

Conditions related to Third-party/Rental Use of the Common Area

Preamble: The Rosamond Skypark is primarily a residential common-interest development in which the airport and associated common area are owned in condominium by 63 separate resident property owners. As such, any “third-party” use of the airport must be compatible with the ownership interests of all. **For this reason we can offer only limited access for activities such as media production**

Rental of the Rosamond Skypark Common Area: Extracted from an overall policy adopted by the Board of Directors of the Association on November 9, 2004, the following is our policy on media and other “third-party” use of our airport common area:

1. **Any third-party commercial use,** or any potentially exclusionary use of the Common Area facilities by anyone, shall require the explicit prior approval of the Association, acting through the Board of Directors or their properly designated agent. Such use specifically includes, but is not limited to, media production operations, air shows, fly-ins, or any similar activities that will or may at any time require exclusive or exclusionary use of the Common Area and particularly the runway or taxiways. *Exclusive or exclusionary use of the runway or taxiways implies an interruption of normal air traffic flow inbound to or outbound from the airport, or on the runway or taxiways. Any non-aviation activities on our runway inherently have the potential to interfere with normal aviation uses by our owners and other airport users.*
2. All requests for rentals or approval of other third-party activities shall be communicated to the Board or its designated representative in sufficient time and containing sufficient detail so as to allow for proper evaluation of the request, followed by the timely transmission of prior notification to all Skypark owners.
3. The Board or its designated representative shall evaluate all such requests with regard to its potential to disrupt routine use of the Common Area facilities by other owners, or to produce excessive noise, congestion, hazard or other adverse effects which are incompatible with the Skypark’s residential character, and may withhold or condition approval based upon this evaluation.
4. **The following general considerations shall be factors in evaluation of any proposal or request:**
 - (a) **Nature of the event or use:** Any proposed use that would generate excessive noise, hazard or other effects having significant potential for widespread annoyance to residents within or around the Skypark shall be considered unacceptable. An example would be a motion picture production that plans the use of extreme special effects such as large and repeated explosions or prolonged and abnormally noisy aerial activities.
 - (b) **Duration and timing of the event in question:** Activities extending beyond a few days, or those requiring night operations, are incompatible with a 62-owner residential Skypark. Operations carried on during peak periods of normal airport use such as weekends and holidays will be considered problematical and may require special restrictions.
 - (c) **Potential for interruption of normal facility activities or availability:** Aviation-oriented activities that can be expected to generate little or no traffic flow impact, such as simple fly-ins or media activities that will not

require exclusive use of the runway/taxiways, will normally receive routine approval. Such things as air-shows, aviation activities involving installation or use of ground-based equipment or facilities on the runway or taxiways, or any non-aviation uses requiring operation of equipment or vehicles on the runway or taxiways shall be evaluated as inherently leading to interruption of normal facility availability, regardless of statements or assurances to the contrary. Interruption of availability is defined as actual or potential interference with normal aircraft traffic flow either to or from the airport or on the runway/taxiways.

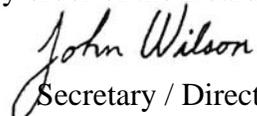
- (d) **The duration of any interruptions:** Generally speaking, any proposal that will require closure of the airport to normal flight activities for more than one continuous hour, or for more than four hours in the aggregate over the period of the proposed activity, would be considered unacceptable.
5. **Consideration paid to the Association:** For commercial use of the Common Area runway and/or taxiways by a third party, the following schedule of payments shall be considered standard minimums. Interruption of normal operations means interruption of normal traffic flow to, from or on the runway or taxiways:
- (a) Use that will not require interruption or suspension of normal airport operations (i.e. there will be no interruption of traffic flow) and thus requires no FAA NOTAM (a published "Notice to Airmen"): **\$300.00 per day or fraction thereof.**
 - (b) Use that requires intermittent interruption of normal airport operations for an aggregate of up to one hour per day, FAA NOTAM issued: **\$1,500 per day or fraction thereof.**
 - (c) Use that requires interruption of airport operations for periods exceeding one hour per day in the aggregate, NOTAM issued: **Minimum of \$3,500 per day or fraction thereof, depending upon the period contemplated.**

For non-commercial use compensation may be waived or adjusted.

6. Prior to any commercial use of the Common Area by a third party (e.g. media production, etc.), a formal contract setting forth the duration and nature of the use, the consideration, and containing any conditions placed by the Association, shall be executed between the Association and the using party. For non-commercial use (fly-ins, etc.), a memorandum of understanding may be substituted for a formal contract. In all cases, proof of blanket hazard and liability insurance in the amount of \$5,000,000 (minimum) naming the Association as an insured shall be furnished prior to commencement of any activity.
7. The Association may appoint a designated representative to monitor compliance with the conditions of the contract or memorandum of understanding.

Date: 11/09/2004

By order of the Board:


Secretary / Director