

RULES & POLICIES

Biltmore Colony Greens Homeowners Association, Inc. Revised and Approved by the Board of Directors XXXXX

Draft Version #1 ~~10-6-2023~~ ~~9-30-2023~~

When you purchased your property, you became a member of the Colony Biltmore Greens Homeowners Association (CBG) and agreed to abide by the community's governing documents, which include the Articles of Incorporation, Bylaws, Declaration of Covenants, Conditions and Restrictions (CC&Rs), Architectural Guidelines and Rules and Policies. Copies of the governing documents can be found <https://www.visioncommunitymanagement.com/media/vcmdocs/1617638.pdf?650b3b2226230> These Rules and Policies are intended to clarify and complement all the governing documents. Please read this material carefully and keep it as a reference along with the complete set of governing documents.

The affairs of CBG are managed by the Board of Directors and related committees. Members of the Board and all committees are residents who volunteer their time and expertise. Board members are elected in staggered terms at the annual meeting of the membership. Once elected to the Board, officers are elected within this group. Committee chairs and members are appointed by the Board of Directions. The Board will hire a professional property management company to manage most of the day-to-day items including collection of monthly assessments and payments of obligations such as community landscaping and maintenance.

The property management company engaged by the Board is:

Vision Community Management

Contact individual : Don Adkins

Contact information : Phone: 480-759-4945 x 1176 Email: dadkins@wearevision.com

Requests, comments, complaints and emergencies should first be directed to the property management company. Please DO NOT ask guards or workers on the premises to provide any services or repairs.

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Resident Obligations

In purchasing your home within the CBG community, you agree to abide and comply with the Association governing documents, including these RULES and POLICIES and pay all assessments (regular and special). If a homeowner/residence is not in compliance with the documents or financial requirements, the homeowner will be notified usually by communication directly from the Management Company at which time, the homeowner will be given an opportunity to correct the matter. If noncompliance continues, the Association can and will impose fines and if necessary, institute legal proceedings.

Assessments

Each homeowner is subject to a CBG annual assessment that is typically paid monthly by the homeowner. The CBG assessment is separate from that which is billed directly from ABEVA. ABEVA is the master community association which oversees the 17 sub-associations with the Arizona Biltmore area.

The Board will review and approve a budget annually to be used for the coming year. The annual budget will include all required maintenance, including contributions to the reserve accounts. Growing and maintaining adequate reserves is a key component to the budgeting and long-term health of a community. From the monies collected monthly, a contribution to reserves is made monthly contributing funds toward specific items that are paid on a periodic basis such as street repaving.

Annually, the membership will be notified of the newly approved budget. This new budget may or may not require an increase in the CBG assessment applicable to all homeowners.

The Late Fee and Collection Policy is attached as Addendum A

<https://www.visioncommunitymanagement.com/media/vcmdocs/630277.pdf?650b3b2226230>
to the document.

Common Area

All Association common areas are maintained regularly by the landscape company. When homeowners are using the common areas, including tennis/pickleball courts and open green spaces, homeowners are responsible to 'carry out' what you 'carry in'.

The HOA owned tract located between 24th Street and back of homes is prohibited from use. No trash dumping, construction materials or landscape debris is to be placed behind the walls of the homeowners. Homeowners will be fined for such actions including throwing trash over

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the back wall. Homeowners whose property abuts this HOA owned tract and 24th Street
Special note: this HOA owned tract is NOT a play area for any children or adult.

CCRs, Rules Violations and Enforcement Policies

The Board of Directors has established an –Enforcement and Fine Policy for violations of Association CCRs and community Rules. Addendum B.
<https://www.visioncommunitymanagement.com/media/vcmdocs/28113.pdf?650b3b2226230>
to the document.

Drones

Drones of any kind are not allowed within CBG.

Driverless Vehicles and Delivery Carts

Driverless vehicles and delivery carts of any kind are not allowed to operate within the community.

Fences on the Golf Course

A locked six-foot wall or fence is to be maintained in good repair to prevent entry into the community by non-residents.

Garages and Parking

It is the responsibility of the homeowners and residents to use their garages as their primary parking area. Absent using the garage for parking, homeowners and residents are encouraged to use their driveways where there is adequate length. We acknowledge that many driveways throughout the community do not accommodate a vehicle. If a vehicle cannot be accommodated in the driveway, daytime street parking will be allowed. Do not block sidewalks.

Overnight street parking passes are distributed by the guardhouse. Because the internal streets within CBG are private streets, overnight parking is prohibited without a pass. The overnight parking pass is available for short terms only. All overnight parking must be in designated areas which will allow for emergency vehicles (if needed) or large maintenance vehicles (trash trucks) to fully access the community at all times.

A map showing Designated Visitor Parking and the Parking Violation and Fine Policy is attached as Addendum C.

<https://www.visioncommunitymanagement.com/media/vcmdocs/28113.pdf?650b3b2226230>

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Day-time, short term -street parking is allowed, without a parking pass for guests, trades, vendors and maintenance vehicles.

Homeowners/residents are responsible for making sure these rules are followed.

Covered vehicles or stored vehicles of all kinds are not allowed in the driveway or on street parking and must be housed in a garage. Vehicles parking in driveways and streets must be in operable condition.

Vehicle repairs in driveways and street are- prohibited.

Trailers, RVs, Boats, Campers, Etc.

Vehicles not kept in garages may be brought into the community for the purpose of loading and unloading only for a period not to exceed 24 hours. No trailer, RV, camper, boat or similar vehicle shall be kept, maintained, constructed, or repaired on any property or street within the community. No trailer, RV, camper, boat or similar vehicle may be lived in, even temporarily.

Garbage Collection

Garbage containers and household trash shall be placed in City of Phoenix approved contained and placed at the curb near your residence. Trash receptacles are to be removed from the curb within 24 hours of scheduled pickup dates. Containers should remain closed to limit odors and insects, and materials falling out when they are lifted.

Gate Keys for Pedestrian Gates

There is a single gate key that works on all pedestrian gates to the community. There are two gates on the east side that access the golf course, one gate on the west side at 24th Street and one gate in the common area near The Cloisters to the south. If you would like a pedestrian gate key, please contact the community manager. A nominal fee may be charged.

Guardhouse Responsibilities

Guardhouse phone # 602-956-2805

ABEVA Roving Patrol phone # 602-369-4776

The guards at the entry of the community are required to account for visitors or trades that have permission to enter the community. It aids the guards greatly if you notify the guardhouse

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in advance of guests' or trades' pending arrival. We strive to answer every call with personal attention and professionalism. In all cases, the guard is required to log the license plate number of any visitor or trade vehicle.

Guards are not permitted to leave the guard station except for using restroom facilities which are adjacent to the guard station.

HOUSE KEYS:

House keys are NOT to be left with the guard. If you have a visitor or service personnel coming to your home, please make arrangements directly with that individual or service company.

Household Pets and Animal Waste

Household pets are permitted. Pet owners are expected to use their best judgement on the number and type of pets they own. Pet owners are responsible for cleaning up and disposing of animal waste left by their pets. Pet owners are responsible for keeping their pets on a leash when walking in the community. These rules are important for health and safety reasons and are also in compliance with the City of Phoenix ordinances.

Pet owners shall not infringe on neighbors' rights to enjoy their property and the community.

Maintenance Requests or Complaints

Maintenance Requests:

Landscape Maintenance: CBG has an established policy for acting upon requests regarding maintenance, changes or modifications to landscaping and irrigation in community owned common areas and homeowner front yards. A Landscape Maintenance Request Form, Addendum D, is available at the Guard Station.

<https://www.visioncommunitymanagement.com/media/vcmdocs/1617440.pdf?650b3b22261d9>

Landscape Alterations or Modifications: Changes or alterations to all plant material and hardscape are to be approved by the Architectural Committee in advance of work beginning. Landscape and building alternations are governed by the ~~More information about the~~ Architectural Committee. ~~The Architectural Review request is attached as Addendum E.~~ ~~Additional details for landscape and building alternations requests can be found on the ~~and~~~~

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~~details of the architectural review process and request form is available on the~~ Association website.

<https://www.visioncommunitymanagement.com/media/vcmdocs/1616484.pdf?65300995752e5>

Complaints or Nuisance:

Complaint or nuisance issues should be done through the property manager. Contact information is shown on page 1 of this document. Examples could include trash cans left out past their 24-hour allowance, yard violations, parking violations, direct light fixtures, exterior speakers or contractors not observing time schedules and noise controls.

Regarding more immediate complaints such as excessive noise, the homeowner should call the Phoenix Police Department. The Association has no policing power nor authority in matters such as this.

Note: No building or improvement on any lot shall be permitted to fall into disrepair. Each home, building, wall or structure of all kinds shall be kept in good condition.

Party Walls

The rights and duties of owners are explained in the CC&Rs. In a dispute between owners regarding the construction, repair, painting, or rebuilding of a party wall, owners shall submit the dispute to the Architectural Committee. Decisions by the Architectural Committee may also be appealed to the Board.

Pools

Pool backwashing is NOT allowed in the streets. Backwashing must be emptied in the home clean-out drain.

Rental Properties

If a home is rented, it is the homeowner's responsibility to make sure properties are maintained at an acceptable level and that their tenants abide by all governing documents. Please note that no home is allowed to be rented for less than 30 days as stipulated in the Colony Biltmore-Greens CC&R's.

Fines for violations will be assessed to the homeowner, not the tenant.

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Homeowners must provide the name and complete contact information (including vehicle information of the tenant) to the community manager. Further, the homeowner must provide information to the community manager where the homeowner can be reached in the event of an issue.

Solicitations

No solicitations of any kind are allowed within the community. No individual or company is allowed to go door-to-door or attach messages to homes or garages. Abuses should be reported to the community manager.

Tennis and Pickleball Courts

East and west tennis courts operate on a first-come / first-serve basis. Reservations can be made for either court for both ~~either~~ tennis or pickleball by contacting the front guard. Reservations take priority for court time. Use of the courts is exclusively for homeowners, residents and their guests.

Yard Sales / Garage Sales / Estate Sales

Yard sales and garage sales of any kind are not permitted.

Estate sales for the express purpose of liquidating the contents of a home are permitted only with advance permission from the Board. A request to have an estate sale should be submitted to the property management company who will review the specifics with the Board. Approval from the Board must be completed at least 30 days in advance of any scheduled event. Signs may not be placed in front of a home advertising a sale. If an estate sale is approved by the Board and is advertised, the company managing the sale must have a staff person at the community entry gate to communicate with a staff person at the residence and direct visitors to parking.

Addendums

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- A Late Fee and Collection Policy
- B CCRs and Rules Violation and Fine Policy
- C Designated Visitor Parking Map, Parking Violation and Fine Policy
- D Landscape Maintenance Request Form
- E Landscape and Building Alterations Form/Architectural Committee Request