



Tone Ranch Estates

Home Owners Association

Architectural Review Committee Guidelines

Revised January 1, 2022

TONE RANCH ESTATES
ARCHITECTURAL DESIGN GUIDELINES

REVISION TO ARCHITECTURAL DESIGN GUIDELINES

In accordance with the Declaration of Covenants, and Conditions (CC&Rs) for Tone Ranch Estates, the Board of Directors has adopted the following Architectural and Design Guidelines (ADG) for improvements which shall apply to all lots within Tone Ranch Estates. The ADG dated July 1, 2011, has been revised in the following subject areas and approved in its entirety effective January 1, 2022.

Subjects that were addressed and updated are:

1. Review, Decisions and Appeals
2. Children's Play Structures and Play Equipment
3. Driveway Extensions and Walkways/Sidewalks
4. Exterior Home Painting and Colors
5. Storage Sheds and Other Structures
6. Gates and Gate Maintenance

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THE ARCHITECTURAL REVIEW PROCESS

In accordance with the Declaration of Covenants, Conditions and for Tone Ranch Estates, the Board of Directors has adopted the following Architectural and Design Guidelines (ADG) for improvements which shall apply to all lots within Tone Ranch Estates.

Each lot homeowner must be familiar with the CC&R recorded with Maricopa County and with these ADG. These Guidelines are subjected to being amended occasionally as determined by the Architectural Review Committee and the Board of Directors. The purpose for these Guidelines is to enhance and maintain a high standard of our property values within the Association. They are also provided to assist homeowners in preparing structural and landscape improvement documents for approval by the Architectural Review Committee.

Prior to the commencement of construction or installation, all plans, changes or improvements within the scope of these guidelines on a lot must be submitted for approval to the Architectural Review Committee. Even if your new addition or alteration is identical to a previously approved submission, it must be re-submitted for approval. Approval to proceed shall be required in writing from the Architectural Committee. Any added requirements or restrictions contained in the approval shall be complied with. If there is any disparity between the Architectural Guidelines and the Covenants, Conditions and Restrictions, the Covenants, Conditions and Restrictions shall control the final decision. All architectural approvals will be conditioned upon compliance with applicable Gilbert Town codes.

Current Unapproved Improvements

All unapproved changes or improvements made by homeowners may be subject to action by the association to restore the structure or landscaping within the Architectural and CC&R Guidelines. Homeowners are urged to inspect their lots to ensure they are in compliance with the Architectural Standards. If in doubt, submit an Architectural Approval Request Form to the Management Company (VCM) to begin corrective action or to get approval for the existing condition.

Application Procedure

Complete an Architectural Approval Request Form. Forms and instructions can be obtained from the Tone Ranch Estates HOA web page on www.visioncommunitymanagement.com and go to the Tone Ranch Estates link.

Include the following with the form:

1. Plot Plan - A site plan showing dimensions, relation to existing dwelling and property lines (setbacks) Measurements must be written on the plans.
2. Elevation Plans - Plans showing finished appearance of additions in relation to the existing dwelling. Photographs of the proposed locations are often helpful in clarifying the work to be accomplished.
3. Specifications - Detailed description of materials, color samples, and dimensions must be submitted.

Submit all the above to: Vision Community Management
Tone Ranch Estates
16625 S. Desert Foothills Pkwy
Phoenix, AZ 85048
Phone: (480) 759-4945
Fax (480) 759-8683
Email: www.toneranchestates@wearevision.com/

All buildings and structures erected, and land used within Tone Ranch Estates shall comply with the zoning and code requirement of the Town of Gilbert, the CC&R, and these ADG.

All finished work must meet the quality workmanship standards intended by the guidelines and CC&R. The Architectural Review Committee reserve the right to reject the approval given for the change or improvement made if the materials, workmanship or specifications submitted in the request documents are not followed.

Review, Decisions, and Appeals

The Architectural Review Committee (ARC) shall review all applications submitted to it and shall furnish a written decision through the community management company to the applicant within forty-five (45) days after receiving the request. Documents submitted to the Committee must be complete and provide as much information as possible for the committee to correctly determine if the proposed changes meet with the ADG and the CC&R. Any unclear or omitted information will be returned to the homeowner, delaying the process, and re-establishing the forty-five (45) calendar day assessment period.

The Committee has the flexibility to respond quickly to a homeowner's need provided the above information is submitted within the submission deadline and the homeowner specifies a date needed for the decision. The Architectural Review Committee will try to accommodate requests for accelerated timelines.

Responses to requests that are denied will include a reason. In the event the applicant does not receive a response within the allotted time frame, provided that all aspects of the application agree with the provisions of these guidelines, then the application shall be automatically approved.

No decisions will be made verbally. A majority vote of the members of the ARC shall be necessary for any decision. ARC decisions on an application will be one of the following: Approved, Approved with Stipulations, or Disapproved. If the application is approved, the property owner shall proceed with the work in a timely manner.

Any Town permits that are required must be submitted to the ARC prior to start of work. Work must commence within 90 days of receipt of approval and be completed within 180 days, with exception of painting which must be completed within sixty (60) days of receipt of approval. If the applicant fails to complete improvements within the specified time limits, approval from the ARC may be revoked. Should the work require additional time to complete, the homeowner must request an extension through the community management company, either by email, or submitting another application stating reasons for the extension.

The ARC may disapprove any application if there is not sufficient information submitted for the ARC to exercise the judgment required by these guidelines. In all cases, the ARC shall explain reasons for the disapproval. In the event the applicant makes a revised submission after an initial disapproval, the application, as resubmitted, shall be deemed approved if the ARC fails to take any action on the resubmitted application within forty-five (45) days after the new submission.

Appeals of an Architectural Application decision by the applicant must be made in writing (letter or email) to the community management company within 14 calendar days of denial. The appeal will be forwarded to the ARC and reviewed by the Committee. The ARC will have thirty (30) calendar days to respond to the appeal.

The Tone Ranch Estates Board of Directors has the authority to grant variances of these guidelines for reasons of health, safety, welfare, or extenuating circumstances.

NOTE: Submissions cannot be considered if the homeowner is not current with payments of assessments.

Review and approval or disapproval will include, but not be limited to,

1. Consideration of material,
2. Quality of workmanship,
3. Matching of color with the existing or neighboring structures,
4. Consistency with the external design,
5. Location of the improvement with respect to topography and finished grade elevation.

Neither the Architectural Review Committee, nor the Board of Directors shall have a 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 addition or its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only. All document submissions, inquiries and status of approval or disapproval will be administered through the management company.

ARCHITECTURAL STANDARDS

Accessory Structures

Any structure that exceeds the height of the fence line or is visible from common areas and/or the street must be submitted for approval.

Auxiliary Structures

A storage structure is one used exclusively for storage and must be architecturally and aesthetically complementary to the main dwelling. Sheds that do not exceed the height of the immediately surrounding wall(s) or fence(s) and screened from view of all common areas and the street do not need approval. Materials can be wood, plastic, or painted metal. Consideration must be given to avoid hollow metal sheds that may be of a noise nuisance to neighbors during rainstorms. The structure must be maintained in original condition.

Any structure not intended for storage use, or has a height and/or area greater than the above guidelines will be classified as an “accessory building”.

All accessory structures must be submitted to the Architectural Review Committee and will be considered on a case by case basis. Height maximum for accessory buildings is nine (9) feet. Building and roof structures must blend in with the home and surrounding neighborhood. The structure must be maintained in original condition.

Patio Covers

Patio covers are permanent structures attached to the home, painted to match the existing trim of the home. Roofing materials shall match that which was installed by the builder on the original roof or that which was offered as an option by the builder of the patio cover. Asphalt, shingles are expressly prohibited. The roof shall be flat or match the pitch of the home. All patio covers not installed by the builder, must be reviewed by the Architectural Review Committee on an individual basis prior to installation.

Additions & Alterations

Any addition, alteration to any building, structure, lot, or parcel must be approved in writing by the Architectural Review Committee, in addition to any approvals by the City of Gilbert prior to the commencement of construction or alteration.

Antennas/Satellite Dishes

To the extent permitted by applicable law, the installation of antennas, satellite dishes or other devices for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be subject to the prior written approval of the Architectural Review Committee.

Antennas

Antennas up to 3 feet in length may be inconspicuously placed on the homeowner's home or lot without Architectural Review Committee approval. No other antennas are allowed. Antennas must be placed so as not to be visible from the street.

Satellite Dishes

A satellite dish up to 18 inches in diameter may be inconspicuously installed on the home on side or back lot below the roof line without Architectural Review Committee approval. All exposed connecting wires must be painted to match the color when they are installed on the house. The Association requests that the homeowner make every effort to install the satellite dish in the following preferred locations:

1. A location in the back yard of the lot where the dish will be screened from view by landscaping or other improvements.
2. An unscreened location in the backyard of the lot.
3. A location in the side yard where the dish and any pole or mast will be screened from view by landscaping or other improvements.
4. An unscreened location in the side yard.
5. On the roof, but below the roof line.

Awnings

Awnings over windows shall be:

1. Canvas, Aluminum or similar material
2. A solid color on both sides
3. A color that is consistent with the color palette of the exterior body or roof on the home
4. Installed only on the side and rear of the home.
5. Approved by the Architectural Review Committee prior to installation

Retractable shade awnings are allowed as extensions of patio covers. The following policy will be implemented in regards to the installation of awnings on homes within the community:

1. When submitting for approval, be sure to include a drawing with the location of the proposed awning installation, the manufacturer, sample color swatch, type and number of years' guarantee prior to installation. All awning submittals must include: sample of material, color of awning, and design of awning.
2. Homeowner is responsible for maintenance and repair of awnings. Association retains the right to determine when awning must be repaired and or replaced due to weathering, fading, tearing, ripping etc. If not kept in good repair they shall be removed.

Basketball & Tetherball Equipment

Basketball goals and backboards attached to a free-standing pole may be installed on a Lot provided the location, design and appearance of the basketball goal and backboard are approved in writing by the Architectural Review Committee.

The following specifications pertain to the use of basketball or tetherball equipment within the community:

1. The location of the basketball or tetherball equipment shall be no closer horizontally to the neighboring lot line than the closest point of the home is to the neighbors lot line or as approved by Architectural Review Committee. A minimum of 5 feet from nearest property line is required.
2. Only pole-mounted back boards and goal are acceptable, backboards shall not be installed on a building or structure. Portable or temporary goals are acceptable, however, they must be removed from visibility after play has ceased (a goal may not remain overnight).

3. Basketball poles must be painted black, dark gray or match the color of the body of the exterior of the home.
4. Back-boards must be predominantly neutral color (gray, black or white) or match the color of the body of the exterior of the home. Clear Plexiglas backboards are acceptable without painting.
5. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., constitute grounds for fines and/or removal.
6. Only nylon or similar cord nets are acceptable. Metal chain nets are expressly prohibited.
7. Courts may not be painted or permanently outlined on the driveway or other concrete surface.
8. Lighting for the purpose of illuminating the area of play or equipment use after sunset is prohibited.
9. Basketball goals located in the rear yard must comply with all above applicable guidelines and not placed within 10 feet of the lot parameter fence.

Building Materials

Finished building materials must be applied to all exterior sides of buildings and structures. Materials must match the same material and texture of the existing home. Permitted exterior finished materials include stucco, brick and flagstone veneer, split or textured decorative block, and rough sawn wood. The Architectural Review Committee may approve other materials. All exterior building materials must be approved by the Architectural Review Committee prior to submittal to the City of Gilbert for commencement of any exterior alteration.

Children's Play Structures and Play Equipment

Children's play structures, play equipment, swing-sets, and other play structures are prohibited in front yards. Play structures which will be "Visible from Neighboring Property" require the advanced approval of the Architectural Committee. This is not intended to eliminate play structures but to ensure safety and privacy is maintained to the extent possible. Consideration for play structures will include the appearance, height, and proximity to neighboring properties.

Use the following guidelines:

1. The maximum height that will be considered for approval for swing sets and other play structures/equipment shall be eight (8) feet. If the play structure is equipped with an awning or shade canopy allowance may be made up to a maximum height of ten (10) feet, to include an awning or shade canopy.
2. Tree houses are specifically prohibited.
3. Any trampoline or any portion of the equipment (including safety nets) greater than six feet (6') in height must be submitted for approval. Trampolines and any portion of the trampoline, (including safety nets) shall not be greater than ten feet (10') in total height.
4. Placement of play structures or play equipment must ensure manufacturer's safe zone are considered in placement in the rear yard. Placement of the play structure shall require minimum distances from the lot line property walls or fencing as follows:
 - a. (a) Structures up to a maximum height of eight feet (8'), measured to its highest point from the ground, must be placed a minimum of five feet (5') from any property line.
 - b. (b) Structures over eight feet (8') in height up to ten (10') in height must be placed a minimum of ten feet (10') or manufacturer's safe zone from any property line. Measurements must be taken from the portion of the structure that is the closest to the wall of property line.
5. When used in the front yard, portable play structures such as soccer goals, badminton nets, volleyball nets, tetherball standards, etc., must be stored out of view promptly when not in use.
6. The play structure must be maintained in good repair and condition and not detract from the neighboring properties.
7. Canvas or sunscreen awnings, if provided, should blend with the exterior house colors and maintained in good repair.

8. Wood material must be of natural color or painted to be consistent with existing house colors.

Decorative Items

Decorative and Seasonal Items:

Decorative items are allowed in rear yards and must be screened from view of neighbors and common areas. Front yard decorative items must be submitted to the Architectural Review Committee for approval. This includes, but is not limited to, ironwork, fountains and statues. Front yard holiday decorative items do not require approval; however, decorative items shall not be displayed more than forty-five (45) calendar days prior to the actual holiday or more than thirty (30) calendar days after the actual holiday. The Architectural Review Committee reserves the right to require removal of decorative items in front yards based on size, quantity, color, location and any criteria that the Architectural Review Committee may determine.

Seasonal, decorative flags and flags of other nations which are mounted on the house below the roofline do not require approval. Seasonal flags must be removed within thirty (30) calendar days of the date of the holiday. Other nation's flags must be removed the day following the holiday. Flags must be maintained in a good condition at all times. Torn, ripped, faded, etc., flags constitute grounds for removal. Flags may not be offensive to neighbors or the Association.

Flag Display Rules and Requirements: ARS 33-1808:

American, Arizona State, POW/MIA & Arizona Indian Nations Flags:

Notwithstanding any provision in the community documents, an association shall not prohibit the outdoor display by an association member on that member's property of any of the following:

1. The American flag or an official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps or Coast Guard if the American flag or military flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).
2. The POW/MIA flag.
3. The Arizona state flag.
4. An Arizona Indian Nations flag.
5. The Gadsden flag.

It is the universal custom to display the flag from sunrise to sunset. The flags may be displayed 24 hours a day if properly illuminated. Proper illumination shall not disturb the quiet use and enjoyment of the neighboring property.

Rules and Requirements:

- a. Only the flag of the United States, State of Arizona, POW/MIA, Arizona Indian Nations or a nationally recognized Military Flag may be displayed.
- b. The maximum size of any flag shall be 3ft. x 5ft.
- c. The maximum height of a permanent, removable or freestanding pole shall be 20ft. or the height of the roof peak, whichever is less.
- d. Wall mounted flag poles shall be a maximum of 5ft. long with attaching brackets painted to match the attachment area and will not require prior approval.
- e. All poles and flags must be maintained in acceptable condition according to the United States Flag Code, Title 36, U.S.C., Chapter 10.
- f. Only one permanent, removable, wall mounted or freestanding pole will be permitted per lot.
- g. It will be the responsibility of the homeowner or resident of the lot on which a flag is displayed to do so with proper respect and flag etiquette.

Water Features

Water features within rear yard areas do not require Architectural Review Committee approval. Any feature in the rear yard must not exceed the fence line height. Water features are permitted in the front yard only if approved by the Architectural Review Committee. They must contain a filtration system and chemically treated to prevent stagnation and a breeding place for insects. Care must also be taken to prevent a drowning exposure to children in the neighborhood.

Fountains/Waterfalls

Fountains and waterfalls must blend with the color of the home and landscape theme. Decorative accents on the fountain shall not be offensive in nature. Consideration must be taken to prevent the noise of running water as a nuisance during the quiet hours in the neighborhood between 10:00 pm – 6:00 am.

Decorative Landscape and Yard Ornamentation

Decorative landscape enhancements shall be permitted but must blend with the landscape. The Architectural Review Committee retains the authority to determine if such enhancements are a nuisance to the surrounding neighbors and properties.

Driveway Extensions & Walkways/Sidewalks

All driveway extensions must be approved in advance by the Architectural Committee and will be reviewed on an individual basis with strong consideration of any impact on the architectural features of the neighborhood. Driveway extensions and sidewalks may not interfere with the lot or adjoining lot's drainage. Every effort must be made to plan for and maintain visual harmony within the community.

The total width of the driveway of homes with an existing three car width driveway may not exceed thirty-feet (30') of contiguous frontage or fifty percent (50%) of the Lot Width (existing plus extension), whichever is greater, as measured at the front / town sidewalk.

1. Requests for driveway extensions must include a dimensioned plan of the existing lot and the direction in which the extension is proposed.
2. Additional driveways & extensions will only be allowed in the side yard. A side yard extension to the driveway must be contoured off the existing driveway or may start at the sidewalk (for homes with an original two car width driveway).
3. All driveway additions/extensions must be setback from neighboring property lines: the maximum driveway extension width shall not extend any closer than 6 inches from the property line or if present, the border separating the neighboring property line.
4. The extension must be constructed of a hard material (e.g., concrete or pavers).
5. All driveway additions/extensions must be installed by a licensed and insured contractor. The name and contact information of the licensed contractor must be included with the Architectural application.
6. No driveway extension may extend straight to the sidewalk. All requests for driveway extensions must include diagrams showing exact measurements and contours of how it will join the existing driveway.
7. Tire width parking strip additions are prohibited.
8. Driveway extensions bordering the property at the RV gate will be required to contour the driveway extension back to the original driveway to expose a minimum of 6" planting area to soften the look.
9. Under no circumstances will any driveway extension be considered that would involve a vehicle parking below a front facing window or the main entrance of the home.
10. The exact measurements of the proposed paved surface must be stated on the plan. In no circumstance can the neighboring driveway/driveway extensions meet creating a large expanse of parking area. The set-back to the property line must be clearly indicated as well as the materials to be used. A photo of the existing front yard is appreciated.

11. Note: The homeowner is responsible for ensuring that proposed improvements do not interfere with the established drainage patterns on the Lot and do not direct drainage toward or trap water against the foundation of the home. The homeowner is also responsible for making sure allowance is made for expansion and contraction between proposed improvements and existing structures or surfaces

Homes with an original two car width driveway:

1. The total width of the driveway may not exceed twenty-five feet (25') of contiguous frontage width (including existing driveway plus addition/extension) as measured at its widest point, whichever is greater. Additionally, the driveway extension must have some contouring back to the original driveway allowing up to 4 feet of driveway extension to meet the town sidewalk.
2. The area between the contoured extension and the property line must be filled with landscape granite to match the existing granite in the front yard.
3. Only one additional driveway space will be considered for review (i.e., one more than the originally installed driveway or one more space than the vehicle width of the garage door).

Home with an original three car width driveway:

1. Full width concrete driveway extensions may not be installed, as this will exceed the total parking area allowed. Rather these owners will be permitted to request an alternative option:
 - a. Homeowner may consider additional material allowing access to the side yard area adjacent to – or parallel with - the existing three car width driveway. The submission must include contouring the additional extension beginning at the existing driveway or sidewalk, forming a uniform contour to the widest part of the extension, but no closer than 6 inches from the neighboring property line.
 - b. The area between the contoured extension and the property line must be filled with landscape granite to match the existing granite in the front yard.

Additional Walkway/sidewalk:

1. Requests for an additional walkway/sidewalk must be submitted in advance to the Architectural Committee.
2. A single walkway leading from the driveway or existing walkway to the side yard gate may installed with approval of the Architectural Committee.
3. Walkways to accommodate a second gate may extend along the front of the house to the existing front walkway, but not extend diagonally across the landscaped portion of the yard or extend to the front sidewalk.
4. Additionally, the sidewalk may not run parallel to the driveway as to exceed the thirty feet (30') of contiguous driveway frontage of the lot width rule identified in provision above.
5. The additional concrete walkway cannot exceed four feet (4') in width and must remain at least one foot (1') from the property line and one foot (1') from the home.
6. Only hard materials will be considered for walkways (e.g., concrete or pavers).

Exterior Home Painting and Colors:

In accordance with the CC&Rs and these Guidelines, prior Architectural Committee approval for all exterior house painting is required of any home, even if you plan to repaint your home in its existing color scheme.

Using the existing paint scheme is highly recommended. However, homeowners may elect to change the color scheme of their home. When changing color schemes, color chips must be submitted with the request. Paint names and numbers listed on the Tone Ranch Estates website

approved color palettes are preferred. Homeowners are encouraged to reference the website for the latest approved color palette schemes. The committee will consider existing paint schemes of neighboring homes and overall color harmony of the community with each request. Color schemes that clash with this concept will not be approved. Keep in mind that the paint color and scheme need to be compatible with other architectural elements, such as the roof color and any stone or brick accents.

The front door may be painted in any color used on the home (i.e., body/wall, trim, or pop out color) or other suitable colors compatible with rest of house upon approval. All other exterior doors shall be the body/wall or trim color.

Garage doors shall be painted the body/wall color, unless otherwise approved by the Architectural Committee. All vents, gutters, and downspouts must match the trim color when attached to the trim and the body/wall color when attached to the house.

It is not required that paint be purchased through Dunn Edwards, however, they do offer Tone Ranch Estates residents a significant discount. Even though these color schemes have been deemed acceptable, you still must submit a Architectural Request for approval, including the proposed location(s) of each color. The more information the Committee has, the better they will understand your request. Applications must include brand, scheme number, paint name, paint number. Flat sheen is the only acceptable sheen for house exterior paint.

Should the homeowner decide to not select a TRE approved color scheme, a recommended alternative is for the homeowner to paint sample color swatches on the exterior of the home behind the fence and not visible by neighboring properties to view the proposed color scheme in the prevailing light and setting of the home. This will allow the Architectural Review Committee to make an informed decision regarding the proposed color scheme. Any color swatches visible from the street or neighboring homes must be removed within ten (10) calendar days after the Architectural Committee either approves or denies the request.

Plans, photos and specifications submitted though to the Architectural Review Committee must include details of the exterior color scheme, including all exterior surfaces, trim, body, and pop-outs, along with the manufacturer, manufacturer color number, color name, and type of finish being used. Exterior surfaces must be compatible with the other buildings in the neighborhood

Fences & Walls

Back or side yard fencing, (i.e., for pools and pet runs) is allowed but must not exceed 6' in height and shall meet the Town of Gilbert safety code. View fences on lots adjacent to common areas must be maintained by the homeowner and painted the same color as is standard for the community. If your lot abuts a view fence, which is adjacent to the common area, you must submit all hardscape improvements to the Architectural Review Committee.

Any common area walls installed by Ryland Homes will not be removed, altered, or painted without the Architectural Review Committee's prior written approval. Walls on member lots may be repaired and painted without the approval of the Architectural Review Committee provided the stucco repair and/or painting is done to properly maintain the appearance of the property and is within the color and structural standards for the Association. Prior to the construction of any new or decorative wall an Architectural Request Form with plans and property line verification shall be submitted to the Architectural Review Committee for approval.

Perimeter walls on lots bordering common areas may not be torn down to allow access to rear yards. Access must be gained through the front wall on the side of the home, repairs to this wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. All work must be approved by the Architectural Review Committee prior to construction.

Plans to raise the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s). Plans for new fences or walls must be approved by the Architectural Review Committee prior to construction. In the event of a cost sharing dispute between Homeowners regarding the construction, repair or rebuilding of a common wall between their properties, homeowners may submit the dispute to the Architectural Review Committee for arbitration. The parties must agree that the decision of the Architectural Review Committee will be binding, subject to the right of appeal to the Board of Directors of the Association.

Garages

The interior of all garages situated on any lot must be maintained in a neat and clean condition or the door kept closed. Garages shall be used only for the parking of vehicles, the storage of normal household supplies or storage and/or use of hobby and recreational items and shall not be converted to living quarters without the prior written approval of the Architectural Review Committee and applicable City and State zoning and code requirements.

Gates and Gate Maintenance

All requests for additional gates, replacement gates, or gate design changes must be submitted for review by the Architectural Committee. New gates are only permitted in walls that are immediately adjacent to the home.

Double gates may be installed with prior approval of the Architectural Review Committee to allow wider access to back yards. They must be of the same type, design and color as the originally installed single gate. All gates must have a metal frame and wooden slats which are maintained with a wood preservative or natural stain color. Metal color may be black or match the color of the home. Gates opening onto common areas are prohibited. A second gate may be installed on the front lot provided that any new access walkway blends in with the landscaped portion of the lot.

Walkways to accommodate a second gate may extend along the front of the house to the existing front walkway, but not extend diagonally across the landscaped portion of the yard or extend to the front sidewalk. In no circumstance will there be a second driveway to the second gate. This is to maintain a natural balance between the landscaped area of the lot and utility access area of the original gate. Second gates and corresponding walkways will require Architectural Review Committee approval prior to installation.

Architectural applications should include a color photo of area where the gate is to be installed, dimensions, color, and style of the gate. Gates must be maintained to include painting of the frame as needed, painting/staining of slats as needed, and replacement of overly weathered or otherwise damaged slats. Metal frames shall be black, bronze/dark brown, or tan in color only. Wood slats must be cedar, pine, or redwood in material and stained a natural wood or clear stain color or painted to complement the house color. Conversion to low-maintenance, natural-looking (light brown/brown in color) composite slats is encouraged. No other colors of gate slats, whether stained/painted wood or composite material, will be permitted. Specifically, black, green, red (including red barnwood), and other bright colors are prohibited.

Any homes with gates not meeting these requirements at the time these Guidelines are adopted will be required to bring their gates into compliance as the gates require maintenance (faded, peeling paint, rust, broken/missing slats, etc.). Out of compliance gates will be noted on resale disclosures as well. Decorative gates will be considered provided they do not extend more than one (1) foot above the adjacent block wall.

Gutters & Downspouts

Gutters and downspouts will be considered for approval by the Architectural Review Committee if the finish matches the color of the home and installation is of workmanship. The Association strongly recommends use of high quality materials that offer long life, as the gutters and

downspouts must be maintained in good condition. Plans must include the proposed locations of the gutters and downspouts, the quality of materials to be used, manufacturer's warranty and the name and telephone number of the installer.

Heating, Ventilating and Air Conditioning (HVAC) Units

All HVAC equipment must be ground mounted or concealed within the confines of the lot so as not to be visible from the neighboring property.

Landscaping

The objective of landscaping is to screen, accent, soften and improve the visual character of Tone Ranch Estates. Homeowners are responsible for landscaping and removing trash and debris on their entire lot. Landscaping must not obstruct public rights-of-way, including streets, sidewalks, signs, fire hydrants and traffic signals. Trees and shrubs must be trimmed back to avoid these items. The Association is responsible for the same in all common areas.

Plans for landscape must be submitted for approval by the Architectural Review Committee. The following minimum guidelines are required.

Front yard landscaping

Homeowners are encouraged to use drought resistant and water conserving plants. Shrubs will be required in all front yards and will be utilized to soften and screen. Dead plants and trees shall be replaced within thirty (30) calendar days. Different replacement shrubs type may be substituted without Architectural Review Committee approval; however any such substituted shrubs later deemed to be undesirable by the Architectural Review Committee shall be removed.

Ground cover may be turf, decomposed granite, or other natural rock material approved by the Architectural Review Committee. If turf is selected as ground cover, it is allowed to go dormant in winter months without the need to over seed. All bare earth must be covered by an approved organic material to provide a neat appearance. No trees, shrubs, or plants of any kind on any lot or parcel may overhang or otherwise encroach upon any sidewalk from ground level to a height of eight (8) feet, without the prior approval of the Architectural Review Committee.

Front yard landscaping must have a minimum of one (1) 24" box tree and one (1) fifteen gallon tree. The fifteen-gallon tree may be substituted from the TREE SUBSTITUTE table below if it is at least three feet in height, and approved by the Architectural Review Committee.

TREE SUBSTITUTE:

<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>
Saguaro	Cereus giganteus
Ocotillo	Fouquieria splendens
Mescia Organ Pipe	Steno cereus marginatus
Bird of Paradise	Caesalpinia gilliesii, C. Mexicana, C. pulcherrima
Joshua Tree	Yucca brevifolia

All varieties of Citrus are permissible within the confines of the rear yard only

Border and Paver Material

Borders must be concrete, block or brick and do not need Architectural Review Committee approval if the color is natural concrete and the installed height is no higher than six (6) inches above ground level. No other borders materials are allowed. Colored borders other than natural concrete color require Architectural Review Committee approval. Borders shall be used to contain and separate rock ground cover from grass and common areas. Bollards and rope are prohibited in front yards.

Grading and Mounding

Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern be maintained when making any changes to the landscape design especially if mounding is used. Every effort should be made to ensure mounding appears natural. Mounding and other proposed grade changes will be closely scrutinized by the Architectural Review Committee to assure that the mounding will appear natural.

Hardscape

Any hardscape items proposed for front yard installation must be approved by the Architectural Committee. Only hardscape items that will be visible from neighboring property in the rear yard will require approval. Materials included in hardscape are concrete, brick, tile, wood, etc.

Examples of hardscape items are planters, walkways, retaining walls, decorative walls, and fountains.

Irrigation Systems

All landscaped areas must be equipped with automatic underground irrigation systems. A low-pressure drip irrigation system is encouraged for all trees, shrubs and ground cover areas.

Lighting

Outdoor light fixtures shall be directed such that the light shines primarily on the owner's lot and minimizes glare visible from other lots. They shall blend with the decor and color of the home and neighborhood. Low pressure sodium bulbs, Mercury and Metal Halide fixtures are not permitted. Colored light bulbs, lenses, or reflectors are not permitted except as decorative items during special holidays. Security lighting and motion sensors may be installed only with Architectural Review Committee approval.

Prohibited Plant Material

The following vegetation types and varieties are expressly prohibited.

TREES

COMMON NAME	BOTANICAL NAME
Australian Bottle Tree	Brachychiton populeneus
Cypress	Cupressus
Eucalyptus	All Varieties
False Cypress	Chamaecyparissus
Jacaranda	Jacaranda mimosifolia
Mexican Palo Verde	Parkinsonia Aculeata
Mimosa	All varieties
Mulberry	All varieties
Thevetia	Thevetia species

Rock Ground Cover

If decomposed granite or other landscape rock is used, it must be of an earth tone color and not white, green, blue, red or other bright colors. Decomposed granite landscape rock may not exceed ¾ inch in size. Lava or cinder rock is prohibited. Artificially colored rock yards are not acceptable at any location. Additional natural tone colors may be permissible with Architectural Review Committee approval prior to installation.

Samples of approved decomposed granite colors are:

1. Desert Gold, AKA Madison Gold
2. Palm Gold
3. Coral, AKA Pink Coral

Boulders must be natural earth tones; no white, brightly colored or artificially colored boulders are permissible. River run rock shall be three inches to six inches in diameter. Not more than 10 percent of the front yard landscape may be river run rock. All rock areas should be treated with a pre-emergent weed control at regular intervals to retard weed growth. Weeds and grass must not be allowed to grow in the rock ground cover.

Trees

Care must be taken in selection and placement of trees within the confines of the homeowner's lot with respect to the problems caused by overhanging canopies, excessive growth debris falling in neighboring yards or pools and damage to common walls or plumbing by root expansion. Any damage caused by poor selection of tree type or placement may be subject to corrective action at the owner's expense. Owners are responsible to keep trees properly trimmed, from intruding on the private space of their neighbor's property and obstructing the sidewalks or street signs within the community.

Landscape in Common Area

Common area landscaping is the responsibility of the Homeowners Association. Homeowners are prohibited from adding or removing to common area landscaping without prior approval. Homeowners requesting additions or changes must submit request in writing to the HOA Board of Directors for considerations. If approved, the homeowner and the HOA would share any costs incurred.

Machinery & Equipment

No machinery, fixtures, or equipment may be placed on any lot without the prior approval of the Architectural Review Committee. Approval shall be conditioned upon screening or concealment from view of neighboring or public property. The screening or concealment must be integrated architecturally with the design of the building or structure. It must blend with the landscaping and the home and be constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components. It must be structurally stable in accordance with sound engineering principles.

Motor Vehicle Storage

CC&R's contain specific requirements for vehicle storage. Requests for storage of any type of vehicle to include boats, boat trailers, cargo trailers, and various recreational vehicles with a size greater than the requirements stated in CC&R's will not be approved.

Playground Equipment

No jungle gyms, swing sets or similar playground equipment which would be visible from neighboring property shall be erected or installed on any lot without prior written approval of the Architectural Review Committee. Canvas covers should be of a "neutral" color, off white, beige or light brown. Minimum setbacks from side and rear wall shall be 10 feet.

Pool and Spas

If pools and spas are constructed or installed in enclosed back yards, they do not require the prior approval of the Architectural Review Committee as long as no structure is not above the lot perimeter wall. Lots with view fencing must submit all hardscape improvements plans for approval by the Architectural Review Committee. This would include a pool, spa, fireplace, built in barbeque grills and accessories. Pool equipment may not be visible from the common area.

Perimeter walls on lots bordering common areas and shared Homeowners Association walls may not be torn down to allow access to rear yards. Access must be gained by removing a portion of the front wall on the side of the home.

Repairs to the wall and landscaping must be completed within thirty (30) calendar days and include repairing the wall to match the texture and color of the remaining wall. All pool and spa

equipment must be screened from view of neighboring property. The Homeowner accepts full responsibility to maintain proper drainage of yard, earth stability and retention if applicable.

Roof & Roof Structures

All roof types, designs, covering color, and material must be approved by the Architectural Review Committee before submittal to the City of Gilbert or the commencement of any alteration. Generally acceptable roof covering materials are concrete or clay tile that must match the color of the tile installed on the home. Composition or wood shake shingles are not allowed.

Roof Mounted Mechanical Equipment

In general, roof mounted mechanical equipment is prohibited. Solar panels may, however, be permitted if approved by the Architectural Review Committee and adhere to the guidance given for Solar Energy Devices.

Security Doors and Screen Doors

Silver colored aluminum screen doors are prohibited.

Design plans for Security Doors must be submitted to the Architectural Review Committee for approval prior to installation. They must be of substantial metal construction with a standard or creative decorative design with suitable decorative locking mechanisms. The frame must match the exterior color of the house or trim. Screen colors may be neutral earth tone or blend with the existing color of the house or window frames. Security doors must be maintained to their original condition, free from rust, torn screens, bent frames and damaged hardware.

Sidewalk and Walkway Extensions

Extensions to existing front sidewalks and walkways must be approved by the Architectural Review Committee prior to installation. Walkway extensions must conform to the existing color and material scheme of the house. Careful consideration must be given when planning walkway extensions in high traffic areas that traverse through non-illuminated areas at night that may present a tripping hazard (elevated step). Walkway extensions must complement the existing driveway and landscaping.

Signs

Notwithstanding any provision in the community documents, the association shall not prohibit the indoor or outdoor display of a political sign by an association member on that member's property, except that the Association limits the display of political signs to no earlier than forty-five (45) calendar days before the day of an election and later than seven (7) calendar days after an election day. The maximum dimensions of political signs on a member's property being twenty-four inches by twenty-four inches.

No exterior signs or advertisements may be erected, placed or maintained (including, but not limited to, commercial and similar signs) on any lot or common area without the prior approval and authorization of the Architectural Review Committee except:

1. Signs required by legal proceedings.
2. Temporary "For Sale", "For Rent" and Garage/Yard Sale signs that may be placed and maintained by the homeowner or realtor for the duration of the sale. In no case will yard or garage sale signs exceed a consecutive forty-eight (48) hour period. They must be removed promptly after the sale or filling the vacancy. Signs on perimeter walls are prohibited.
3. A home security alarm sign.
4. Signs advertising landscaping, paint or pool contractors during the duration of work. They must be removed within forty-eight (48) hours of completion of work.

Signs are expressly prohibited anywhere at any of the entrance marquees, on the mail boxes and on traffic signs.

Solar Energy Devices

Solar energy devices are permitted but all installation projects must be submitted for approval by the Architectural Review Committee prior to installation. Roof mounted solar panels and equipment must be an integrated part of the roof design, be mounted directly to the roof plane, and must not break the roof high line. The Architectural Review Committee will consider factors for placement of the devices for optimum function and efficiency through close coordination with the company installing the solar energy devices. Water lines must not be visible on the roof. Roof-mounted hot water storage systems are not allowed.

Storage Sheds or Other Structures

Storage sheds will be permitted and need not be submitted for approval provided the maximum height of the shed, including roof, do not exceed the height of the immediately surrounding wall(s) or fence(s). All storage sheds will only be permitted behind the privacy fencing (side or rear yard).

Storage sheds on lots with a view fence may not be placed adjacent to the view fence and the shed must be screened from view with approved plant materials. In addition, the placement of the shed - including landscaping - must be approved by the Architectural Committee prior to installation.

Storage sheds exceeding the height of the immediately surrounding wall(s) or fence(s) shall have a minimum setback of 5 feet from any rear yard walls and must be approved by the Architectural committee. Refer to the section on "Accessory Structures – Storage Structures" for additional guidance.

Storage shed size will have an impact on approval consideration, the required locations and required building material. The maximum size of commercially bought storage sheds is 50 square feet, with a maximum height of six (6) feet to the peak of the roof and a minimum set back of two (2) feet from any wall. Storage sheds having a maximum height greater than six (6) feet shall be constructed using the same building materials as the house (body and roof) and be painted the same color as the house. Storage sheds taller than six (6) feet must have a minimum of a five (5) foot setback from the property line and conform to Gilbert's construction regulations, which may require a building permit.

Sunscreens

The sunscreen frames must match the existing window frame. Screen colors should complement the existing color of the home. Clear aluminum (silver colored) screen and frame material is prohibited. If the material quality, professional workmanship and color guidelines are followed, no Architectural Review Committee approval is necessary. All other sunscreen colors must be submitted for approval. Sunscreens must be maintained to their original condition, free from dents, torn screens and bent frames. Refer to the section on Window Treatments for additional guidance.

Trailer Storage

The storage or temporary placement of any trailer including landscaping must be approved by the Architectural Review Committee prior to storage. This does not apply to vendor or contractor trailers performing work at any lot. Any trailer and its contents may be stored on any lot as long as it meets the following provisions.

1. It is not visible from the curb.
2. It does not extend above the lowest portion of the lot perimeter wall or gate.
3. It may not be parked such that it extends past the nearest rear corner of the house.
4. Trailers on lots with a view fence may not be placed adjacent to the view fence and the trailer must be screened from view with approved plant materials and or fencing material.

Trash & Recycled Material Containers, Storage and Placement

The (black) trash and (blue) recycled material containers provided by the City of Gilbert must be concealed from sight from the street and the neighboring properties. These containers are to be put out on the street no earlier than 5 PM the night before the scheduled pick up day and returned to the concealment location no later than midnight of the same day.

Bulk trash, large appliances or large items scheduled for special pick up with the City of Gilbert must not be put out on the curb prior to the weekend preceding the 3rd Monday of the month. Items to be donated to charitable organizations may be placed out in sufficient time to be picked up by those organizations.

Trash and debris shall not be allowed to accumulate on or in front of the homeowner's lot. Each homeowner shall be responsible for removal of trash and debris from their lot and the street/curb area in front of their lot. The Tone Ranch Estates Home Owners Association shall be responsible for trash and debris removal from all of the common areas.

Utility Services

No gas, electric, power, telephone, water, sewer, cable television, or other utility or service lines of any nature or kind may be placed on or above the ground on any lot except to the extent that underground placement may be prohibited by law or would prevent the subject line from being functional. Exceptions are above ground service pedestals, splice boxes, switch cabinets, and transformers permitted where required for public utilities or the landscaping of common areas.

Windows/Window Treatments

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) calendar days of occupancy. Newspaper, sheets or reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall not be installed or placed upon the outside or inside of any window, including garage windows. Exterior window coverings or treatments used to shield or decorate openings must be compatible with materials, style and color of the home.

NOTE: All homeowners who have an approved architectural revision on file for their property that differs from the above Architectural and Design Guidelines are consider approved for that revision (grandfathered). Any future changes to homeowner lot or property will need to comply with these architectural and design guidelines.

END