

# HAVEN HOMEOWNERS ASSOCIATION

## ASSOCIATION RULES AND DESIGN GUIDELINES

September 21, 2018

The Association Rules and Design Guidelines ("Rules"), as set forth in this document, interpret and implement standards and procedures for the Design Review Committee's ("Committee") review of Applications or other related matters as provided in the Declaration of Covenant, Conditions, and Restrictions for Haven recorded in the Official Records of Maricopa County at Document Number 2018-0179512, as amended (the "Declaration"). Capitalized terms used in these Rules have the same meaning as in the Declaration unless otherwise indicated. The standards set forth herein include, but are not limited to, standards for architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finishes and materials, signage, and wall design. These Rules are intended to enhance the property values and the high standards of development that exist within Haven. Unless specifically identified within this document as not requiring a submittal for approval, prior approval from the Committee is always required. The Rules are established to assist Owners in conforming to the standards and procedures established. These Rules may be amended from time to time by the Committee. Each application will be reviewed on a case-by-case basis.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, INSTALLATION, ADDITION, ALTERATION, REPAIR, CHANGE OR REPLACEMENT OF ANY IMPROVEMENT WHICH WOULD ALTER THE EXTERIOR APPEARANCE OF THE IMPROVEMENT, A COMPREHENSIVE, COMPLETE AND DETAILED WRITTEN REQUEST FOR APPROVAL SPECIFYING IN DETAIL THE NATURE AND EXTENT OF THE CHANGE WHICH THE OWNER DESIRES TO PERFORM ("APPLICATION") MUST BE SUBMITTED TO THE COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE COMMITTEE. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED HEREIN).

## APPLICATION PROCEDURE

Submittal: Application and plans (which will be kept on file with the Association) should be mailed to:

Haven Homeowners Association  
c/o Trestle Management Group, LLC  
Attention: Design Review  
4025 S. McClintock Drive  
Suite 208  
Tempe, AZ 85282

You may reach the Management Company by phone at (480) 422-0888, by fax at (480) 522-1221 or by email at [admin@trestlellmanagement.com](mailto:admin@trestlellmanagement.com).

The following information should be included with the submittal:

1. Application - Design Review Committee Modification Form: A completed Modification Form (attached or additional copies may be obtained from the Management Company).
2. Site Plan: A site plan showing the dimensions and the relationship of the Improvement to the existing dwelling and property lines (setbacks). Measurements and dimensions must be written on the site plan(s).
3. Elevations: Drawings showing finished appearance of Improvement in relation to existing dwelling.
4. Plans and Specifications: Detailed description of materials to be used, color samples, plans and dimensions must be submitted.
5. Photograph: If submittal is for an existing structure or Improvement, a photograph of the structure or improvement must accompany the submittal application.

All buildings, driveways, gates, fences, walls, structures, landscaping and other Improvements erected within Haven, and the use and appearance of all land within Haven, shall comply with all applicable Federal, State or local laws, statutes, ordinances, rules or regulations, as well as the Declaration and these Rules. Committee approval will not meet, supersede or provide compliance with any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, and in the event of any inconsistency between these Rules and any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, the Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations shall control; and in the event of any inconsistency between these Rules and the Declaration, the Declaration shall control.

## REVIEW-APPROVAL AND/OR DISAPPROVAL

The Committee shall have forty-five (45) days after submittal of plans to approve or disapprove plans. No verbal approvals/disapprovals will be given by the management company. All decisions will be mailed through the United States Postal Service.

Review will include, but is not limited to, consideration of material, quality of workmanship, colors, and consistency with the external design and color of existing structures on the Lot and impact on neighboring Lots. The location of the Improvement with respect to topography and finished grade elevation is also considered.

Neither the Committee, the Board of Directors, the Declarant nor the Management Company (if in place) shall have any liability in connection with or related to approved plans, specifications, or Improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the Improvement nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

Approval Expiration: Construction must be started within one hundred twenty (120) days of the date of the Committee's approval of the application, or the Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Rules.

Construction Period: Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Committee's discretion), such construction shall be completed within one hundred eighty (180) days of the date of the Committee's approval of the application.

Appeal: Any appeal of the Committee's decision must be submitted in writing, within thirty (30) days of the mailing date of the Committee's decision, to:

Haven Homeowners Association  
c/o Trestle Management  
Group, LLC  
Attention: Design Review  
4025 S. McClintock Drive  
Suite 208  
Tempe, AZ 85282

PURSUANT TO SECTION 6.6 OF THE DECLARATION, THE BOARD OF DIRECTORS MAY FROM TIME TO TIME ADOPT, AMEND AND REPEAL RULES AND REGULATIONS. PURSUANT TO SECTION 5.8 OF THE DECLARATION, THE COMMITTEE SHALL HAVE THE RIGHT FROM TIME TO TIME AMEND AND SUPPLEMENT THESE DESIGN GUIDELINES.

## DESIGN GUIDELINES

**ANTENNAS/SATELLITE DISHES:** This section applies to antennas, satellite television dishes, and other devices ("Receivers"), including any poles or masts ("Masts") for such Receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. All Receivers one (1) meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations ("Federal Regulations") and shall be installed in the following locations, listed below in the order that the Committee will approve to the extent such placement location is reasonably feasible:

1. A location in the Private Yard of the Lot where the Receiver will be screened from view by landscaping or other Improvements;
2. An unscreened location in the backyard of the Lot;
3. On the roof, but completely below the highest point on the roof line;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other Improvements;
5. On the roof above the roofline;
6. An unscreened location in the side yard;
7. A location in the Public Yard of the Lot where the Receiver will be screened from view by landscaping or other Improvements.

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached.

**AWNINGS:** All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material of solid color on both sides, which match the color of the body of the exterior of the home or roof color. Awnings shall be installed only on the side and/or rear of the home. All awning submittals must include (i) a drawing with the location of the proposed awning installation; (ii) a sample of the material to be used; and (iii) the colors, dimensions and design of the proposed awning. Owner is responsible for maintenance and repair of awnings. The Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

**BASKETBALL GOALS:** No permanent basketball goal, pole or backboard shall be allowed in the Project. No portable basketball goal, pole, or backboard shall be allowed in the Villas, Lofts or Condominium Neighborhoods. Portable Basketball goals are allowed in the Neighborhood designated as the Residences. Goals must be maintained in good operating condition. Use of the poles is limited to the hours of 8:00 am to sunset. Basketball goals must be stored when not in use. Basketball goals used in conjunction with a swimming pool are permissible but may not be taller than the fence of the Private Yard or 6 feet, whichever is lower.

CLOTHES DRYING STRUCTURES: No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed or maintained on any Lot so as to be Visible From Neighboring Property.

DECORATIVE ITEMS: Decorative art located on houses which is Visible From Neighboring Property must be submitted for approval.

Front lawn art and lawn art in rear yards that have view fencing is prohibited. Lawn art includes, but is not limited to, iron, ceramic, plastic, clay or wood figures, carts, wagons, or other unnatural or man-made items. Lawn art that is not Visible From Neighboring Property is permitted. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors must be submitted for approval if Visible From Neighboring Property.

WATER FEATURES, FOUNTAINS, STATUARY, ETC.: Items such as fountains, statuary, etc., are permissible only within the portion of the Private Yard and do not require submittal to the Committee, except on Lots with view fencing or if these items will be Visible From Neighboring Property. Water features in Private Yards with view fencing may not exceed four and one half feet (4-½') in height. It is required that water features be chlorinated or water must be kept moving so as to not allow for the breeding of insects and pests.

DRIVEWAY EXTENSIONS AND SIDEWALKS: Driveway extensions will be reviewed for approval providing the following conditions are met:

1. Only driveway extensions immediately adjacent to the existing driveway located in the side yard of the property will be considered.
2. Submittals must include a plot plan with the following noted thereon: (i) the location and dimensions of the proposed extension, (ii) the existing driveway dimensions, and (iii) the total linear feet of Lot frontage.
3. The total parking area may not exceed thirty feet (30') of contiguous frontage or fifty percent (50%) of the Lot width (existing plus extension) as measured at its widest point, whichever is greater.
4. Painting of paved surfaces is prohibited without Committee approval.
5. There must be at least a one foot (1') setback between the extension and the side Lot line. Such setback area shall be installed with groundcover per the Landscaping Guidelines or to match the existing Public Yard ground cover (i.e., decomposed granite).
6. Proper drainage must be maintained.

ADDITIONAL SIDEWALKS: Sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met:

1. The additional sidewalk is four feet (4') or less in width, is one foot (1') or more from the property line, and is one foot (1') or more from the home.

2. The area between the home and the sidewalk addition must have groundcover installed per the Landscaping Guidelines or to match the existing Public Yard ground cover (i.e., decomposed granite).
3. Proper drainage must be maintained or created.
4. Additional sidewalks in any other location must be submitted for approval.

The Committee reserves the right to review and request changes to driveway extensions and sidewalks per these requirements.

FENCES AND WALLS INCLUDING DECORATIVE WALLS: Any Owner proposing to modify, alter, add to or rebuild a wall (other than rebuilding in a manner materially consistent with the previously existing wall) must submit to the Committee for approval. The Application must include written consent of adjoining owners for any modification to a Party Wall. Information on the height of all walls that will abut the wall(s) being proposed for modification, materials to be used, and texture and color of finished wall must also be submitted with Application. Side and rear walls may not exceed six feet (6') in height from ground level, as measured from the lowest side of the wall. Plans for new fences or walls must be submitted to the Committee prior to construction. Walls must match the existing wall in texture and color. Perimeter Walls shall not be modified or altered.

Decorative or garden walls are permitted in Private yards only. Decorative or garden walls in Private Yards with a view fence must be submitted for approval and may not exceed forty-eight inches (48") in height. Walls must be finished to match the base color of the home or be installed with materials consistent with the Community such as stone, brick, etc.

Retaining walls shall mean any wall constructed as part of the Lot for lateral support and/or erosion control and must be approved by the Committee prior to installation. Any required engineering is the responsibility of the homeowner.

FIREPLACES: Installation of outdoor fireplaces requires approval by the Committee. Outdoor fireplaces may not exceed fence height.

FLAGPOLES: The official flag of (i) the United States; (ii) the State of Arizona; (iii) the Armed Forces; such as U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps, U.S. Coast Guard, (iv) the Gadsden Flag; (v) POW/MIA flags; and (vi) an Arizona Indian Nation Flag may be displayed on any Lot provided (i) such flag is displayed in the manner required under the federal flag code from a pole attached to a Dwelling Unit on the Lot; (ii) the pole is no higher than the top of the Dwelling Unit; (iii) the pole is no longer than ten feet (10') in length and does not extend more than ten feet (10') from the edge of the Dwelling Unit; (iv) the flag is no more than twenty-four (24) square feet in size; (v) any flag lighting is in compliance with the Lighting section below; and (vi) the flag is maintained in good condition at all times. The flag of another nation may be displayed in lieu of the United States Flag on national holidays of such nation provided such display complies with the requirements for displaying the United States Flag.

GATES: All requests for additional gates or gates other than those which were offered and installed by the Declarant or Builder must be submitted for Committee approval. Placement of gate(s) must be approved by the Committee. Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be of the same material, design and color as the originally installed single gates, unless approved by the Committee. Gates may be painted to match the fence with approval from the Committee.

Gates of any kind on Perimeter Walls or View Fencing on Lots bordering common areas are prohibited.

GUTTERS AND DOWNSPOUTS: Gutters and downspouts will be considered for approval by the Committee if the finish matches the color of the home. Downspouts must be directed so as not to drain on neighboring properties. The Association strongly recommends the use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times.

HVAC INCLUDING EVAPORATIVE COOLERS: Except as initially installed by the Declarant or for the replacement thereof, no heating, air conditioning or evaporative cooling shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of all neighboring property, except as otherwise allowed by law.

LIGHTING: Except as initially installed by the Declarant, no spotlights, floodlights or other high intensity lighting shall be placed or utilized upon any Lot or any structure erected thereon which in any manner will allow light to be directed or reflected on any other property except as approved by the Committee.

MACHINERY AND EQUIPMENT: No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any Lot, except such machinery or equipment as is usual and customary in connection with the use or maintenance of Improvements constructed by the Declarant or approved by the Committee.

Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use to prevent them from being Visible From Neighboring Property.

PAINT COLORS: The paint colors used by the Declarant or Builder are highly recommended for use in all instances. In the case of any variation from the original colors, the colors that may be considered by the Committee are earth tones and any other colors that are similar to the paint colors used by the Declarant or Builder. Trim colors shall not dominate the exterior appearance and shall be of the same color range as the major color. The Committee must approve all colors prior to painting.

PATIO COVERS: Roofing materials shall match that which were installed by the Declarant or Builder on the original roof of the home or that which were offered as an option by the Declarant or Builder for a patio cover.

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home installed by the Declarant or Builder. All patio covers not installed by the Declarant or Builder shall be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

PLAYGROUND EQUIPMENT: Play structures without play platforms or other recreational equipment or structures placed within Private Yards without a view fence which do not exceed a height of six feet (6') from ground level and are placed a minimum of five feet (5') away from all Party and Perimeter Walls need not be submitted for approval. Plans for play structures and similar recreational equipment that exceed a height of six feet (6') or any play structure that will be installed in a Private Yard with a view fence must be submitted to the Committee for approval. This is not to eliminate play structures, but is to consider privacy issues for adjacent neighbors.

The maximum height that will be considered for approval of play structures is twelve feet (12'). The maximum height for any deck/platform area is four feet (4') above ground level. Any play structure may be placed no closer than five feet (5') to any Lot line. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture or brochure of the structure, total dimensions, materials and a plot map or drawing indicating the proposed location and its proximity to adjacent property lines.

The color of canopy of the play structure must be one of the following (i) a "neutral" color of off white, beige, or light brown, (ii) a single solid color of red, blue, green, or yellow, or (iii) striped with white or another primary color and one (1) other color of red, blue, green, or yellow. Prints and multi-colored striped canopies are prohibited.

POOLS AND SPAS: In-ground pools and spas or above-ground pools and spas on Lots completely enclosed by a solid wall or fence that is at least six feet (6') high or any Lot that does not have non-solid fencing (i.e., wrought iron rather than a solid wall) do not require the prior approval of the Committee. Above-ground pools shall not be permitted on Lots with non-solid fencing (i.e. wrought iron fence). Above-ground spas on Lots with non-solid fencing (i.e. wrought iron fence) shall be considered for approval by the Committee. In-ground pools and spas and above-ground pools and spas shall not be installed within five feet (5') of a Lot line.

To the extent necessary for an Owner to construct Improvements in the Private Yard of his Lot, an Owner may remove all or part of a boundary wall, provided the Owner gives reasonable notice to the adjoining Owners and Residents that all or part of the boundary wall will be removed and the Owner desiring to temporarily remove a portion of the wall makes appropriate arrangements (including the erection of a temporary fence or barrier)



or pays appropriate compensation for the protection of children and pets on the adjoining Lot. All Lot owners installing a pool will be required to submit a \$500.00 deposit payable to the Association and to enter an agreement to assure that sidewalks are in the same conditions as before the pool construction access began and all construction debris is removed. This access agreement will only be initiated with the approval of the application and upon receiving the deposit of \$500.00.

All pool and spa equipment must be screened from view of neighboring property. Lots with non-solid fencing (i.e., wrought iron fencing) must submit equipment screening plans for approval to the Committee. See also Pool Fencing and Equipment below.

Pools may not be backwashed into any common area or off of the Lot on which the pool has been installed. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage to common areas due to backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the Owner.

Pool ladders, slides, rock waterfalls, etc. that exceed the height of the fence or wall must have prior approval of the Committee. Such items shall not exceed eight feet (8') in height and must be set back a minimum of five feet (5') from all surrounding property lines.

**POOL FENCING AND EQUIPMENT:** The specifications for rear yard wrought iron pool fencing installation on a Lot with view fencing shall be black or painted a neutral earth tone color to match or blend with the exterior color of the home or match the existing wrought iron fencing color. Pool fencing must meet all City, County, State and Federal requirements.

Pool equipment on Lots with non-solid fencing (i.e., wrought iron fencing) must be screened so that such equipment is not be Visible From Neighboring Property. Screening may be through plant material or hardscape enclosure. Hardscape enclosures do not require approval if the enclosure does not exceed four feet (4') in height and is painted to match the base color of the home. All other screening material requires approval from the Committee.

**RAMADAS, GAZEBOS AND SIMILAR STRUCTURES:** All ramadas, gazebos, Residences and similar structures must be submitted for approval. They may not exceed ten feet (10') at their highest point and must be set back a minimum of five feet (5') from surrounding property lines. Roof and structure colors and materials must match those used by the Declarant or Builder in the original construction of the dwelling, and be approved by the Committee prior to installation. Location of the structure must comply with the Declaration and local government ordinances.

**ROOF AND ROOF STRUCTURES:** If the Dwelling Unit has a pitched roof, the roofing material for that portion Visible From Neighboring Property must be clay or concrete tile that matches what was installed by the Declarant or Builder. Unless specifically authorized in the Declaration, this document or any Federal, State, local or other regulatory laws,

statutes, ordinances, rules and regulations, no heating, air-conditioning, ventilation equipment, or any other equipment or structures shall be located or installed on any roof. In addition and unless specifically authorized in the Declaration, this document or any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, any such equipment or structures shall not be located, installed or maintained anywhere on a Lot if it is Visible From Neighboring Property.

SECURITY LIGHTING/DEVICES: Security lighting must be directed as not to shine on neighboring property. All outdoor lighting must be submitted for approval.

Security features including, but not limited to, doors and windows must be submitted for approval. Security lighting, doors and windows that are installed by the Declarant or Builder are not subject to approval.

SECURITY DOORS, SCREEN DOORS AND SUNSCREENS: Wrought iron security/screen doors need not be submitted for approval provided they are painted to match the base color of the home or are a neutral "earth tone" color.

Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed and not submitted for approval provided that the window frame matches the sunscreen material or the existing window frames. Sunscreen material shall be kept in good condition and replaced when faded.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed without Committee review.

SIDEWALKS: Please refer to DRIVEWAY EXTENSIONS AND SIDEWALKS.

SIGNS: No sign of any kind which is Visible From Neighboring Property shall be installed or displayed on any Lot or Common Areas without the prior written approval of the Committee as to size, color, design message content, number and location except:

1. Signs required by legal proceedings.
2. Project identification signs and other marketing signs installed by Declarant or the Association.
3. No more than one (1) professionally lettered "For Sale" or "For Rent" or "Open House" sign with maximum size to be eighteen (18) inches x twenty-four (24) inches to be placed on any individual Lot within the Community. Such sign shall be located wholly within the Lot being advertised "For Sale" or "For Rent".
4. One small single-sided security/alarm sign may be placed near the front door where it is visible to persons approaching the Dwelling Unit and a sign may also be placed in a window of the Dwelling Unit. The signs shall not exceed seventy five (75) square inches in size.

5. One temporary sign identifying the contractor installing landscaping or a pool on the Lot or Parcel, but only during the period that such installation is in progress.
6. Per Revised State Statutes, political signs may not be in place more than seventy one (71) days before an election and must be removed within three (3) days after the election to which the sign pertains; signs may not exceed an aggregate total of nine (9) square feet.

All signs shall conform to applicable municipal ordinances and other governmental requirements.

**SOLAR PANELS AND EQUIPMENT:** Except as initially installed by the Declarant or Builder or as specifically authorized in the Declaration, this document or any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, no heating, air conditioning, evaporative cooling or solar energy collecting unit or panels shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee.

Solar roof panels should be made to look like an integrated part of the roof design and mounted directly to roof plane and may not break roof ridgeline. Any visible cabling must match existing color theme so as to blend in with roof, eaves, trim, etc. Cabling must be attached to structure and not allowed to hang loose.

**STORAGE SHEDS:** Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including roof, does not exceed seven feet (7'). Sheds shall have a minimum set back of five feet (5') from all boundary walls. Materials shall be of a high quality and shall be in harmony with the exterior of the residence including siding, color and roof material. Storage sheds on Lots with non- solid fencing (i.e., wrought iron fencing) are subject to the following provisions (i) the shed may not be placed adjacent to the view fence; (ii) the shed must be screened from view with approved plant materials; and (iii) placement of the shed must be approved by the Committee prior to installation.

**WINDOWS:** Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of the home and shall be approved prior to installation.

## **LANDSCAPE GUIDELINES**

**LANDSCAPING:** Any Lot shall be completely landscaped by the Owner of such Lot unless such landscaping is installed by the Declarant or Builder. Owner shall maintain the portions of such Lot required to be landscaped in a weed-free condition and as otherwise

required by the Declaration. Any Public Yard landscaping installed by the Declarant (or any Builder) shall be deemed approved and shall be maintained in the manner installed. Approval of the Committee is required prior to any modifications of the landscaping except for replacing plants or improvements with like kind replacements. Any Public Yard landscaping installed by Declarant (or any Builder) shall be deemed to meet the minimum requirements of these Guidelines. The Public Yards in the Villas and Lofts Neighborhoods shall be maintained by the Association. In the event the Association discontinues this service, the Owner shall be responsible for maintenance and irrigation of the Public Yard. The Private Yard portion of such landscaping and irrigation improvement shall be installed within one hundred eighty (180) days of becoming an Owner of the Lot. Such Private Yard Improvements that are Visible From Neighboring Property must be approved by the Committee prior to installation.

TURF: Artificial turf may be installed in the Private Yard. Such artificial turf shall be of a high quality material, installed per manufacturer's recommendations and maintained in like-new condition at all times.

LANDSCAPE LIGHTING: Lighting other than low voltage landscape lights must be approved by the Committee. The following outlines the minimum standards for lighting: (i) Lighting shall be shielded such that the light shines primarily on the Lot on which it is installed (lights which create glare visible from other Lots are prohibited); and (ii) Lights shall be screened whenever possible with walls, plant materials or internal shielding to allow the light to be seen, but not the fixture itself.

HARDSCAPE: Any hardscape items proposed for Public Yard installation must be approved by the Committee prior to installation. Hardscape items include, but are not limited to, concrete, brick, tile, wood, pavers, etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls and fountains.

ROCK GROUND COVER: If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors. No more than two (2) different colors of one-half inch ( $\frac{1}{2}$ " screened granite rock is allowed in the yard and rock shall not spell out any words or names. Granite must be treated with pre-emergent at regular intervals to retard weed growth.

River rock shall be one (1) to six (6) inches in diameter and cover not more than ten percent (10%) of the landscaping. Rip rap of a similar color as the landscape rock, placed in a "run" must also meet this ten percent (10%) maximum calculation.

PROHIBITED PLANT MATERIAL: The following vegetation types and varieties are expressly prohibited:

1. Olive tree (*Olea europaea*) other than the "Swan Hill" variety.
2. Oleander (*Nerium oleander*) other than dwarf variety and Thevetia (*Thevetia* species).
3. Fountain Grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*).

4. All varieties of Citrus (except if installed within the confines of the rear yard only).
5. Mexican Palo Verde (*Parkinsonia aculeata*).
6. All varieties of mulberry trees.

## **ASSOCIATION RULES**

**ANIMALS:** No animals, bird, fowl, poultry, reptile or livestock may be kept on a Lot temporarily or permanently, except for no more than three (3) adult dogs regardless of size or weight, and/or a reasonable number of common domestic pets such as cats, or birds such as parakeets, cockatiels and parrots, bred or raised solely as domestic pets and not for commercial purposes. All household pets permitted to be kept on the Lots under Section 4.2 of the Declaration shall be confined to their owners' Lots in which they are residing or visiting, except that dogs, cats or other pets capable of being walked on a leash may be permitted to leave their Lot without being confined if such animals are kept at all times on a leash not to exceed six feet (6') in length or are otherwise under a Resident's control and are not permitted to enter upon any other Lot. It shall be the responsibility of the Residents of the Lot to immediately remove any droppings from pets residing or visiting their Lot. No household pet permitted shall be allowed to make an unreasonable amount of noise or to become a nuisance. No structure for the care, housing or confinement of any permitted household pet shall be maintained so as to be Visible From Neighboring Property without approval from the Committee.

**HOLIDAY DECORATIONS:** Owners may display holiday lights and/or decorations located or visible from outside their Dwelling Unit, if the decorations are of reasonable size and scope and do not disturb the quiet enjoyment of other Owners in the Project by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Holiday decorations and/or lights may be displayed in season only from November 20 until January 20; during other times of the year, holiday decorations may be displayed from three weeks prior to and one week after any nationally recognized holiday.

**SANITATION:** All refuse, including without limitation all animal waste, shall be regularly removed from the Lots and shall not be allowed to accumulate thereon. Until removal from the Lots, refuse shall be placed in closed refuse containers with operable lids so that such containers are not open to the air. Refuse containers shall be kept clean, sanitary and free of noxious odors. Refuse containers shall be maintained so as to not be Visible From Neighboring Property, except that containers meeting City specifications may be placed out for pickup no earlier than 6:00 p.m. the day before collection and must be removed from view no later than 9:00 p.m. the day after collection. No outdoor incinerators are allowed.

Each owner shall be responsible for removal of rubbish, debris and garbage not only from his Lot or parcel, but also from all public right-of-ways either fronting or alongside his Lot or parcel, excluding (i) public roadway improvements, and (ii) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association.

**SEASONAL AND DECORATIVE FLAGS:** Seasonal and decorative flags which are house mounted below the roofline do not require approval. Seasonal flags may be displayed thirty (30) days before and must be removed within seven (7) days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc., constitute grounds for fines and removal. Flags

shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

YARD SALES: Because the Project is a gated community, garage sales or any similar type of sales or organized activities that would require the invitation to the Project of the public at large are not allowed within the Project, except that the Board may coordinate a cooperative garage sale or other organized activity for participation by all the Residents on a periodic basis.

## **COMMON AREA AMENITY RULES**

### **CODE OF CONDUCT:**

- All persons must conduct themselves in a civil and courteous manner at all times and must not jeopardize or interfere with the rights and privileges of others.
- Loud, profane, indecent or abusive language is prohibited.
- Harassment or physical abuse of any person by another is prohibited.
- No person's actions shall compromise the safety of another. All persons using the Play Area shall obey all safety rules and shall cease unsafe activity when directed to do so by Association employees.

RESPONSIBILITY: Residents are responsible for their guests while using the Common Area Amenities. Guests under the age of 16 must be accompanied by a Resident or adult guest at all times for the use of all amenities within the fitness building and pool area.

NOTICES AND ADVERTISEMENTS: Notices, advertisements or posters of any kind shall not be placed or distributed in the Common Area Amenities without the prior written consent of the Manager.

ALCOHOLIC BEVERAGES: No alcoholic beverages may be brought to and/or consumed in the Common Area Amenities, unless approved in writing by the Board of Directors.

COMPLIANCE: Any person who refuses to abide by Association Rules may be asked to leave the Common Area Amenities by Association employees. Continuous violations may result in the loss of the Common Area Amenities use privileges and/or monetary fines.

DAYS/HOURS OF OPERATION: Common Area Amenities except the fitness building, pool area and basketball court will be open from 7 am to sunset daily. The fitness building will be open from 5 am to 10 pm daily. The pool area and basketball court will be open from 7 am to 9 pm daily. Please contact the Community Manager for reservations of the pavilion areas within the pool area.

The Board of Directors may from time to time change the hours as posted. The fitness building and pool area may be closed during holidays; observed holidays will be posted.