

**CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
JOSHUA SQUARE HOMEOWNERS ASSOCIATION
c/o AAM, LLC
1600 W. Broadway, Suite 200
Tempe, AZ 85282
602-957-9191/602-957-8802 (FAX)**

The undersigned, constituting a majority of the members of the Board of Directors of **Joshua Square Homeowners Association, Inc.**, an Arizona nonprofit corporation, hereby take the following actions in writing at a duly called meeting of the Board on February 9, 2015.

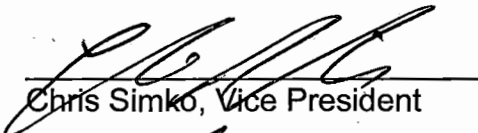
RESOLVED, that the Board of Directors hereby adopts the attached **Design Guidelines, Rules & Regulations** effective **February 9, 2015**.

FURTHER RESOLVED, that the Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Design Guidelines, Rules & Regulations effective February 9, 2015.

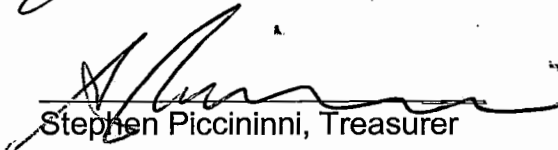
IN WITNESS WHEREOF, the undersigned have executed this consent as of this 9th day of February, 2015.



Mark McWhirter, President



Chris Simko, Vice President



Stephen Piccininni, Treasurer



Karen Florence, Secretary



Matthew McKenney, Director

**DESIGN GUIDELINES
RULES & REGULATIONS
FOR
JOSHUA SQUARE HOMEOWNERS ASSOCIATION**

February 9, 2015

The Design Guidelines / Rules and Regulations ("Rules"), as set forth in this document, shall interpret and implement procedures for the Architectural Review Committee's ("Committee") review and standards, including, but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finish and material, signage, and wall design. **This document shall supersede all previous Rules and regulations for the community.** These documents are intended to enhance property values and high standards of development that exist within Joshua Square Homeowners Association. Unless specifically identified as not requiring submittal for approval within this document, prior approval from the Committee is required for any and all changes, alterations, or additions to a unit. The Rules are established to assist residents in conforming to the standards established, and amended from time to time by the Board of Directors or Architectural Review Committee. Each application will be reviewed on a case-by-case basis.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR INSTALLATION, ALL PLANS MUST BE SUBMITTED, IF REQUIRED, 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).

APPLICATION PROCEDURE:

Submittal

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

Joshua Square Homeowners Association
c/o AAM, LLC
1600 W. Broadway, Suite 200
Tempe, AZ 85282
(602) 957-9191 / FAX (602) 957-8802

The following information should be included with the submittal:

1. **Application Form – Architectural Design Review Form:** A completed application form (copies may be obtained from the management office).
2. **Elevation Plans:** Plans showing finished appearance of improvement in relation to existing dwelling.
3. **Specifications:** Detailed description of materials to be used and color samples, and dimensions must be submitted.

4. **Photograph:** If submittal is for an existing structure or improvement, a photograph of the structure or improvement must accompany the submittal application.

All buildings, structures and other improvements erected within Joshua Square Homeowners Association, and the use and appearance of all land within Joshua Square Homeowners Association, shall comply with all applicable City zoning and code requirements, as well as the Declaration of Covenants, Conditions and Restrictions for Joshua Square Homeowners Association, a condominium.

REVIEW-APPROVAL AND/OR DISAPPROVAL

The Committee shall have **forty-five (45) days** after receipt of plans to review and respond to the application. Any submittal not acted upon during this time frame will be deemed **unapproved**. No verbal approvals/denials will be given by the community manager or the management company. All decisions will be mailed via US Mail.

Review and approval or disapproval 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. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Committee, nor the Board of Directors 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.

Appeal

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

Joshua Square Homeowners Association
c/o AAM, LLC
1600 W. Broadway, Suite 200
Tempe, AZ 85282
(602) 957-9191 / FAX (602) 957-8802

**THESE RULES MAY BE AMENDED FROM TIME TO TIME
BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.**

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DESIGN GUIDELINES

ANIMAL REGULATIONS

Dogs, cats and other commonly recognized household pets may be kept provided the homeowner or tenant follows the Rules and Regulations established by Joshua Square Homeowners Association and all City, County, and State Animal Laws. Animals may not be kept, bred or maintained for any commercial purpose. Pets are not allowed to become a nuisance to neighbors through noise, location or any other means. Pet containers are not to be kept outside or in view of neighbors. These containers must be kept inside the unit, if at all.

All animals must be physically restrained when leaving your personal home or patio. Animals must be on a leash no longer than six feet (6') in length and under control of the owner. No animal is permitted to roam free. Pets are not permitted to be secured within any common area of Joshua Square.

Owners are responsible for cleaning up after their pets promptly. Pet owners who do not clean up after their pets will be subject to fines as established by the Association and also for any waste removal costs incurred. Pet feces shall be removed from private patios within 24 hours. All feces must be sealed and containerized before placing in dumpsters. Any deposit of feces on the common area is a violation of animal regulations.

Homeowners will be charged for the replacement and/or repair of landscape damaged by their pets/tenant's pets.

ANTENNAS – see Satellite Dishes

BASKETBALL GOALS

Due to the nature of the community, basketball goals are not allowed.

BICYCLES

Bicycles must be stored inside home or at the bike racks provided.

CLOTHESLINES

Clotheslines are not permitted.

COMMON AREAS

The common areas and facilities shall be used for only such purpose as may be approved by the Association. Owners wishing to utilize the common areas for parties using bounce houses or other like equipment are required to submit an insurance certificate naming the association as additional insured.

COMMON RESTRICTED AREAS

No nuisances, obnoxious or offensive activities, activities detrimental to property values, or activities that disturb the comfort and quiet enjoyment of other owners shall be conducted or permitted to exist in the unit. Excessive noise within the Association or other common elements is not permitted. Sidewalks, parking areas, driveways, etc., shall not be obstructed or used for children's play, bicycle riding, or for purposes other than for entrance and exit.

CONSTRUCTION

Due to the close proximity of neighbors, and in consideration of neighbors, all construction by homeowners must be completed between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday only. Permit for approved modification is required.

DECORATIVE ITEMS

Decorative items are not allowed within any owner's property if it is visible from neighboring property. Decorative items shall not be placed on the patio area of any unit without prior approval of the Committee or Board, or both. The Board of Directors reserves the right to require the removal of decorative items within unit patio areas based on size, quantity, color, location and any other criteria. The Board of Directors, at its sole discretion, shall make its determination on a case-by-case basis.

- **Holiday and Seasonal Decorations:** Seasonal decorations may be installed thirty (30) days prior to the holiday and must be removed within fifteen (15) days after the holiday.
- **Decorative Art on building:** Decorative art on the building must be submitted for approval.

DRAINAGE

No owner or resident shall interfere with or obstruct the drainage pattern over his unit or the common areas as that pattern may be established or altered by Declarant.

EMERGENCY ACCESS

It is the owner's responsibility to keep current contact information on file with the managing agent and to provide emergency access to the unit when needed. The Association has the right to enter into any unit on an emergency basis; if necessary a locksmith will be contracted at the owner's expense. The Association and its contractors are not liable for damage caused by entering the unit during an emergency.

EXTERIOR CHANGES

All proposed exterior changes must be submitted to the Committee, in writing, and no exterior changes shall be made without prior written approval from the Committee. The purpose of this restriction is to maintain the architectural integrity of the Building.

EXTERIOR MAINTENANCE

Homeowners are responsible for contacting the property management company for preventative maintenance to the exterior of the units. If the homeowner neglects his or her responsibilities for maintaining their property, they will be subject to repairing the damage at their expense. Contact the property management company immediately for any repairs to the roof upon noticing a leak. It is up to the homeowner to periodically inspect the exterior of their unit for damages and to contact the management company so that the homeowner will not be held responsible for the repairs.

FENCES AND WALLS INCLUDING DECORATIVE WALLS

No modification of fences or walls is allowed, including decorative walls.

HVAC INCLUDING EVAPORATIVE COOLERS

Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior written approval of the Committee. All units shall be roof mounted. No window units are allowed. Owners are responsible to remove units that are not in working condition prior to installation of a new air conditioning unit. The Association is not responsible for interior filter replacement or duct cleaning within a unit. Owners are responsible for any and all damage caused by their air conditioners.

INTERIOR CHANGES

No interior structural changes whatsoever (i.e. removal of walls, installation of partitions, installation of tile on upper levels of the building and or any changes that may cause damage to the building) shall be commenced, erected, maintained, made or done without the prior written approval of the Committee.

INTERIOR MAINTENANCE

Every owner must promptly perform all maintenance and repair work within his own unit which, if omitted, would affect the project in its entirety or in part belonging to other owners. Owners will be responsible for any damage or liability caused by their failure to keep their unit in good repair.

LEASES

See "Tenants" below.

LIGHTING

Lighting shall not be placed upon common or common restricted areas or building without Committee approval. The Committee must approve all exterior lighting changes.

MOTOR OPERATED TOYS, BICYCLES, AND SKATEBOARDS

Motor operated toys, bicycles, and skateboards are prohibited at all times within the Community.

NOISE CONTROL

No loud noises or shouting shall be permitted in the Common Area or in any private dwelling that is an annoyance to others. Examples are: If your neighbor is having a loud noisy party with the stereo blaring, or your neighbor has a dog that barks continuously and is disturbing you, call the Police and report the disturbance.

OIL PANS Oil pans, carpet, boards or any other object used to collect oil spills from the parking lot must be removed when not in use or in disrepair to prevent them from being visible.

OUTSIDE SPEAKERS AND AMPLIFIERS

No radio, stereo or other broadcast unit of any kind and no amplifiers or loudspeakers of any kind shall be placed, allowed or maintained outside, or be directed to the outside of the unit without prior written approval and authorization of the Committee.

PAINT COLORS / EXTERIOR

No exterior painting is allowed that would alter the original painting theme.

PARKING

No truck, automobile, mobile home, mini or standard size motor home, travel trailer, tent trailer, trailer, all-terrain vehicle, bus, camper shell, detached camper, recreational vehicle, boat, boat trailer, or other similar equipment or vehicle, including any motorized vehicle or equipment of any sort or nature may be parked, kept or maintained on any part of the condominium. Vehicles must be completely parked in the applicable designated space within the parking structure.

Except as provided below, vehicles belonging to a unit owner, lessee, resident or invitee may only be parked in the applicable designated space of the parking structure. No resident shall store items that would hinder or preclude the parking of a vehicle in the designated space of the parking structure.

To the extent any such parking spaces are available, residents of units with only one designated space may park one (1) standard passenger automobile or truck with a manufacturer's rating of one ton or less in any undesignated parking space as long as such vehicle is not being "stored". Without limiting the foregoing, a vehicle shall be deemed to be "stored" on the Common Elements if it: (a) is covered by a car cover, tarp, or other material; (b) has not been moved from its location for seven (7) consecutive days; (c) lacks an engine or other parts necessary to render the Vehicle operable; (d) has expired license tags; or (e) has one or more flat tires for any length of time exceeding three (3) consecutive days.

POOL RULES

Pool rules are clearly posted in the pool area. Failure to abide by the posted rules can result in fines being levied by the Association.

PRIVATE COURTYARDS

The homeowner must keep his/her private courtyard clean and free of litter and animal waste. Clothes, bath towels, bedding, rugs, blankets, towels, bathing suits or other personal effects may not be draped over exterior walls, railings, or appurtenances or suspended by any other supporting elements.

PRIVATE COURTYARD LANDSCAPING

Plans must be submitted and approved by the Committee PRIOR to installation.

PATIOS

Nothing shall be placed or installed on or affixed to any patio, terrace, deck or balcony without the approval of the Committee. Only outdoor furniture will be allowed on the patios.

ROOFS

Nothing (including solar panels, air conditioning or heating units, television antennas, satellite dishes or other apparatus, structure, or object) shall be placed on the roof of a unit or building without the prior written consent of the Committee. No owner, resident or lessee shall install wiring for electrical or telephone installation, television antennae, machines or air conditioning units, etc., on the exterior of the project except as authorized by the association.

SATELLITE DISHES/ANTENNAS

No satellite dishes or antennas shall be attached to the building in any way without prior approval of the Committee.

SCREEN/SECURITY DOORS

Installation of security doors are allowed with prior approval of the Committee. Security doors should match the color of the unit. Owners are responsible for the upkeep and maintenance of the security doors. Standard screen doors are not allowed at any time within the community.

SIGNS

No unit owner, resident, or other person may display any emblem, logo, sign or billboard of any kind so that it is visible from neighboring property except for: (a) one (1) standard size realty company "for sale" or "for lease" sign in the Front and Side Yard of a Unit; (b) any signs as may be required by legal proceedings; and (c) such signs as are approved by the board. This Section does not apply to signs installed by the Board.

SOLAR PANELS

Installation of solar panels by individual owners is prohibited.

STORAGE

Courtyard storage is not to be visible from other units or the street. Storage includes storage sheds of any type, boxes, shelves, ladders, building materials, miscellaneous parts of any kind, refrigerators, etc. All boxes, cycles, large toys and other similar items must be stored in the unit.

TENANTS

Tenants, like owners, are required to observe all Rules and Regulations that have been adopted by Joshua Square Homeowner Association. Owners renting their units are directly responsible for handling complaints of tenants, and conflicts between tenants and/or other tenants and owners. Should a tenant have a complaint, he/she is required to contact the owner/landlord and report it, and has a right to expect that the owner will investigate and resolve the situation. Should a tenant prove to be habitually disrespectful and unruly, intractable, or engaged in any illegal activities, the owner is obligated to address the issue by whatever legal means is proper and expedient up to and including removing him/her from the complex.

It is requested that a statement of this nature be included in the tenant's lease and a copy of the Rules and Regulations be attached to the lease as of the commencement date of the lease of his Unit. The homeowner is responsible for the renter and renter's guest behavior. The owner is responsible for fees, fines, attorneys costs, etc., that may be imposed or incurred due to renter noncompliance with Rules and Regulations. It is recommended landlords incorporate into their lease and agreement for the tenant to abide by the community Rules and Regulations.

Remember to review the CC&R's prior to leasing your unit. The C C & R's contain specific information regulating the lease of your unit. If you need additional copies of the governing documents, they are available through the management company via email or on the association's website at joshuasquarehoa.org.

TERMITE AND PEST CONTROL

Each owner shall be responsible for performing or contracting to have performed, such termite, bird and bee removal and other pest control service for his or her unit as is necessary to keep his or her unit free from termites and/or pest infestation.

TRASH RECEPTACLES

To maintain sanitation, you are asked to bag your trash and break down your boxes. Trash is not to be kept outside of the unit on the patio or landing. Do not place or discard batteries, tires, oil, transmission fluid, hazardous waste, furniture or mattresses in the receptacle or in the receptacle area. The disposal of this type of debris is the homeowner's responsibility. Receptacle lids are to be closed after use. When lids are left open, odors increase, and are a nuisance and health hazard to all residents. Owners found to be dumping or leaving large items at the trash receptacles will be assessed a fee for removal of all items and clean up if necessary.

VEHICLES

Other than temporary emergency repairs or minor repairs that do not require power equipment, do not make excessive noise, and can be completed in a single day, no vehicle shall be constructed, reconstructed, serviced or repaired within the parking area. The Board shall have the right to have any vehicle parked, kept, maintained, constructed, reconstructed or repaired in violation of the condominium documents towed away at the sole cost and expense of the owner of the vehicle or equipment. If the vehicle or equipment is owned by a unit owner, lessee or resident or any of their respective invitees, any amounts payable to the Association shall be secured by the assessment lien, and the Association may enforce collection of such amounts in the manner outlined in the Collection Policy.

WINDOWS/WINDOW TREATMENTS

No reflective materials, including, without limitation, aluminum foil, reflective screens or glass, mirrors, or other similar items shall be installed or placed upon the outside or inside of any windows of a residential dwelling without the prior written approval of the Committee. No enclosures, blinds, shades, screens, or similar items affecting the exterior appearance of the residential dwelling shall be constructed or installed on the exterior thereof without the prior written approval of the Committee.

Security bars are permitted only on the inside of the unit and must be approved by the Tempe Fire Department and the Committee.

Security bars that were installed before February 9, 2015 will be painted to match the building at the expense of the owner. Security bars are the responsibility of the owners to maintain, if the security bars should fall into disrepair they must be removed immediately. Owners may replace the bars with interior bars approved by the City of Tempe Fire Department and Committee.

Broken windows must be replaced with approved window styles and must match the other windows on the same visible surface of the building. Replacement windows shall be dual pane with white frames. Mullions in windows are prohibited.

**Joshua Square Homeowners Association
Architectural Design Review Form**

Please mail or fax to:
Joshua Square Homeowners Association
c/o AAM, LLC
1600 W. Broadway, Suite 200
Tempe, AZ 85282
602-957-9191/602-957-8802 (FAX)

Name: _____ Date: _____

Address: _____

Unit #: _____ Daytime Phone: _____

Requesting Approval of: _____

Work to be performed by: _____

Type of Material (attach samples/pictures/brochures): _____

Color to be Used (attach samples/pictures/brochures): _____

**SUBMITTAL MUST INCLUDE A PLOT PLAN INDICATING LOCATION OF REQUEST
AND INCLUDE ALL APPLICABLE MEASUREMENTS AND DIMENSIONS.**

INCOMPLETE SUBMITTALS WILL BE DENIED.

I agree to comply with all applicable city and state laws, and to obtain all necessary permits. I also agree not to begin work until I have been notified in writing of the Committee's decision and to maintain all improvements to their original condition. Committee must review all submittals within 45 days. All work will be completed within one hundred and twenty (120) days from day of approval.

Owner's Signature _____ Date _____
