

SIERRA VERDE COMMUNITY ASSOCIATION



DESIGN GUIDELINES AND ASSOCIATION RULES

Updated May 30, 2018

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SIERRA VERDE COMMUNITY ASSOCIATION
Design Guidelines and Association Rules

I. INTRODUCTION

Sierra Verde Community Association is a community designed to respect the climate and regional character of its location, minimize environmental impact and maximize water and energy conservation principles. In order to implement and preserve these principles, these Design Guidelines and Association Rules have been established to maintain certain standards by which the community may grow and develop.

The Design Guidelines and Association Rules provide an overall framework and a comprehensive set of guidelines by establishing criteria for the design, size, location, style, structure, materials and color of architecture and landscaping, as well as relevant criteria for the construction or modification of all Improvements made by any party other than the (“Declarant”). They also establish a process for the judicious review of proposed Improvements or alterations. However, the Design Guidelines and Association Rules are not the exclusive basis for decisions of the Architectural Committee, and compliance with the Design Guidelines and Association Rules does not guarantee approval of any application.

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for Sierra Verde Community Association (the “Declaration”) and any supplements or amendments thereto, unless the context requires otherwise. The Design Guidelines and Association Rules will be administered by the Architectural Committee (“Committee”) pursuant to Article V, Section 5.22 of the Declaration.

In the event of conflict between the Design Guidelines and Association Rules and any government ordinance, building code or regulation, the more restrictive standard shall prevail.

II. ARCHITECTURAL REVIEW PROCESS

Submittal

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

Sierra Verde Community Association
c/o AAM, LLC
1600 W Broadway Rd., Ste 200
Tempe, AZ 85282-1112
602-957-9191 Fax: 602-870-8231

The following information must be included with each submittal;

1. Application Form – a completed application form (copies of which can be obtained from the Management office)
2. Plot Plan – A site plan showing dimensions, relationship to existing dwelling and property lines (setbacks). Measurements must be written on plans.
3. Elevation Plans – Plans showing finished appearance of the proposed addition or change in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications – Detailed description of materials to be used and color samples.

All buildings and structures erected within Sierra Verde and the use and appearance of all land within Sierra Verde shall comply with all applicable County zoning ordinances, building codes and other ordinances as well as the Declaration and these Design Guidelines and Association Rules.

NOTE: Only Lot owners may request approval. Requests for approval may be submitted only after the closing on a Lot.

Review – Approval and/or Disapproval.

The Committee shall have 60 days after submittal of plans to approve or disapprove plans. Review and approval or disapproval will include but not be limited to, consideration of material, colors, consistency with the external design and color of existing structures on the Lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation will also be considered.

The Committee, Board of Directors and Declarant shall not have any liability in connection with or related to approved or disapproved 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 damage. Review of plans by the Committee is for aesthetic purposes only.

Approval Expiration – Construction must be started within 90 days of the date of the Committee’s approval of the applicable application or the Committee’s approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Guidelines.

Construction Period – Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Committee’s discretion), such construction shall be completed within six (6) months after the date of the Committee’s approval of the applicable application.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE COMMITTEE MUST APPROVE ALL PLANS. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE COMMITTEE.

III. ARCHITECTURAL AND DESIGN CHARACTER

1. The architectural design of all additions, alterations and renovations to the exterior of any Residential Unit shall conform to the design of the original Residential Unit in style, detailing, materials and color.
2. The height of any addition to an existing Residential Unit shall not be higher than the original roof line.
3. All additions to Residential Units shall be built within the setback lines originally established for Sierra Verde Community Association or as changed by the Declarant or Developer with the requisite approval of the City.
4. All materials used in the maintenance, repair, addition and alteration of any structure or Improvement subject to review hereunder, shall match those used in the initial construction of the Improvement as to color, composition, type and method of attachment. The Committee may allow substitute materials if it deems such materials to be compatible with the theme of the Community.
5. No addition, alteration or renovation of an existing Residential Unit or any other activity on a Lot may alter the established Lot drainage (as established by the Declarant).

6. Any addition or change to a Residential Unit shall be within the model selection choices offered by the original Builder, or if it was not offered by the original Builder, may not exceed ten percent (10%) of the footprint of the Residential Unit.

IV. DESIGN GUIDELINES AND ASSOCIATION RULES

A. ACCESSORY STRUCTURES - All ramadas, gazebos, casitas and similar structures must be submitted for approval.

1. They may not exceed twelve feet (12') at their highest point.
2. Roof and wall (if applicable) color and material must either match those used by the builder in the original construction of the dwelling or (ii) be approved by the Committee prior to installation.
3. Carports are not permitted anywhere on the property.
4. Garages, other than those original to the home, are not permitted.
5. Location of the structure must comply with the CC&R's and local government ordinances.

These structures must be set back at least five (5) feet from all surrounding property lines and shall require shielding with approved landscaping material on Lots with view fencing. Any lighting proposed for accessory structures must be included in the submittal and approved by the Committee prior to installation.

See STORAGE SHEDS below for additional information in regard to Storage Sheds.

B. ANTENNAS AND SATELLITE DISHES - This section applies to antennas, satellite television dishes, and other devices ("Receivers"), including any poles or masts ("Masts") for such Receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. All Receivers one (1) meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations ("Federal Regulations") and shall be installed in the following locations, listed below in order of preference:

1. The satellite dish antennae shall be ground-mounted whenever possible;
2. A location in the rear yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
3. An unscreened location in the rear yard of the Lot;
4. On the roof, but completely below the highest point on the roof line;
5. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
6. On the roof above the roofline;
7. An unscreened location in the side yard;
8. A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached. Any masts used to mount the dish must be painted to match the surface onto which it is mounted.

C. AWNINGS AND OTHER ARCHITECTURAL FEATURES - Awnings, canopies, shutters, security shields, tile, iron, stone or other such architectural features on the front of the Residential

Unit must conform to the theme and color scheme of the Residential Unit and Community. Awnings or canopies must be a high quality and durable fabric or material of a solid color. Patio awnings must be retractable, horizontally stabilized and made of quality material. The total square footage of the patio must not exceed ten percent (10%) of the livable square footage of the Residential Unit. Submittal of such items must include a drawing with the location of the proposed installation, a sample of the material to be used, colors and designs. Owners shall be responsible for the maintenance and repair of such items. The Association retains the right to determine when items must be cleaned, repaired or replaced due to weathering, fading, tearing, etc.

D. BASKETBALL GOALS -

1. Portable basketball goals are not allowed in Sierra Verde.
2. Only pole mounted backboards and goals are acceptable. Poles must be set in the ground permanently. Backboards shall not be attached to the house, garage or roof.
3. Goals must be set to the exterior side of the driveway, closest to the property line with the goal facing the driveway between the sidewalk and the front of home.
4. Goals must be placed within 12" of the driveway.
5. Goals located in the front or backyard must be painted to match the color of the body of the exterior of the home or black in color.
6. Backboards must be if a predominantly neutral color (gray, black or white) or must match the color of the body of the exterior of the home. Clear Plexiglas backboards are acceptable without painting.
7. 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.
8. Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
9. Courts MAY NOT be painted or permanently outlined on the driveway or other concrete surfaces.
10. Lighting for night use of the equipment is prohibited
11. Permanent basketball goals located in the rear yard must comply with all above applicable guidelines and be set back a minimum of 8' from party walls.
12. Basketball goals do not need to be submitted to the Architectural Review Committee for approval providing the equipment is in compliance with the above rules.

E. CLOTHES DRYING FACILITIES - No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed or maintained on any Lot, Parcel or other property so as to be Visible from Neighboring Property.

F. COURTYARDS - Walled courtyard areas are defined as an enclosure of the front portion of the Residential Unit to create a private/semi-private walled area. Courtyard walls must be constructed of concrete masonry unit (CMU) block and be stucco and painted to complement the body color of the home. Courtyard walls may be enhanced by stone or other accents that are consistent with those used on the homes within Sierra Verde. Front walls enclosing entry areas creating a private courtyard shall be no more than forty-eight (48) inches in height. Front courtyard pillars/columns are limited to a maximum height of fifty-two (52) inches. Modifications to courtyard wall and pillar height requirements may be made on a case-by-case basis with strong consideration given to the home series and elevation. Owners must submit detailed information with exact height, materials to be used, picture or drawing of the home series and elevation. The placement of 'Coach Light' type fixtures and planting pots is permitted on top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within

the body of the pillar. The location of front courtyard walls shall be around the front entrance area of the house creating a courtyard that does not encroach into the building setback line.

The color of the planting pots must complement the body color of the home. Courtyard walls and pillars/columns, as described, cannot be outside the building setback area.

A courtyard arch may be constructed, but must meet the following criteria:

- A minimum twenty-four (24) inch depth.
- Ten (10) feet at the highest point.
- Be stucco and painted to match the body color of the home or finished with accents as applicable to the Community.

All gates installed on courtyard entrances must be submitted to the Committee for approval.

G. DECORATIVE ITEMS – Front yard item(s) must be submitted for approval by the Committee. The Board of Directors reserves the right to require removal of decorative items in front yards based on size, quantity, color and location and any other criteria that the Board of Directors may determine.

Seasonal and Decorative Flags – Seasonal and decorative flags which are house mounted below the roofline do not require 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. Torn, ripped, faded, etc., constitutes grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

Holiday Decorations – Holiday decorations may be installed thirty (30) days prior to the holiday and must be removed within thirty (30) days after the holiday.

Decorative and Seasonal Items – The Board of Directors reserves the right to require the removal of decorative items in front yards 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 shall be neutral in color and limited to two items. Dimensions of decorative art shall be no greater than three feet (3') in length, width and diameter.

Water Features, Statuary, Etc. – Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Architectural Committee, except on Lots with view fencing. Water features may not exceed four and one half feet (4-1/2') in height. It is recommended that water features be chlorinated. The Committee reserves the right to limit the size and quantity of statuary in the front yard, as well as rear yards with view fencing. Statuary must not exceed twelve inches (12") in height, must be of earth tones, and must be approved by the Committee.

The Committee reserves the right, on a case-by-case basis, to determine if decorations may be offensive to Association members or cause any kind of disturbance based on size, quantity, color, location or other such criteria. The Committee reserves the right to require immediate removal of said offensive items on a case-by-case basis.

H. DRAINAGE - No Residential Unit, structure, building, landscaping, fence, wall or other Improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, divert, interfere with or change the direction of flow of water in accordance with the drainage plans for the Community, or any part thereof, or for any Lot or Parcel as shown on the drainage plans on file with the City. Each Owner shall, at their own expense, maintain the drainage ways and channels on their Lot or Parcel in proper condition free from obstruction.

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

1. Only driveway extensions located in the side yard of the property will be considered.
2. Submittals must include a plat map with exact lot dimensions and the location and dimensions of the proposed extension.
3. Driveway extensions can be no wider than ten feet (10') and must be directly adjacent to the existing driveway with the no spaces.
4. All extensions must be no closer than one foot (1') from the side property line. The area between the extension and the property line must be landscaped with the same groundcover used in the front yard or a material approved by the Committee.
5. Painting of paved surfaces is prohibited.
6. Strip driveways are prohibited.
7. Only load rated concrete or load rated driveway pavers (min 2 3/8" thick) are allowed for driveway extensions.
8. Driveways must appear professionally installed and visually pleasing.
9. Proper clearances are required when installing near utility boxes (i.e. electrical transformers, cable/telephone junction boxes).

Additional Sidewalks – Any sidewalk installed in the front yard must be submitted for approval.

1. The additional sidewalk must be no more than three feet (3') in width and no less than two feet (2') in width.
2. Sidewalks can be no closer than one foot (1') from the property line.
3. Sidewalks that are directly adjacent to and run the length of the driveway on the side closest to the front door must be made of decorative pavers and cannot be used as additional parking.
4. Sidewalk must appear professionally installed and be visually pleasing.

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

J. EXTERIOR LIGHTING – Except as initially installed by Declarant, no spotlights, floodlights, or other high intensity lighting shall be placed or utilized on any Lot which will allow light to be directed or reflected on any other Lot or any public street.

Exterior lighting shall be permitted on a Lot or Parcel so long as (i) the source of such lighting is not Visible from Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; (iii) such lighting is limited to that which is reasonably necessary for the safety and convenience of the Residential Unit Owner; and (iv) such lighting conforms with such other requirements as may be imposed by the Committee. Neighboring property for this section shall include Lots and Parcels, common areas, streets, and Open

Mountain or field areas. Notwithstanding the foregoing, but subject to reasonable regulations by the Committee, exterior floodlights may not continuously remain on after 10:00 PM.

Bistro lighting must be submitted for approval prior to installation. Applicant must provide product information and plans for permanent installation.

K. FLAGS AND FLAGPOLES - Per Arizona Statute display of one of the following flags shall be permitted: American, Arizona State, United States Air Force, United States Army, United States Navy, United States Marine Corp or United States Coast Guard, POW – MIA, Gadsden or an Arizona Indian Nation.

Display of the American / Arizona State Flags

1. These flags may be displayed from sunrise to sunset.
2. These flags should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
3. No other flag or pennant should be placed above or, if on the same level, to the right of the American flag.
4. If the American flag is displayed from a vertical flagpole or a flagpole/staff projecting horizontally or at an angle from a windowsill or front of a home, the union of the flag (blue, where the stars are located) should be placed at the peak of the flagpole/staff unless the flag is at half staff.
5. The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
6. The flag should never touch anything beneath it (the ground, a floor, water, or merchandise).
7. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn down, soiled, or damaged in any way.
8. The flag, when it is in such condition that is no longer a fitting emblem for display, must be removed and replaced with a new flag.

Placement of American / Arizona State Flags Display, Poles, Numbers of Flags

1. Prior to installing a flagpole on any Lot, the Owner of said Lot must, in writing, submit a request including specific plans detailing the height, type, location, method of installation, and color of the pole to the Architectural Committee approval.
2. Only one (1) flagpole of any type is allowed on a Lot.
3. The height of a flagpole can be no taller than the height of the highest point of the roofline or the distance between the point of placement of the pole in the yard and the closest point of either of the following:
 - a. the sidewalk (or the street if no sidewalk exists).
 - b. any Common Area or any neighbor's property line.

There shall be no more than one (1) American/Arizona State flag displayed at any one time on a Lot. The Association permits display of a reasonable number of additional American flags on the following National Holidays only (to be removed no later than 5:00 p.m. of the following day) Memorial Day, Flag Day, July 4, Labor Day, Veterans Day. The American/Arizona State flags may not be placed on Common Area.

L. GARAGES - The interior of all garages shall be maintained in a neat and clean condition. Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be used for or converted to living quarters or for hobby/recreational usage without the prior written approval of the Committee and applicable

City and State Zoning and Code requirements. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry or exit of vehicles or persons. No merchandise or other items, to include vehicles of any type, shall be placed, maintained or displayed for the express and sole purpose of sale in front of the garage or in any part of driveways, unless specifically approved by the Committee. (See also Section CC.)

M. GATES - All requests for additional gates or gates other than those which were offered by the original developer/builder of the Lot/home must be submitted for Committee approval. Placement of gate(s) must be approved by the Committee. Single gates may be natural wood or stained a natural wood color with black metal frames, or may be a wood composite to match natural wood with black metal frames. Gates may protrude beyond the height of attached fence or wall if slightly curved or decorative.

Metal Ornamental Gates: Full metal gates with privacy screening will be reviewed on a case-by-case basis. The gate color shall be black, brown or must match the base color of the block wall fence return. Under no circumstances may the gate depict characters, logos, messages, animals or any images of a distracting nature as decided by the Committee.

Wooden Gates: Wooden gates will be reviewed on a case-by-case basis. Wooden gates may have simple decorations such as ornamental metal tops if not overly ornate and under no circumstances may the decorative top of the gate depict characters, logos, messages, animals or any images of a distracting nature as decided by the Committee. Ornamental tops shall be black, brown or must match the base color of the block wall fence return. Wooden gates shall be stained a neutral color or may be painted to match the base color of the block wall fence return.

Gates of any kind on Perimeter walls or View fencing on Lots bordering common areas are prohibited.

N. GUTTERS AND DOWNSPOUTS - Gutters and downspouts may be considered for approval. The finish on same must match the dwelling in color. High quality materials that offer long life are recommended, as the Lot owner will be required to maintain the addition in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of materials to be used, warranty by the manufacturer and the name and telephone number of the installer.

O. PAINT COLORS – The following Exterior Painting Policy and Exterior Paint Palette as adopted by the Board of Directors shall be followed for all homes within the Sierra Verde Community Association. Pursuant to the Declaration, the Board of Directors has the right to enforce the Governing Documents pursuant to Article VIII, Maintenance by Owner.

The purpose of the Paint Palette and guidelines is to encourage creativity and diversity while maintaining a balance with the natural desert environment, to promote neighborly consideration and to address issues of architectural consistency, which will preserve property values and community images.

Repainting homes requires an Architectural Change Forms submitted to the Management Company and review by the Architectural Committee. Whether the homeowner wishes to repaint the home with **existing or new colors**, the policy procedure is as follows:

Exterior painting Guidelines:

1. The Board of Directors has adopted a paint palette to be used when repainting the exterior of the home. The paint palette is available on the Association's website, the management company or at Sherwin Williams and Dunn Edwards. These brands of paints do not have to be used; however the paint color should match the Sherwin Williams and Dunn Edward's colors.
2. Three colors, one base (main house color) and two accent colors are required.
3. Neighboring properties shall not duplicate the paint pallet of adjacent properties to their home. Altering the use of the base and trim placement may be acceptable with Committee approval.
4. Prohibited colors are all bright colors that do not blend with the surroundings. Colors such whites, blues, or cool grays and pinks, etc. are examples of prohibited colors.
5. Driveways, walkways, walls and fence colors. Driveway materials shall be concrete, , pavers, or a dust preventative aggregate surface with integral coloring complementary with house color and adjacent native desert earth colors. Bright or contrasting colors are prohibited. Masonry walls shall match the base house color and texture.
6. All requests for repainting of homes must be submitted prior to the start of the project. Proceeding with painting, etc. is prohibited until written approval has been received from the Committee.
7. Submittal to the Committee must include:
 - a. Complete description of proposed work.
 - b. Color Scheme and name of paint colors to be used and brand of paint.
Example: Dunn Edwards color scheme #1, Painting house main body color of Stonish Beige, trim to be painted Rodeo, pop outs to be painted Colorado. All paint is Dunn Edwards.
 - c. Illustration showing all surfaces to be painted or detailed description.

P. PARK BENCHES OR OUTDOOR FURNITURE - Park benches and other outdoor furniture are allowed in the front yards, front porch or courtyard areas of the home and in rear yards with view fencing so long as they are of natural, earth tone colors to complement the home and are kept in like new condition. These items shall be located behind the most forward portion of the home, including the garage, when situated in the front yard setting. White or brightly colored resin benches, tables, chairs or chaises are prohibited if Visible from Neighboring Property.

Q. PATIO COVER ADDITIONS - Proposed patio covers not offered by the original Builder, including trellis or Alumawood type patio covers, may be considered if they do not exceed ten percent (10%) of the footprint of the Residential Unit and color and material of supports match the home.

Roof shall be flat or match the pitch of the roof of the home. All patio covers will need to be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

R. PLAY STRUCTURES - Plans for play structures and similar recreational equipment (including but not limited to swing sets, gym sets, play structures, trampolines) must be submitted for approval since in most instances they protrude over the fence line. This is not to eliminate play structures, but to consider privacy issues for adjacent neighbors and to assure nothing unsightly is erected.

The maximum height which will be considered for approval of play structures and other play equipment shall be twelve feet (12'). Play structures and equipment with decks/platforms that are four feet (4') or less above ground level may be placed no closer than five feet (5') to any lot

line. Play structures with decks/platforms that exceed four feet (4') in height above ground level will be reviewed and may require additional lot line setback distances for approval.

When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Some play equipment may not be approved due to varying lot sizes and restrictions.

Additional screening barriers and or substantial landscaping may be required to mask the view of all play equipment from neighboring property. Any proposed barriers and landscaping for screening purposes must also be submitted for approval.

Approval of a trampoline is required. Trampolines must be placed in the rear of the property at least eight feet (8') from neighboring property lines.

Submittals must include a picture or photograph of the structure, total dimensions, materials and a plat map or drawing indicating the proposed location and its proximity to adjacent property lines.

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

It is advised that approval is obtained before purchasing any such play equipment.

ALL PLAY EQUIPMENT MUST BE APPROVED BY THE COMMITTEE PRIOR TO INSTALLATION.

S. POOLS AND SPAS - In ground swimming pools do not require the prior approval of the Committee subject to the following restrictions: (a) perimeter walls on Lots bordering common areas cannot be torn down to allow access to rear yards. **An assessment of \$2000.00 will be applied to an Owner in which such wall has been removed without Committee approval;** (b) access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. In addition, any landscape that may be destroyed or damaged must also be replaced; (c) pool ladders, slides, rock waterfalls, etc. that will be Visible from Neighboring Property must be submitted to the Committee for approval and in no event may they exceed eight feet (8') in height; (d) Owners are responsible to ensure all codes and ordinances are complied with in regard to the installation of a pool; (e) pools may not be backwashed off of the Lot. Check with your pool contractor concerning ordinance requirements for backwashing your pool. Damage to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be charged to the Owner.

Above ground pools shall not be permitted on Lots with view fencing. Above ground spas shall be permitted on Lots with view fencing subject to Committee approval. Spas must be set back a minimum of ten (10) feet from all surrounding property lines and shall be shielded from view with landscaping as approved by the Committee.

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

POOL SCREENING WALLS - All pool and spa equipment must be screened from view of neighboring property. Lots with view fencing must submit plans for screening to the Committee for approval. Pool equipment screening walls may not exceed four feet (4') in height and shall be stuccoed and painted to match the base color of the home. All other screen materials require approval of the Committee.

T. ROOFTOP EQUIPMENT - No machinery, fixtures or equipment of any type, including but not limited to heating, ventilating, cooling, evaporative, air-conditioning and appurtenant equipment may be mounted, installed or maintained on the roof or wall-mounted on the Residential Unit or other building so as to be Visible from Neighboring Property.

U. SECURITY LIGHTING/DEVICES - Security lighting must be directed as to not shine on neighboring property. Security features including but not limited to doors and windows must be submitted for approval.

V. SECURITY/SCREEN DOORS/SUNSCREENS - Wrought iron security/screen doors need not be submitted for approval provided they are painted to match the base color of the home. Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed and not submitted for approval provided that the window frame matches the sunscreen material or the existing window frames.

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

W. SIGNS - No sign shall be erected within the Community, except those required by law, including posters, circulars and billboards; provided the following types of signs may be erected on a Lot or Parcel without written consent so long as the permitted signs are professionally painted, lettered and constructed:

1. Such signs as may be used by a Co-Declarant in connection with the development and sale of Lots and/or Dwelling Unit or Common Area in the Project.
2. Such signs as may be required by legal proceedings, or which by law, may not be prohibited.
3. One sign per Lot no larger than 30"x24" used exclusively to advertise the Lot for sale, lease, or rent.
4. Such signs as may be desired by a Co-Declarant or required for traffic control, construction job identification, and subdivision identification as are in conformance with the requirements of the County.
5. Signs approved by the Committee.

All signs must conform to applicable municipal ordinances. Signs advertising landscaping or pool contractors, etc., must be removed within forty-eight (48) hours of completion of work.

Security Signs – Security signs must be located a maximum distance of two feet (2') from the front of the home. Security signs must not exceed twelve inches by twelve inches (12"x12") and must be maintained in good condition at all times.

X. SOLAR EQUIPMENT PANELS OR DEVICES - Except as initially installed by the Declarant or a Designated Builder, no heating, air conditioning, evaporative cooling or solar energy collecting unit or panels shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee.

Owner should consider and discuss potential glare issues onto adjacent properties with solar installer prior to installation to avoid nuisances after the solar panels become active. The Committee does not review solar panel submissions for potential glare, due to the numerous potential factors involved and information that is not readily available to the Committee for such review. Any subsequent-to-installation glare or nuisance related to adjacent properties will need to be resolved by Owner and the adjacent Owner, not by the Association.

Solar collecting panels and devices must be placed so as not to be Visible from Neighboring Property, or placed in such locations and with such means of screening or concealment as the Committee may reasonably deem appropriate to limit, to the extent possible, the visual impact of such solar collecting panels and devices when Visible from Neighboring Property. Solar roof panels should be made to look like an integrated part of the roof design and mounted directly to roof plane and may not break roof ridgeline. Any visible cabling must match existing color theme so as to blend in with roof, eaves, trim, etc. Cabling must be attached to structure and not allowed to hang loose.

A ground mounted installation may be approved only if the resulting potential visual exposure is reduced when compared to a similar roof mounted installation, existing vegetation and other natural features of the Lot are not disturbed or eliminated, and related visual mitigation screening (such as walls, landscape, etc.) is included.

Owners shall comply with these requirements to the extent such compliance does not prevent the installation, impair the functioning of the device or restrict its use, or adversely affect the cost or efficiency of the device.

Y. STORAGE SHEDS - Storage sheds will be permitted and need not be submitted for approval, provided the shed meets the following requirements:

1. Maximum height of the shed, including roof, does not exceed seven feet (7').
2. Shed must be placed at least three feet (3') from all party walls and perimeter walls within the community.
3. Color of shed must match or blend with color scheme of house or be neutral (i.e. beige, tan).

If placed in a yard with a view fence, the shed must be screened from view with plant materials. Placement of a shed in a yard with a view fence requires approval of the Architectural Committee prior to installation.

Sheds not meeting the above noted specifications need to be submitted to the Architectural Committee and will be considered on a case-by-case basis.

Z. TANKS - No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot or Parcel unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any Lot or Parcel of an above ground propane or similar fuel tanks with a capacity of ten (10) gallons or less used in connection with a normal residential gas barbecue, grill, fireplace, spa or "hot tub", so long as any such tank is

appropriately stored, used and/or screened, in accordance with the Design Guidelines and Association Rules or as otherwise approved by the Committee so as not to be Visible from Neighboring Property.

AA. FENCES AND WALLS, INCLUDING DECORATIVE WALLS – Street facing block walls including side yard and side walls (homes with corner lots not bordering a common area) are to be maintained and may be required to be painted at the discretion of the Board of Directors. Walls must be kept a uniform color, free of water damage and fading. Walls must be painted with a color approved by the Sierra Verde Board of Directors and available from the Property Management Company. Walls must appear to be professionally painted and the entire, continuous wall must be painted at one time; patch painting is not acceptable. Gates must be kept in working, visually appealing condition. Missing, cracked, faded, or deteriorated slates in gates are not acceptable. Wall painting and gate repair is considered general maintenance and 90 days written notice will be given to homeowners to comply; rather than the standard non-compliance correction period of fourteen days (14). After ninety days (90), the violation policy will take effect beginning at “Second Notice” as written in the Fine and Collection Policy.

Plans to raise the height of a party wall must be submitted to the Architectural Review Committee for approval, including information on the height of all walls that will abut the wall(s) being raised. Side and rear walls may not exceed six feet (6') in height from ground level, as measured from the lowest side of the wall.

Plans for new fences or walls must be submitted to the Architectural Review Committee prior to construction. Walls must match the existing wall in texture and color. Owner proposing to modify, alter, make additions to, or rebuild a party wall shall first obtain the written consent of the adjoining Owner, which shall not be unreasonably withheld or conditioned.

Perimeter walls on lots bordering common areas may NOT be torn down to allow access to rear yards. **AN ASSESSMENT OF \$2,000.00 MAY BE ASSESSED TO ANY LOT IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT ARCHITECTURAL REVIEW COMMITTEE APPROVAL.** 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.

Decorative or garden walls may not exceed thirty-six inches (36”) in height. Decorative or garden walls must be submitted to the Architectural Review Committee for approval prior to installation and must be constructed in a manner that matches the texture and base color of the home.

See COURTYARDS above for additional information in regard to Courtyard walls.

BB. WINDOW COVERINGS/SCREENS - Permanent draperies or suitable window treatments shall be installed on all front-facing windows within thirty (30) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows.

Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of home. Exterior window coverings (awnings) require Committee approval.

CC. YARD SALES AND GARAGE SALES - Owners may hold “yard sales” or “garage sales” to sell personal property of such Owners only in compliance with the following requirements: (a) yard sales/garage sales shall be limited to three (3) events per calendar year and can each last only seventy-two (72) hours or less at the same Residential Unit or street address, (b) no Owner shall post any signs advertising any yard sale/garage sale anywhere in the Community except that a temporary sign may be posted on such Owner’s Lot on the day that a yard sale/garage sale is being held, and (d) if the Association ever adopts standard yard sale/garage sale dates for the Property, yard sales/garage sales shall be held only on such dates. The Association shall give reasonable notice to all Owners if it adopts standard yard sale/garage sale dates for yard sales in the Community.

DD. LANDSCAPING REQUIREMENTS AND GUIDELINES

FRONT YARD LANDSCAPING - Unless installed by the Declarant, within ninety (90) days from the close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot, any portion of a right-of-way for a dedicated street which is between the boundary of the Owner’s Lot and the back of the curb of such street. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

Front yard landscaping must have a minimum of one (1) fifteen-gallon tree, five (5) five-gallon shrubs, five (5) one-gallon shrubs or groundcover plants; organic or inorganic ground cover of natural earth tone color (no bare dirt areas are allowed) shall cover the entire front yard area as well as underground irrigation is required to plant material. The tree requirements may be substituted with an approved cactus. Cacti must be minimum height of five feet (5’) to be substituted for a tree. It is the Owner’s responsibility to maintain at least the minimum number of plants listed above in the front yard at all times.

BACKYARD LANDSCAPING - Unless installed by the Declarant, within one ninety (90) days from close of escrow, each Owner of a Lot abutting a Common Area where the rear and/or side yards are enclosed with wrought iron view fencing shall install all landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements, on such backyard and/or side yards. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

Backyard landscaping Improvements on Lots that are not Visible from Neighboring Property through wrought iron view fencing do not require approval of the Committee.

All visible portions of the Lot within the Community are subject to the following guidelines:

- Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition.
- All dead and dying plants must be replaced with same species or other appropriate plants.
- Yard tools, equipment and general storage items should be stored out of sight when not in use.
- Parking of vehicles of any sort in a backyard shall require screening from View of Neighboring Property at all times.

- Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. must be approved by the Committee prior to installation.

PLACEMENT - All turf, plant materials and sprinkler components should be kept a minimum of twenty-four inches (24") away from the foundation of the Residential Unit and any exterior concrete, including patios, driveways, perimeter walls, and walks (other than sidewalks). No plastic liner or ground cover of any type should be installed within thirty-six inches (36") of the foundation or exterior concrete. Trees and bushes that will become large and/or have extensive root systems should be planted a minimum of four (4) to six (6) feet away from the foundation, exterior concrete and fences.

GRANITE - Decomposed granite used in landscape shall be neutral earth tone in color and a minimum of ½" in size.

Granite shall be installed with a minimum one and one-half (1½) inch thick layer. All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth.

River run rock of an "earth tone" color is also permitted, but shall be three inches (3") to six inches (6") in diameter. Not more than ten (10) percent of the front yard landscape may be river run rock.

BOULDERS - Use of boulders to create a natural setting is permitted subject to the following criteria:

Boulders must be "surface select" granite boulders and must be buried with one-third of the boulder being underground. Boulders shall be installed in a naturalistic manner and integrated within the landscape including other boulders or landscape materials such as plants, decomposed granite and contouring.

TURF – The Homeowners' Association joins the City in encouraging water conservation. Therefore, it is recommended that you consider turf installation in areas where it can be used for play, for example; and consider desert landscaping in other areas. Turf is permitted in front and backyard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least five (5) feet are recommended between walls, fences, structures and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause damage and void any warranty. Drainage should flow away from all walls and any structures.

If you choose to install turf, you will have the option to overseed with winter rye, but are not required to do so. The Bermuda grass in the summer must be fertilized and well-maintained.

All turf must have a permanent border such as, extruded concrete curbing, brick border or other permanent material approved by the Committee.

IRRIGATION - All landscape irrigation must be underground, automatic and low water use drip systems, except for turf or flowerbed areas, which may use spray systems. Overspray onto sidewalks and streets is strictly prohibited. Great care should be taken to avoid spray of walls, fences and other structures that may cause damage and void any warranty.

Landscape irrigation must also be installed and maintained within the Parkway Area as required to adequately water such shrubs and plant material installed in the Parkway Area.

LANDSCAPE LIGHTING - Landscape lighting shall be low-voltage only. Landscape lighting must be controlled with an electric clock or photo-cell device. Light sources must be shielded from view.

Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from the Lot line. Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

PROHIBITED PLANT MATERIALS - The following vegetation types and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights and weed-like characteristics of excessive growth, high water demands or other similar traits. Under no circumstances is it permissible to plant a prohibited plant or allow it to remain within the front yard or backyard of any Lot within the Community, unless specifically noted below.

1. Olive trees (*Olea Europaea*) other than the "Swan Hill" variety
2. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortadena Selloana*)
3. Oleanders other than the dwarf or petite variety (*Nerium Oleander*) and *Thevetia* species
4. Mexican Palo Verde (*Parkinsonia aculeata*)
5. All varieties of Mulberry trees
6. Eucalyptus (all varieties)
7. Sissoo Trees
8. Citrus Trees and other Fruit Trees (permitted in Rear Yard Only)

FINE GRADING & MOUNDING - Fine grading is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the Residential Unit. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the applicable County grading and drainage plan. Every effort should be made to make the mounding appear natural.

WATER FEATURES, FOUNTAINS - Items such as water features/fountains are permitted within rear yard areas and do not require approval by the Committee, except on Lots with view fencing. Water Features/Fountains to be located in the front yard or in the rear yard of Lots with view fencing must be approved in advance of installation by the Committee. Water features Visible from Neighboring Property may not exceed five (5) feet in height and must be earth tone in color. It is recommended that water be chlorinated.

HARDSCAPE - The Committee must approval any hardscape items proposed for front yard installation. 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 and decorative walls.

EE. MAINTENANCE OF LANDSCAPING - Each Owner of a Lot or Parcel shall properly maintain and keep neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material all Landscaping located on (i) Owners Lot or Parcel; (ii) any public right-of-way or easement area which abuts or adjoins the Owner's Lot or Parcel and which is located between the boundary line of his Lot or Parcel and the paved area of any street, sidewalk, bike path or similar area (unless otherwise directed by the Board); and (iii) any non-street public

right-of-way or easement area adjacent to his Lot or Parcel (unless otherwise directed by the Board); provided, however, that such Owner shall not be responsible for the maintenance of any areas over which the Association assumes the responsibility in writing or the City, Maricopa County or any other municipality or other governmental agency or entity having jurisdiction over such property assumes responsibility. Proper maintenance of Landscaping shall include, without limitation, removal and replacement of dead Landscaping, subject to the Design Guidelines and Association Rules.

FF. OVERHEAD ENCROACHMENTS - No tree, shrub or planting of any kind on any Lot, Parcel or other property shall be allowed to overhang or otherwise to encroach upon any sidewalk, street, bicycle path or pedestrian way from ground level to a height of eight feet (8') without the prior approval of the Committee.

GG. VEHICLES AND PARKING – The Board of Directors defines overnight parking as any vehicle that is parked on the street between 12:00 a.m. and 5:00 a.m.

The operation of any motorized vehicle, including but not limited to a go-ped, go-cart, motorized bicycle, mo-ped, motorcycle, all-terrain vehicle or another means of transportation with an engine that propels the vehicle is prohibited to be driven on or over the landscape and turf areas within the Sierra Verde Community Association. The repair for any damage done to the Sierra Verde Community Association property, by a motorized vehicle, will be charged to the responsible homeowner.

ARCHITECTURAL COMMITTEE SUBMITTAL REVIEW FORM

Please Submit To:

Sierra Verde Community Association

c/o AAM, LLC

1600 W Broadway Rd., Ste 200 – Tempe, AZ 85282-1112

Phone: 602-957-9191 Fax: 602-870-8231

Owner's Name: _____ Date: _____

Community: _____ Lot#: _____

Address: _____ Phone#: _____

Submittal Type (i.e., landscaping changes to be made to my property, changes to the exterior of my home, etc.) _____

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

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

A PLOT PLAN INDICATING LOCATION OF SUBMITTAL AND ALL APPLICABLE MEASUREMENTS AND DIMENSIONS MUST BE INCLUDED WITH SUBMITTAL

INCOMPLETE SUBMITTALS WILL BE DENIED

Owner agrees to comply with all applicable City, County and State laws, and to obtain all necessary permits. Approval by the Architectural Committee shall not be deemed a warranty or representation as to the quality of such construction, installation, addition, alteration, repair, change or other work, or that work conforms to any applicable building codes or other federal, state or local law, statute, ordinance, rule or regulation.

I understand that I must have no outstanding assessments, fines or unresolved compliance issues in order for this submittal to be considered by the Architectural Committee.

Architectural Committee requests will be reviewed within 60 days. Requests will be approved, approved with stipulations rejected or returned for additional information.

Owner's Signature: _____ Date: _____

Owner's Email Address: _____
