting of the newly elected directors and the carry over directors solely for the purpose of electing officers from among their number to serve for one-year officer terms commencing on the first workday of April.

ARTICLE XII, MEMBERSHIP AND DUES

Any fee requested is a voluntary contribution. No fee is mandatory.

Section 1. All persons residing within the 18 sections of Dreamland Villa and renters of apartments that are located at 315 (APN: 141-75-096 B & G), 321 (APN: 141-75-096 C) and 333 (APN: 141-75-096 E & L) N. Higley Road; 5233 E. University Dr. (APN: 141-75-096 M, N, P & Q); 6732, 6742 and 6750 (APN: 141-62-013 H, J & K) E. Dallas St.; 245 N. 56th St. (APN: 141-49-041 F); 5631 E. University Dr. (APN: 141-49-041 D); 5825 E. University Dr. (APN: 141-49-006 J, K, L, M, P, Q, R & S); and 5925 E. University Dr. (APN: 141-49-006 E) that are not situated within the 18 Sections, provided such renters meet the residency standards established in the Senior Overlay Zoning Designation, may purchase a voting membership in the Dreamland Villa Retirement Community pursuant to the Administrative Policy and Procedure Manual. Annual fees shall be the same for all classes of membership. Memberships may not be purchased for, by, or on behalf of any person not a resident of Dreamland Villa or of the apartments described above. Membership cards shall only be issued to individuals and not to groups of individuals.

Section 2. Annual fees for the next calendar year should be established by the Board no later than the November Board meeting and shall be due on or before January 31 of the new membership year. If the Board establishes the annual fees for any amount that exceeds that of the previous year by more than 10% then such fee increase shall be referred to the general voting membership of the Dreamland Villa Retirement Community at a special meeting for approval or disapproval. If a majority of the valid votes cast on the issue by the voting members present do not approve the annual fees increase, the fees for the ensuing year shall not exceed that of the previous year by more than 10%.

Section 3. If the Board fails to establish the annual fees by the November Board meeting, then the fee for that year shall be the same as the fees for the preceding year, and shall be due and payable as stated in Article XII, Section 2.

Section 4. New property owners, at the time of escrow closing, or when desiring membership, shall be requested to pay, in addition to the annual fee, a one-time Initial Membership Fee (IMF). The IMF is to be established by, and may from time to time be modified by, the Board of Directors. Only one IMF may be charged for a residence regardless of the number of individuals residing in that residence. The IMF is not applicable to transfer of ownership between family members, i.e., spouses, parents, siblings or children.

Section 5. New members shall pay 1/12th, to the nearest whole dollar, of the current annual fees for each month, including any partial month, remaining to the end of the current year. There shall be no refund of the annual fees paid should a membership, for any reason, be terminated. For purposes of this Section, a new member shall be defined as an individual who has not been a member of Dreamland Villa Retirement Community during the previous membership year.

Section 6. If a member in good standing relocates to a new residence within Dreamland Villa, the annual fee paid is transferable with the member to the new residence for the remainder of the current year.

Section 7. Dreamland Villa Retirement Community memberships not renewed by January 31st of the current membership year shall be deactivated. Such memberships may be reactivated during the same membership year that the membership was allowed to lapse by paying the unpaid membership annual fee. Such memberships allowed to lapse into subsequent membership years will be considered

terminated and may only be restored by paying the current one year's annual fee. All membership rights shall be suspended during any period in which the annual fees and any other membership related fees remain unpaid.

Section 8. Membership privileges and benefits shall be suspended by the Board for any person who: violates the rules and regulations of the Dreamland Villa Retirement Community; is charged with sexual harassment, with a deliberate act that causes interference and/or harassment to other individuals, particularly the physically challenged, or with the use of lurid or profane language and/or the conducting of one's self in an offensive, suggestive or rude manner while on or in Dreamland Villa Retirement Community property or facilities; or causes Dreamland Villa Retirement Community to incur any costs, including legal fees, regardless of whether a lawsuit is filed; or violates Dreamland Villa Retirement Community's governing documents and fails to correct the violations after notice is given in writing to such member.

Section 9. The Declaration of Restrictions and Amendments thereto, attached to the real property located within one of Dreamland Villa-Development's eighteen (18) sections, establishes that Dreamland Villa is a 55+ community, and each dwelling unit shall be occupied by at least one resident aged fifty-five years of age or older, and that no person eighteen (18) years of age or younger shall reside in a dwelling unit for a period longer than 90 days. It shall be the policy of the Dreamland Villa Retirement Community to establish policies and procedures to comply with the requirements set forth in the US Department of Housing and Urban Development Housing for Older Persons Act of 1995, Final Rule Effective May 3, 1999, and the Maricopa County Zoning Ordinance, Chapter 10 – Overlay Zoning Districts, Section 1006. Senior Citizen Overlay.

DREAMLAND VILLA RETIREMENT COMMUNITY

Rules and Regulations

As adopted by the DVRC Board of Directors through December 12, 2018

Introduction

The Dreamland Villa Retirement Community Board of Directors has adopted the following Rules and Regulations pertaining to usage of the Common Areas. These Rules and Regulations may, from time to time, be modified, added to, or deleted as determined necessary by the Board of Directors. If any conflict exists between the provisions of the Declarations, the Articles, the Bylaws, or any amendments thereto, and these Rules and Regulations, the provisions of the Declarations, Articles, or Bylaws shall prevail.

The Board recognizes that, from time to time, a violation of the established Rules and Regulations, the Articles, the Bylaws or the Declarations (collectively “Community Documents”) may occur and that a reasonable fine and penalty structure is necessary in such cases to encourage compliance. The Board’s goal is to achieve compliance and not to punish. To this end, the Board reserves the right to waive some or all of the fines and penalties once compliance is achieved.

Definitions

Articles – Shall mean the Articles of Incorporation of the Dreamland Villa Retirement Community, Inc. which have been filed in the Office of the Corporation Commission of the State of Arizona, as said Articles may be amended from time to time.

Board – Shall mean the Board of Directors of the Corporation.

Bylaws – Shall mean the Bylaws of the Corporation, as such Bylaws may be amended from time to time.

Common Area – Shall mean all real property owned by the Corporation.

Common Expenses – Shall be (1) all expenses of administration of the Corporation and of the maintenance, operation, management, improvement, repair and replacement of a Common Area. (2) all expenses declared or contemplated to be Common Expenses as provided by the Declarations, the Articles, Bylaws or Rules of the Corporation (as the same may be duly adopted and amended from time to time) or applicable statutes or regulations; and, (3) subject to the provisions hereof, all valid charges, assessments or taxes against the Common Area as a whole.

Corporate Documents – Shall mean the Articles, Bylaws, and Rules, including amendments thereto from time to time.

Corporation – Shall mean and refer to the Dreamland Villa Retirement Community, an Arizona nonprofit corporation, its successors and assigns.

Declarations – Shall mean the First Amended Declaration of Restrictions for each relevant Section of the Dreamland Villa Development, as they may be amended from time to time, except where the context indicates otherwise.

Guest (Day Guest) – This term will be used for the purpose of defining those visitors who reside outside the boundaries of Dreamland Villa but in the greater Phoenix Metropolitan area and are here to spend a day or less with a DVRC member. (Example –friend or relative from elsewhere in Mesa or perhaps a neighboring city is visiting a DVRC member for the day).

Guest (Houseguest/Out of Town Guest/Overnight guest) – These terms are used to define a friend or relative of a DVRC member who lives outside the Dreamland area and usually from a more remote location. Such a visit requires overnight accommodations whether in the home of a DVRC member, some other local home, or in a motel or hotel, or similar business established to provide overnight accommodations. Such Guest shall be limited to a stay of 30 days or less.

Lot – Shall mean and refer to any separate parcel of real property shown upon the recorded subdivision plat of the Dreamland Villa Development, with the exception of the Common Area as identified above.

Member - shall mean and refer to an Occupant in the Dreamland Villa Development or nearby apartments, as specified in the By Laws, who pays the annual fees and who has an individual Kee card.

Occupant – Shall mean a person or persons, including an Owner or renter, who resides in and who is in rightful possession of a Lot. By way of illustration and not of limitation, an Occupant is one who regularly receives mail at a Lot, is counted for the purpose of paying fees to the Corporation, and who considers a Lot as one of his or her primary residences. A guest of less than 30 days is not an occupant.

Owner – Shall mean and refer to the record owner, whether one or more persons or entities, of equitable or beneficial title (or legal title if same has merged) of any Lot but excluding those having such interest merely as security for the performance of an obligation.

Rules – Shall mean the rules and regulations adopted by the Board as may be amended from time to time.

COMMON AREA RULES AND REGULATIONS

A. General:

1. Only members and their guests are permitted use of DVRC facilities, with the exception of those facilities open to the public and as noted in the policy “Activities.”
2. Guests will be allowed use of Corporation facilities provided they are accompanied and signed in by the host member.
3. A Day Guest who is accompanied by a member will be allowed use of the Corporation facilities for the day of his/her visit. It is not intended that such guests will be permitted unrestricted use of Corporation facilities and such guests will limit such use to no more than twice in any given calendar month, regardless of whose guest he or she is. It is the host member’s responsibility to ensure that their guests do not violate this rule.
4. A Houseguest or Out of Town Guest who is accompanied by a member will be allowed use of the Corporation facilities for the days of his/her visit up to 30 consecutive days. It is not intended that such guests will be permitted unrestricted use of Corporation facilities. It is the member’s responsibility to ensure that their guests do not violate this rule.
5. Smoking is not allowed in any Corporation facility.
6. The use of illegal drugs is prohibited in or on any Common Area.
7. Sexual harassment, any deliberate act that interferes with another’s use of the Common Area, and/or harassment of other individuals of any nature or form, the use of offensive or profane language, and/or the conducting of one's self in an offensive, suggestive, or rude manner while on or in any Common Area, is strictly prohibited.
8. The use of all DVRC facilities for any purpose or activity, with the exception of facilities assigned to DVRC, or activities for use on a continuing basis, must be approved in advance by the DVRC Business Office or Board.

B. Swimming Pools and Hot Tubs/Spas (collectively “Pools”):

1. Only members and their guests are permitted to use the Pool facilities. It is the Member’s responsibility to instruct their guests on the Pool rules and to accompany them, and remain with them, while at a Pool.
2. All persons using the Pool facilities must shower before entering pools. Only water-soluble sunscreen may be used and must be applied at least 45 to 60 minutes before entering the Pool area. **NO OILS.**

3. Children that are not toilet trained are not permitted in Pools. Children (up to age 16) must be accompanied by a Member. Children may only use toys in the Pools that cannot be sucked into the vacuum system and clog the filters and valves. The hours that children (up to age 16) may use the Pools are:

Read Hall Complex Pools – 10:00 am to 1:00 pm only

Farnsworth Hall Complex Pools – 11:00 am to 1:00 pm and 5:00 pm to 6:00 pm

4. Running, diving, or horseplay is not permitted. The use of small inflatable items and noodles may be used provided they do not interfere with other swimmers.
5. Only standard swimwear is allowed.
6. Persons with open cuts, sores, rashes or wearing adhesive bandages are not permitted in the Pools.
7. Eating and drinking are only allowed in Pool areas in designated areas behind the painted Pool deck lines. Each person is responsible for depositing all trash and cans in trash containers. Absolutely no glass containers are permitted in Pool areas.
8. Smoking in Pool areas, dressing rooms, and showers is not permitted.
9. Individuals under the age of 18 are not permitted to use the hot tubs (spas).
10. All adult three wheeled bicycles (tricycles), scooters, and unlicensed bicycles parked within a Pool area must be walked through the access gate.
11. No portion of any Pool equipment may be used for anything other than the intended purpose. By way of clarification and not of limitation, no person shall be permitted to use the metal railings and ladders in Pools for any purpose other than for the entry or exit from the related Pool. (This includes, but is not limited to, a prohibition on using the metal railings and ladders for exercise purposes.) Moreover, no person shall situate himself or herself in a Pool so as to impede or interfere with anyone entering or exiting a Pool from an intended entry or exit point.
12. Animals, except for service dogs, are not allowed in the pool area at any time.
13. Pools Opening and Closing Times:

Farnsworth Hall

Opening Time – 7:30 a.m.

Closing Time – 10:00 p.m. (a)

Read Hall

Opening Time – 7:30 a.m.

Closing Time – 10:00 p.m.

(a) Closing time for the Farnsworth Hall pool/spa area shall be changed when evening temperatures are consistently below 70 degrees. Early pool closure time of 6 p.m. is to

keep the pool water warmer for day time use. The 10 p.m. closing time hours will be reinstated when the air temperatures are consistently above 70 degrees.

There are no lifeguards on duty. To swim alone is dangerous. Swim at your own risk and enjoy yourself, but please be considerate of other people.

C. Nature Walk:

The Nature Walk, which contains the power easement, is located between Colby and Decatur Streets and from Higley Road through the 6000 block of Colby and Decatur Streets is part of the Common Area. The Board of Directors has adopted the following Rules and Regulations with the intent to maintain the Nature Walk in its most natural state as is reasonably possible while giving consideration to accessibility, hazards, cost of maintenance, the Member's desire to protect the land from other usage, and to permit use of the Nature Walk for the purpose of enjoying the vegetation and wildlife.

1. All trees, shrubs, cacti, etc., planted on the Nature Walk must be native or common to the southwest and must be able to survive on their own without any care (drought resistant).
2. Vegetation on the Nature Walk, with the exception of normal cleanup and maintenance, is not to be removed without the prior written approval of the Board.
3. Individuals using the Nature Walk to walk pets are responsible for cleaning up and disposing of any and all droppings left by the pets. All pets walked on the Nature Walk must be on a leash.
4. Only vehicles belonging to Occupants who reside in lots bordering the Nature Walk, or vehicles authorized by the Corporation, may be driven on the Nature Walk. This rule applies to Occupants who are Lot owners of record as of November 11, 2008. Subsequent Lot Owners will not be granted vehicle or trailer access to their Lot by way of the Nature Walk.
 - (a) The driving speed on the Nature Walk shall be "walking pace", defined as not to exceed three (3) miles per hour.
 - (b) Occupants desiring access for permitted storage of vehicles or trailers on their Lot will be required to pay a refundable key deposit of fifty (\$50.00) dollars. When the key is returned the deposit will be refunded no later than the next regularly scheduled check-writing day. Deposits for keys that are lost will be forfeited and a one hundred (\$100.00) dollar refundable deposit will be required before a replacement key is issued. Keys may not be duplicated or loaned to another individual or Occupant. All Occupants issued a key will be required to sign a key issuance agreement. Any Occupant issued a key is required to return the key when their Lot is sold and/or ownership is transferred to another person(s) or entity.

5. The driving of any vehicle on the Nature Walk, except as provided for in Section 4, above, is strictly prohibited; however, electric carts, wheelchairs, bicycles and walkers are permitted, provided they are operated/used in a safe and prudent manner.
6. The Corporation has the sole authority to place, at appropriate locations, signage informing users of the Nature Walk of some or all of these Rules and Regulations.
7. The Corporation may do whatever is necessary to maintain the appearance and functionality of the Nature Walk, while giving special consideration to maintaining the natural foliage and habitat of wildlife.
8. No structures of any kind, including sheds or fences, are allowed on the Nature Walk.
9. With prior Written Board approval, landscaping is permitted on the Nature Walk, provided such landscaping does not discourage or inhibit individuals from walking on the Nature Walk. Extending yards on to the Nature Walk by installing curbing, edging, and/or fences, etc., is prohibited.
10. The dumping of yard trash, building materials, etc., on the Nature Walk is strictly prohibited.
11. Water run off systems from Lots adjacent to the Nature Walk are to be constructed in such a manner so as not to cause erosion, a safety hazard, or harm to foliage or wildlife habitats on the Nature Walk. Wastewater runoff of any kind onto the Nature Walk is strictly prohibited.
12. The parking of any vehicle, trailer or boat of any kind or nature on the Nature Walk is strictly prohibited.

D. Enforcement:

All complaints should be promptly reviewed to determine if a violation does or does not exist. Violators of Common Area Rules and Regulations will be sent written notification informing them of the violation and informing them that continued violations will result in disciplinary action by the Board.

Violation of any of the Common Area Rules and Regulations will subject the offending/responsible member(s) to all penalties/remedies available to the Corporation, at law or in equity. Any member of the Corporation who violates any Rule or Regulation and/or who causes the Corporation to incur any costs, including legal fees, regardless of whether a lawsuit is filed, is deemed to have violated these Rules, and shall have his/her member privileges suspended or revoked at the sole and absolute discretion of the Board.

Members are responsible for their guests. In addition to a permanent revocation of a guest's privileges, the Corporation reserves the right to simultaneously suspend or revoke a member's

privileges pending a hearing as a result of the actions of a member's guest and to take any other action against a member as a result of the guest's actions.

Dreamland Villa Development is located within Maricopa County, therefore the Ordinances, Zoning, and Rules and Regulations of Maricopa County are applicable. Maricopa County is responsible for enforcement.

Maricopa county Code Violations and Complaints

602-506-3301