

MESQUITE GROVE
ESTATES
HOMEOWNERS
ASSOCIATION

DESIGN GUIDELINES
AND ASSOCIATION RULES

ADOPTED Oct 30, 2001

Revised, Sept 26, 2007,
August 29, 2013,
July 28th, 2016
and Oct 22, 2020

The Mesquite Grove Homeowners Association

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Overview

Community Organization

Every resident of Mesquite Grove is a member of The Mesquite Grove Homeowners Association (the "Association"), the entity responsible for the management of all common areas as well as administration of the affairs of the community. The Association is created by the recording of the Declaration of Covenants, Conditions, Restrictions, Assessment, Charges, Servitude's, Liens, Reservation and Easements (the CC&R's). The CC&R's set forth Procedures, rules and regulations, which govern the community. The Association Rules and Design Guidelines are an Extension of the CC&R's and are to be used in harmony.

The Board of Directors (the Board) is charged with responsibility for overseeing the business of the association and has a wide range of powers. The Design Review Committee (the "Committee") is established by the Board to review all improvements within Mesquite Grove including new construction and modifications to existing properties. The Committee has adopted Design Guidelines and standards to evaluate proposed construction activities.

Design Review Process

Any change, addition, or modification to a site or a building exterior of a residential property requires the prior written approval of the committee. Residents with proposed changes should contact the management company, with whom the Association has contracted for full Association management to obtain the necessary architectural guidelines and submittal documentation.

Simply stated, no improvements, alterations, repairs, additions, or other work, including changes in exterior color, are to occur on any lot or exterior of any home from its improved state existing on the date such property was first conveyed by Builder to a purchaser without prior approval of the Committee. The responsibility of the Committee is to ensure the harmonious, high quality image of Mesquite Grove is implemented and maintained.

Any owner requesting approval from the Committee shall follow the application procedures listed below. Submittals will be returned to you within (30) days of receipt. Upon approval from the Committee of any construction, installation, addition, alterations, repairs, changes or other work, the owner shall, as soon as practical and diligently pursue such work so that it is completed within (60) days of issuance. Unless a variance is granted by the Committee permitting an extension of time of such approval as may be approved by the Committee at the time of issuance.

Application Procedure

The following information should be included:

- Application Form completed and signed (copy enclosed). Additional copies can be obtained from the Association's Management Office.
- Plot Plan – A site plan indicating dimensions relating to the existing dwelling and property lines (setbacks, etc.) and the improvement to be installed.
- Elevation Plans – showing finished appearance of the improvements in relation to the existing dwelling and property lines.
- Specifications – Description detailing materials to be used with color samples attached: drawing or brochure of structure indicating dimensions and color.

Submit the application and plans to:

**The Mesquite Grove Homeowners Association
C/O Vision Community Management
16625 S. Desert Foothills Pkwy.
Phoenix, AZ 85048
Office: (480) 759-4945
Fax: (480) 759-8683**

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all counties, local, state and federal government agencies. The Committee, the Management Company and the Association assume no responsibility for obtaining these reviews and approvals.

Design Guidelines

General Principles

The purpose of the Committee is to insure consistent application of the Design Guidelines. The Committee monitors any portion of any lot or parcels which is visible from other lots or parcels, the street, or the Association common areas. The Design Guidelines promote those qualities in Mesquite Grove that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the community.

Design Compatibility

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties and the neighboring setting. Compatibility is defined as harmony in style, scale, material, color and construction details.

Workmanship

The quality of workmanship evidenced in construction must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Association and the Committee assume no responsibility for the safety or livability of the new construction by virtue of design and workmanship.

Building Architecture

In general, any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure.

Building Repairs

No building or structure shall be permitted to fall into a state of disrepair. The owner of every home, or structure, is responsible at all times for keeping the buildings in good condition and adequately painted or otherwise finished. In the event any building or structure is damaged or destroyed, the owner is responsible for immediate repair or reconstruction. Roofs must also be kept in good repair at all times.

Awnings

All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material, of solid color on both sides, which match the color of the body of the exterior of the home or roof color and should only be installed on the sides and/or rear of the home. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awnings is required. Owner is responsible for maintaining and repairing of awnings. The Association retains all rights to determine when an awning must be repaired and/or replaced due to weather fading, tearing, ripping, etc.

Basketball Goals

1. Permanent and Portable basketball goals are allowable but must be submitted to the Architectural Committee for approval. Basketball poles must be black, white or a neutral color.
2. Backboards must be predominantly neutral color (gray, black, or white). Clear Plexi-glass backboards are acceptable.
3. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. constitutes grounds for removal.
4. Only nylon or similar cord nets are acceptable. Metal or chains are expressly prohibited.
5. Courts may not be painted or permanently outlined on the driveway.
6. Lighting for night use of equipment is prohibited.
7. Portable Basketball goals may only be weighted down with the manufacturer's suggested materials and must be contained inside the base of the unit; no loose or additional weight material shall be viewed or stacked on the base of the portable unit at any time.

Clotheslines

Clotheslines, or other outside facilities for drying clothes, are not permitted unless they are placed exclusively within the fenced yard and not visible to neighboring property.

Driveway Extensions

Driveway extensions will be reviewed on a case by case basis with strong consideration of any impact on the architectural features of the neighborhood. The maximum driveway width (existing and addition) shall not exceed 30 feet of contiguous area. A landscape section must be included between the driveway area and the property line. All driveways must be kept clean and clear of debris, oil, rust, and other stains.

Flagpoles

Flagpoles are allowed in residential areas and must be set back a minimum of 7 feet from the property line and they can be no higher than 16 feet. The use of brackets mounted on the house or garage to display flags is allowed. When displaying a flag, Homeowners must follow the Flag Code as adopted by Congress. Flags flown at night must be illuminated.

Fences and Walls

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 submitted to the Committee prior to construction. Copies of City Approvals must be submitted with the requests. Walls must be stuccoed and painted on both sides to match the existing dwelling or wall in texture and color.

Gates

Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be the same material, design and color as the originally installed single gate. Shrubs, trees and plant material should be installed and maintained between the house and double gates whenever possible.

Gutters and Downspouts

Gutters and downspouts will be considered for approval if the finish matches the color of the house. The Association strongly recommends use of high quality materials that offer long life, as the gutter must be maintained in good condition.

HVAC

Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior approval of the Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of neighboring property.

Outdoor Fireplaces

Installation of outdoor fireplaces requires advance approval by the Committee. Outdoor fireplaces may not exceed fence height. This section may not apply to fireplaces installed by the Declarant.

Outdoor Lighting

Any outdoor lighting installed on a lot or dwelling, subsequent to initial lighting installed by the builder, must receive advance approval by the Committee. Permanent lighting sources shall not be directed towards streets, common areas or neighboring property.

Patio Covers

Roofing material color should match that which was installed by the builder on the original roof of the home. Color of supports and material should match the color of the body or trim of the house. Patio covers and extensions will be reviewed on a case by case basis.

Ramadas, Gazebos and Other Structures

Permanent Ramadas, gazebos and other structures may be erected in rear yards only subject to prior review and approval by Committee, subject to the guidelines listed below. All submittals are required to have a plot plan with dimensions and setbacks noted. All applications will be considered on a case by case basis. Applications for enclosed structures will require a complete architectural drawings package and an application fee.

- 1. The structure must be set back a minimum of 7 feet from any perimeter wall.
- 2. Maximum roof height is 10 feet at the highest point.
- 3. Maximum square footage (under roof area) is determined by overall lot size and is as follows:

<u>Lot size in square feet</u>	<u>Maximum Structure Size</u>
7,500 – 12,000	250 square feet
12,001 – 17,000	350 square feet
17,001 – 22,000	450 square feet
22,001 and above	550 square feet

- 4. The structure must be painted to match or blend with the house colors and be maintained in good condition.
- 5. Any roof tile must also match the tile on the house.
- 6. Lighting must be included in the submission and adhere to the outdoor lighting guidelines.

Play Structures

Play structures require prior review and approval by the Committee and are subject to the following guidelines:

- 1. May be erected in the rear yards only and structures must be set back a minimum of 7 feet from any perimeter wall.
- 2. Maximum height allowed to top support bar or highest point of structure, is 10 feet.
- 3. Maximum height of any deck or platform is to be 4 feet above ground.
- 4. The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans.
- 5. The Committee will take appearance, height and proximity to neighboring properties into consideration.
- 6. All play structures and canopies must be solid tan or earth-tone color.
- 7. Submit a brochure or picture if possible.

Pools and Spas

Pools and spas must have approval of the Committee. Perimeter walls on lots bordering common areas and shared Homeowner 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 must be made in a timely fashion 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. Any pool and spa equipment visible above the fence line (such as slides, etc) must be

approved in advance by the Committee. Backwashing or draining of a pool must be in accordance with the City of Chandler guidelines.

Pool Fencing

The specifications for rear hard wrought iron pool fencing on a lot with view fencing shall be neutral earth-tone color to match or blend with the existing home color or match the existing wrought iron fencing color.

Screen Doors

All screen and/or security doors must be submitted for approval and should be painted to match the exterior body color or trim of the home, or the color of the exterior door. Silver-colored aluminum screen doors are prohibited.

Signs

No signs shall be display on any lot except for the following:

1. One temporary "For Sale or for Rent" sign with maximum face area of 5 square feet.
2. Such signs as may be required by law.

Storage Sheds

Storage sheds may not be visible above the top of the block wall. Homes with "view" fencing must submit for approval and the shed may not be placed on the "view" fence. In addition, landscaping or some other means of screening approved by the Committee may be required for storage sheds on lots with "view" fencing.

Window Covering Criteria

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within thirty 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 decorate must be compatible, with respect to materials and color, with the style and color of the home.

Bronze, gray, charcoal, brown, or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames.

Landscape Guidelines

Maintenance

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, moving, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses and removal of trash.

Hardscape

Any Hardscape items proposed for front yard installation must be approved by the Committee. Hardscape items that will be visible from neighboring property in the rear yard will also 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.

Rock and Ground Cover

If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not white, green, blue or other bright colors. Artificially colored rock(s) or granite is prohibited. All rock areas should be treated with a pre-emergent weed control at regular intervals to retard weed growth.

River rock shall be three (3) to six (6) inches in diameter. Not more than 10% of the front yard landscape may be river rock.

Fine Grading and Mounding

Fine grading is a critical aspect of landscaping. Each lot has been graded in such a way that all storm water will drain away from the house. It is important that this drainage pattern is maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the city grading and drainage plan. Every effort should be made to make mounding appear natural.

Water Features, Statuary, Etc.

Items such as fountains, statuary, etc. are permissible within the rear yard and do not require submittal to the Committee, except on lots with view fences. Such items must be approved by the Committee for installation in the front yard. 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 the rear yards with view fences. Statuary must be of earth tones, no painted finishes, and must be approved by the Committee. All functional and/or decorative items must be approved before being placed in the front or rear yards with view fencing.

Lighting

Lighting, other than that put in by the builder, must be approved by the committee. The following outlines the minimum standards for lighting.

1. Lighting shall be shielded such that the light shines primarily on the lot on which it is installed. Lighting that creates a glare visible from other lots are prohibited.
2. Light fixtures shall not exceed an illumination intensity of more than one (1) foot-candle power as measured from the closest lot line.

Plant Requirements

The owner shall landscape in compliance with The Mesquite Grove Homeowners Association CC&R's and the following guidelines as adopted and amended from time to time, in that portion of the lot which is between the street(s) adjacent to the lot and the exterior wall of the residential unit or any wall separating the side or back yard of the lot from the front yard of the lot. Back yards which are visible from common areas shall adhere to the installation requirements.

Front yards and rear yards with view fencing must have the following landscape requirements.

<u>Plant Type</u>	<u>Size</u>	<u>Quantity</u>
Trees	15 gal	1
Shrubs or cactus	5 gal	1
Shrubs	1 gal	5
Ground Cover	1 gal	0

1. Select plants for alternating seasons of display and color.
2. Homeowners to select low shrubs/groundcover along driveway and street frontages to maintain visibility. Plants exceeding 2'0" in mature height shall be located at least 8'0" feet back from public sidewalks or curbs.
3. Surface select boulders may be grouped in clusters, with varied sizes, buried 1/3 below grade and incorporated with grades to mimic a natural outcropping. Boulders may not exceed 3' in height and shall have a natural oval character that is compatible with specific decomposed granite. Colored and lava rocks are prohibited.
4. Homeowners may use low voltage lighting to highlight entry walks, or accentuate trees. Colored bulbs and lenses are prohibited. Light source shall be adjusted to minimize glare on adjacent properties, common areas or streets.
5. Ornamentation such as driftwood, skulls, wagon wheels, sculptures, etc. are not permitted in front yards.
6. Special design features such as low walls, trellis, water features or other structures must be approved in advance by the Committee.

Irrigation

With an average rainfall of less than nine inches, most plant materials require a supplemental irrigation system to sustain plant life yet preserve our precious water supply. Each homeowner should provide a complete irrigation system compatible with the front yard design. Time clocks should be cycled for efficient deep watering. Turf areas shall have spray irrigation with 100% head to head coverage, designed to minimize overspray onto any paved or granite areas. All supplemental plants should be watered by any underground drip system to provide deep watering.

Association Rules

The following Association rules summarize some of the common provisions found in the CC&R's as well as rules established by the Board. Cooperation on the part of all residents in following these rules will make living at Mesquite Grove an enjoyable experience for everyone.

General Property Restrictions

Owners may rent only the entire lot or dwelling unit. Rental must be made only to a single family. No gainful occupation, trade or other non-residential use may be conducted on the property for the purpose of receiving products or services related to such usage. Owners must receive Board permission to apply for any rezoning, variances or use permit.

Trash/Recycling Containers and Collection

No garbage or trash shall be kept on any lot except in covered containers as provided by the City of Chandler. These containers must be stored out of sight except on days of collection.

Pets

Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Animals cannot be kept or raised for commercial purposes, and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Dog runs must have prior approval of the Committee. Dogs must be kept on leashes at all times while on Association property. All owners must clean up after their pets.

Holiday Lighting

Temporary holiday decorations are permitted from Thanksgiving through January 15. Any other temporary holiday decorations are permitted so long as they are removed after a reasonable amount of time.

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 ten days after the date of the holiday. Flags must be maintained in good condition at all time. Torn, ripped, faded, etc. constitute grounds for fines and removal. Flags may not be offensive to neighbors or Association. The Board shall make this determination.

Machinery and Equipment

No machinery, fixtures or equipment of any type, including, but not limited to heating, cooling, air-conditioning, refrigeration equipment and clotheslines, may be placed on any lot or parcel without screening or concealment from view of non-residential neighboring property or public property. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use so as not to be visible.

Vehicles

No motor vehicle, mobile home, recreational vehicle, travel trailer, tent trailer, camper shell, detached camper, boat, boat trailer, hang glider, ultra light, or other similar equipment or vehicle may be parked or maintained on any lot or parcel or any street in Mesquite Grove so as to be visible from neighboring property, the common areas or the streets. RV vehicles may be parked in front or in the driveway of the resident's home for a period of not more than 24 hours for loading and unloading.

No automobile, motorcycle, motorbike or other vehicle shall be constructed, reconstructed or repaired upon any lot, parcel or street in Mesquite Grove, and no inoperable vehicle, including but not limited to vehicles with flat tires, may be stored or parked on any such lot, parcel or street so as to be visible from neighboring property or to be visible from common areas or streets; provided, however, that the provisions of this section shall not apply to emergency vehicle repairs or temporary construction shelters or facilities maintained during and used exclusively in connection with the construction of any improvement approved in writing by the Committee.

Parking


Vehicles of all owners, lessees and residents and of their employees, guests and invitees, are kept in garages, carports, residential driveways of the owner, designated parking areas, designated spaces in commercial areas, and other designated parking areas wherever and whenever such facilities are sufficient to accommodate the number of vehicles at a lot. Owners are requested to restrict overnight street parking except in emergency situations.

**Action in Writing
of the Board of Directors of
Mesquite Groves Homeowners Association**

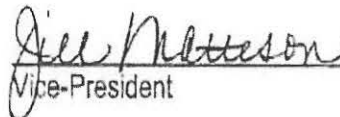
The undersigned, constituting all of the members of the Board of Directors of Mesquite Groves Homeowners Association Homeowners Association, an Arizona nonprofit corporation, hereby take the following actions in writing and without a meeting pursuant to Section 10-1095, Arizona Revised Statutes, which actions shall have the same force and effect as if taken by the Board at a duly called meeting of the Board:

RESOLVED, that Mesquite Groves Homeowners Association, an Arizona corporation, be and it hereby adopt the Architectural Guidelines and Association Rules dated September 11, 2001.

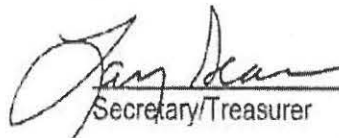
Dated this 30 day of October, 2001.



President



Vice-President



Secretary/Treasurer

**ACTION BY RESOLUTION OF THE
BOARD OF DIRECTORS**

MESQUITE GROVE ESTATES HOMEOWNERS ASSOCIATION

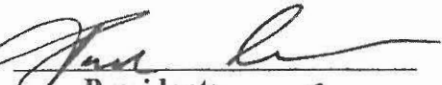
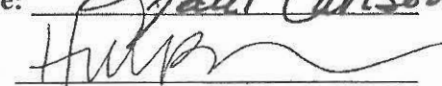
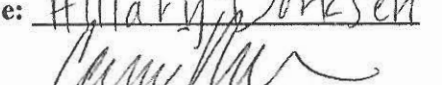
August 29th, 2013

Pursuant to the authority contained in the Arizona Revised Statutes and the governing documents of the association, the Board of Directors of the Mesquite Grove Estates Homeowners Association hereby adopts the following resolution at the meeting of the Board of Directors, convened on this date, for and as the actions of the Mesquite Grove Estates Homeowners Association, as of the date set forth above.

RESOLVED, to adopt the following.

The revised Community Design Guidelines on Basketball goals to add permanent installed goals back and to allow portable units to be left out when not in use as long as it is in good condition and not in need of repairs or replacement parts and as long as the units are weighted with the manufactures suggestions and not visible weights. Other items that have been revised were to remove the solar panel, satellite dish and for rent sign guideline as state statues has since superceded these HOA rules and the CC&R's do not restrict either type of basketball goals as long as Basketball goals are submitted and approved by the committee.

DIRECTORS

Signature: 	<u>8/29/13</u>
Print Name: <u>Paul Carlson</u>	Date
Signature: 	<u>8/29/13</u>
Print Name: <u>Hillary J. Donsen</u>	Date
Signature: 	<u>8/29/2013</u>
Print Name: <u>Carne Miller</u>	Date

**ADDENDUM TO RULES
MESQUITE GROVE ESTATES
October 2020**

DUMPSTERS

Dumpsters cannot be on the street for longer than 3 consecutive days and this must be requested through the manager. The dumpster shouldn't be larger than 6 c. yards and if it does any damage to the asphalt the owner will be held responsible to repair the street of that area. If you are on a corner the dumpster will need to be put into your driveway and cannot block pedestrian traffic on the sidewalk. If you are going to park the dumpster in your driveway you will need to register the cars you will be parking on the street for those 3 days with the manager so that they will not be towed away.

SETBACKS

Setbacks from the property line needs to be 18" when expanding a driveway." The concrete slab cannot be all the way to the property line. This will ensure that it is aesthetically pleasing if both homeowners who have driveways border each other on the same side decide to extend the driveways. It will further avoid a **parking lot** look in the community.