

DESIGN GUIDELINES AND ARCHITECTURAL RULES FOR CAVE CREEK VILLAS HOMEOWNERS ASSOCIATION

January 1, 2005

The Association Rules and Design Guidelines ("Rules"), as set forth in this document, shall interpret and implement procedures for the Architectural 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. These documents are intended to enhance property values and high standards of development that exist within Cave Creek Villas 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 lot or 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 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

Cave Creek Villas Homeowners Association

VISION COMMUNITY MANAGEMENT

16625 S. Desert Foothills Parkway

Phoenix, AZ 85048

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 Cave Creek Villas Homeowners Association, and the use and appearance of all land within Cave Creek Villas Homeowners Association, shall comply with all applicable City zoning and code requirements, as well as the Declaration of Covenants, Conditions and Restrictions for Cave Creek Villas, a condominium

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/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, nor the Declarant 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

Cave Creek Villas Homeowners Association

Vision Community Management
16625 S. Desert Foothills Parkway
Phoenix, AZ 85048

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

DESIGN GUIDELINES

ANIMAL REGULATIONS

Dogs, cats and other household pets may be kept provided the homeowner or tenant follows the Rules and Regulations established by Cave Creek Villas and all City, County, and State Animal Laws. The C C & R's limit the number of dogs and cats to two (2). No Kennel or Kennel Services are allowed within Cave Creek Villas. 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 Common Restricted area (your personal home or patio). Animal must be on a leash no longer than six feet (6') in length and under control of the owner. No animal is permitted to be at large. Pets are not permitted to be secured within any area of Cave Creek Villas.

Owners are responsible for cleaning after their pets promptly. Pet owners that do not clean up after their pets will be subject to fines established by the Association and also for any waste removal cost, if necessary. Pet feces shall be removed from Common Restricted Areas (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 rules and regulations.

Pet Owners will be charged for the replacement and/or repair of landscape damaged by their pets.

ANTENNAS

No antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation (including satellite or microwave dishes) may be erected, used or maintained at any unit or common area without the prior written approval of the Committee. The location must be in the least visible and conspicuous manner possible without interfering with the viewer's ability to receive signals. Without limitation, the Board may require that such devices be reasonably screened and/or ground mounted as long as the Owner can obtain a satisfactory signal.

AWNINGS

The Committee must approve all awnings. Only specific designs are permitted. Awnings are only permitted to be installed on the side and/or rear of the home. All awning submittals must include a drawing/picture with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awning, is required. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

BASKETBALL GOALS

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

BICYCLES

Bicycles must be stored inside home or in parking garage.

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.

CLOTHESLINES

Clotheslines are not permitted.

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 5:00 p.m., Monday through Friday only. Permit for approved modification is required.

DECORATIVE ITEMS

Decorative items are not allowed within any of Owners property if it is Visible from Neighboring Property. Decorative items placed upon patio area of any unit require prior approval of the Committee or Board, or both.

American Flag No freestanding flagpoles are allowed. Maximum size of the flag shall be three feet by five feet (3'x5'). Wall mounted flagpoles shall be a maximum of five feet (5') long with attaching brackets painted to match the structure to which they are attached. Only one (1) pole-mounted flag will be permitted per residence or lot. All poles and flags must be maintained in excellent condition according to the United States Flag Code, Title 36, U.S.C., Chapter 10. It will be the responsibility of the homeowner or resident of the lot on which the flag is displayed to do so with proper respect and flag etiquette. *These requirements are within the context of State Bill 1055, approved by the Governor on April 29, 2002.

Seasonal and Decorative Flags Seasonal and decorative flags which are house-mounted require Committee approval. Seasonal flags must be removed within thirty (30) 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., are subject to fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

Holiday and Seasonal Decorations Holiday seasonal decorative lights may be displayed between Thanksgiving Day and January 15. Seasonal decorations may be installed thirty (30) days prior to the holiday and must be removed within fifteen (15) days after the holiday.

Decorative and Seasonal Items 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.

Decorative Art on Houses Decorative art on houses is not permitted.

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.

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. The Association is not responsible for exterior window cleaning, concrete or asphalt driveway cleaning, dusting of buildings or patios.

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.

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 ground mounted, located within the perimeter of the rear yard and screened or concealed from view of all neighboring property. No window units are allowed. The Association is not responsible for interior filter replacement or duct cleaning within a unit.

INTERIOR CHANGES

No interior structural changes whatsoever shall be commenced, erected, maintained, made or done without the prior written approval of the Committee.

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 in 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 noise 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 driveways must be removed when not in use 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 without specific Committee or Board approval.

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 except:

- (i) Vehicles completely parked in the applicable Designated Space within the Garage Structure,
- (ii) Vehicles temporarily parked on Tract A or the driveway located on the Front Unit for loading or unloading not exceeding a total of six (6) hours in any 24-hour period. A Unit Owner shall be responsible for any damage to the Tract A private drive and Front Unit driveway leading to the Garage Structure caused by a Unit Owner's, Resident's, or Invitee's Vehicle, such as a large moving van. Without limiting the foregoing, at no time may a Vehicle be parked on the driveway located on the Front Unit leading to the Garage Structure if the driveway is not at least eighteen feet (18') from back of curb to the garage door of the Garage Structure or if the Vehicle does not otherwise fit entirely within the driveway.

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 Garage Structure. No Resident shall store items that would hinder or preclude the parking of a Vehicle in the Designated Space of the Garage Structure. At no time may any Vehicle be parked along the private drive (Tract A) within the Condominium or on the driveway located on the Front and Side Yard leading to the Garage Structure so as to block access to a Garage Structure or another Unit Owner's Designated Space. Garage doors of the Designated Space shall be kept closed at all times except when a resident or other person is entering or exiting the Garage, or is present in the Designated Space and shall also be kept closed if a Unit Owner or other Resident is making or having an Invitee make minor repairs to a Vehicles in the Designated Space that will create noise or vibration, regardless of how minor.

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 along the Tract A private drive as long as such Vehicle is not being "stored" on the Common Elements and only if the applicable Designated Space in the Garage Structure is already occupied by another vehicle. Without limiting the foregoing, a Vehicle shall be deemed to be "stored" on the Common Elements if it: (i) is covered by a car cover, tarp, or other material; (ii) has not been moved from its location for seven (7) consecutive days; (iii) lacks an engine or other parts necessary to render the Vehicle operable; (iv) has expired license tags; or (v) has one or more flat tires for any length of time exceeding three (3) consecutive days.

To minimize noise from garage door usage, replacement of garage door openers shall be with the same type as originally installed by Declarant (designed to minimize noise and vibration

levels) or such other time or model garage door opener specifically designated by the Board in its Rules.

PATIO COVERS

All patio covers not installed by the Declarant must be submitted to the Committee prior to installation. Care should be taken to insure materials are consistent with the building design.

PRIVATE COURTYARDS AND LANDSCAPING

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, including patio furniture. All patio furniture shall be of commercial grade quality and approved prior to placement. No plastic furniture is allowed.

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.

SCREEN DOORS

Any front door screen door must have architectural approval prior to installation. Doors must be kept clean and in proper repair. Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

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: (i) a Unit Owner name and address identification sign not exceeding 6"x12" in size on the door of a Residential Dwelling; (ii) one (1) standard size realty company "for sale" or "for lease" sign in the Front and Side Yard of a Unit; (iii) any signs as may be required by legal proceedings; (iv) one small alarm company sign on the Front and Side Yard of a Unit and located near the front door of a Residential dwelling; and (v) such signs as are approved by the board. This Section does not apply to signs installed by the Declarant or the Board.

SOLAR PANELS

Solar panels cannot be placed on the roof without prior written consent of the Committee. Panels must be flush mounted if visible by neighbors.

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

or in the garage, so long as storage does not prevent the garage parking space from being used to park permitted vehicles under the declaration.

TENANTS

Tenants, like Owners, are required to observe all Rules and Regulations that have been adopted by Cave Creek Villas. Owners cannot lease units for less than ninety (90) day periods.

It is required 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 at least ten (10) days prior to 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.

Landlords are required to notify the management company of tenant changes in order to keep an up-to-date roster of the residents. Owner must submit to the management company the following information: commencement date and termination date of the lease, and the names of each Lessee or other Resident who will be occupying the Unit during the term of the lease, and the address and telephone number of the Unit Owner while the lease is in effect. Unit Owner shall be liable for any violation of the Declaration or these Rules caused by the Lessee, any other Resident of the Unit under the lease, and their invitees and pets and, upon demand of the Association, shall immediately take all necessary actions to correct any such violations.

Remember to review the C C & 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.

TERMITE AND PEST CONTROL

Each owner shall be responsible for performing or contacting to have performed, such termite and 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. 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.

VEHICLES

Except for temporary emergency repairs, no Vehicle shall be constructed or reconstructed, serviced or repaired in the Front and Side yard (including the concrete driveway leading to the Garage Structure) or on the private drive (Tract A). 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 Garage Structure. 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 provided for the collection of Enforcement Assessments.

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. Window tinting is prohibited except for tinting provided by Declarant as part of the original construction of the Residential Dwellings.