

The Oasis at Magic Ranch Homeowners Association

Policies and Procedures

Revision: February 2015

The Oasis at Magic Ranch Homeowners Association

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Overview

Introduction

Every resident of Oasis at Magic Ranch is a member of The Oasis at Magic Ranch Homeowners Association (the “**Association**”), the entity responsible for the management of all common areas as well as the administration of the affairs of the community.

The Association is created by the recording of the Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitude’s, Liens, Reservations and Easements (the “**CC&R’s**”). The CC&R’s set forth Procedures, Rules and Regulations, which govern the community.

The Association’s Policies and Procedures are an Extension of the CC&R’s and are to be used in harmony. The Board of Directors (the “**Board**”), with the authority given by the CC&R’s, in Section 6.3, has adopted these Policies and Procedures (the “**Document**”). The Document provides clarification for acceptable additions, modifications, work to be performed within the Association as well as administrative guidelines to help manage these activities.

Pursuant to Section 3.11 of the CC&R’s, the Board has the authority to appoint and remove members of the Design Review Committee. Unless otherwise determined by the Board, each member of the Board shall serve on the Design Review Committee, along with any other Design Review Committee members appointed by the Board.

The Design Guidelines provide Architectural directives that will help residents better understand modifications, additions, or alterations that can be made to existing structures or lots and how to request approval for those changes. The Rules provided in the Document will help homeowners better understand what is allowed within the community per the governing documents such as the CC&R’s and Bylaws. The Collection Guidelines provide an outline on how monetary fines are administered and managed. In addition, this Document outlines the minimum requirements and expectations the Board deems necessary for specific contractor activities to be performed within the Association.

All residents within the Association, homeowners and tenants, and their guests must observe and abide by the directives defined in this Document. The homeowner is responsible to insure that their tenants have a copy of the Document. Homeowners will also be held responsible for ensuring children residing in or visiting their home conform to these rules at all times.

The policies set forth or reflected in the Document are designed to help protect the investment of the Homeowners.

Design Review Process

Pursuant to Section 3.1 of the CC&R’s, any change, addition, or modification to a site or building exterior of a residential property within the Association requires the prior written approval of the Design Review Committee. Residents with proposed changes must contact the Community Management Company, with whom the Association has contracted to manage the Association’s affairs. The Community Management Company will communicate the request to the Board for approval.

Simply stated, no improvements, alterations, repairs, additions, or other work, including changes in exterior color, is to occur on any lot or exterior of any home from its improved state existing on the date such property was first conveyed by the Builder to a purchaser without prior approval of the Design Review Committee. The responsibility of the Board is to ensure that the harmonious, high quality image of Oasis at Magic Ranch is implemented and maintained. Any owner requesting Architectural approval of the Design Review Committee shall follow the application procedures listed below. Even if an addition or alteration is identical to another previously approved project, the new project must be submitted for Design Review Committee approval. Each application will be reviewed on a case-by-case basis.

Submittals will be returned by US Mail to the requestor within Forty-five (45) days of receipt of the Architectural Request Form by the Community Management Company stipulating the Design Review Committee's approval or rejection of the request. Unless otherwise determined by any Design Review Committee Member, all requests will be voted on at the next regularly scheduled Design Review Committee meeting after the receipt of the request. A request must have been received at least one week prior to the next regularly scheduled Design Review Committee meeting before it will be placed on the meeting agenda. Homeowners will be sent, within two business days of receipt of the request by the Community Management Company, a notification as to the date of the meeting their proposal will be discussed. All notifications will be sent by US Mail and, in addition, an e-mail notification will be sent to those homeowners making their request via e-mail.

All construction, installation, addition, alterations, repairs, change or other work approved by the Design Review Committee should begin as soon as practicable after the resident has been officially notified of the approval. The project shall be diligently pursued such that it is completed within sixty (60) days of issuance of such approval or such additional time as may be approved by the Design Review Committee at the time of issuance.

Application Procedure

Homeowner:

- Complete and sign an Architectural Request Form. Forms can be obtained from the Association's Management Company or downloaded from the Association's website (oasishoa.com).
- Plot Plan—attach a site plan indicating dimensions relating to the existing dwelling and property lines (setbacks, etc.) and the improvement to be installed.
- Elevation Plans---Attach plans showing finished appearance of the improvements in relation to the existing dwelling and property lines.
- Specifications---Provide description/s detailing materials to be used with color samples attached; drawing or brochure of structure indicating dimensions and color.
- Pictures - Attach when possible, to show locations and appearance of improvements.

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all county, local, state and federal government agencies. The Board, the Management Company and the Association assume no responsibility or liability for obtaining these reviews and approvals. Any Association approval is separate from the above approvals from government agencies and by approving a project, the

Association makes no representations that the project complies with any code adopted by any governmental agency.

Architectural Review requests, including supporting documents can be submitted electronically via e-mail, fax or conventional mail (i.e. US Postal Service) to:

The Oasis at Magic Ranch Homeowners Association
c/o Vision Community Management
16625 S. Desert Foothills Pkwy
Phoenix, AZ 85048
Office: (480) 759-4945
Fax: (480) 759-8683
Email: OasisMagicRanch@WeAreVision.com

Management Company:

- Date stamp the request form when received.
- Stamp with “Received Electronically” if so received.
- Log request into the management company’s computer system within 48 business hours of receiving the form.
- Send confirmation of receiving the request to the homeowner within two business days of receiving the request, indicating the meeting date the request is expected to be reviewed by the Board.
- Send via e-mail, the completed request form and all supporting information to all Board members within 48 business hours.
- Notify Homeowner via conventional mail of receipt of completed request form with the reception date stamped on the form.
- Notify Homeowner via conventional mail of Board’s approval or rejection of the proposed project.

Design Review Committee

- Review Architectural request and supporting documents prior to next regularly scheduled Design Review Committee meeting.
- Vote on approval/rejection of request at regular scheduled Design Review Committee meeting.
 - If one of the Committee members decides the request is an emergency, the Committee Chairman can call an emergency meeting to vote on the request.
- Vote response is recorded in the meeting minutes.
- The management company is notified of the approval or rejection of the request within 48 business hours.

Appeal Process

The decision of the Design Review Committee shall be final on all architectural matters requiring approval per the CC&R’s and the Association’s Guidelines. However, if an applicant disagrees with a decision, the applicant is welcome to submit a second request containing any additional information which is felt to be pertinent to the original request for further review by

the Design Review Committee. The second request must also be sent to the Community Management Company, using the same process as outlined above. If the applicant desires to be heard in person, that request must accompany the second submittal and the applicant will be notified by the Community Management Company of the time and place of the next meeting.

The Design Review Committee will then review the second request at its next scheduled meeting during which a final decision will be made and notification of the decision will be sent to the applicant through the Community Management Company.

Design Guidelines

General Principles

The Design Review Committee's review and approval of proposed additions and modifications is to ensure consistent application of the Design Guidelines. The Design Review 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 Oasis at Magic Ranch 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, the Board and the Design Review 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.

Specific Items

- **Awnings** (All awnings must be submitted for approval to the Design Review Committee)
 1. 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.
 2. All awning submittals must include a drawing with the location of the proposed awning installation.
 3. A sample of the material to be used, along with the color and design of the proposed awning/s is required.
 4. Owner is responsible for maintaining and repairing any awnings installed. The Association retains the right to determine when an awning must be repaired and/or replaced due to weather, fading, tearing, ripping, etc.

- **Basketball Goals**
 1. Only permanent basketball goals allowed on home lots.
 - a. Do not mount goals anywhere on a home.
 - b. Basketball poles must be mounted permanently in concrete.
 - c. Courts may not be painted or permanently outlined on the driveway.
 - d. Basketball poles must be black, white, or painted to match the color of the body of the home.
 2. No portable goals allowed on lots.
 - a. If a portable goal is used on the streets it must be removed and stored when not in use, for traffic safety.
 - b. Storage must be such as to not be observed from the street or another lot.
 - c. The owner of a portable goal found on a street and not being used will be fined in accordance with the Violation Enforcement Process.
 - i. Portable courts with no ownership will be considered abandoned and will be removed from the community.
 3. Backboards must be of a predominately neutral color (gray, black, or white) or match the color of the body of the exterior of the home. Clear Plexiglas backboards are acceptable.
 4. 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 fines and/or removal.
 5. Only nylon or similar cord nets are acceptable. Metal or chains are expressly prohibited.
 6. Permanent basketball poles must be approved by the Association's Architectural process prior to installation.
 - a. If the pole is to be mounted on the side of the property with a neighbor, then the homeowner must submit a written statement from the neighbor with the architectural request.

- **Cables/Wiring (Fixed-External)**
 1. All wires, cables, and conduit attached to the outside of homes must be:

- **Clotheslines**
 1. Clotheslines or other outside facilities for drying cloths are not permitted unless they are placed exclusively within the fenced backyard and are not visible above the top of the block wall or viewed through the wrought iron (view) fence or otherwise visible from neighboring property.
- **Fences and Walls**
 1. Plans to change the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s).
 2. No alteration to any block walls or viewing fences adjacent to common areas or golf course property is permitted without the prior written approval of the Design Review Committee.
 3. Plans for new fences or walls must be submitted for approval prior to construction.
 - a. Copies of County Approvals must be submitted with the requests.
 - i. Original footings may not have been engineered to accept additional weight or stress of the proposed modifications.
 - b. Walls must be painted and/or stuccoed to match the existing dwelling or wall in texture and color.
- **Furniture (Front Yard)**
 1. Any furniture permanently left outside which is viewable from adjacent lots, public streets, or common areas, must be manufactured and sold as outdoor furniture.
 - a. All such furniture (chairs, tables, etc.) must be maintained in good condition.
 2. Furniture not manufactured as outdoor furniture must not be left outside when not in use.
 3. See Landscape section for more information on outdoor furniture.
- **HVAC**
 1. All additional units, in addition to that initially installed by the builder shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of non-residential neighboring property.
 - a. No heating, air conditioning or evaporative cooling unit shall be placed in a window or house wall.
- **Outdoor Fireplaces/Barbeques**
 1. Installation of permanent outdoor fireplaces/barbeques requires advance approval before work can begin.
 - a. Outdoor fireplaces/barbeques may not exceed fence height.
- **Outdoor Lighting**
 1. Any outdoor lighting installed on a lot or dwelling, subsequent to initial lighting installed by the builder, must receive advance approval.
 - a. See lighting section of the Landscaping Policy for more information.
- **Patio Covers**
 1. 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 home.

2. Construction materials should be consistent with those used on the exterior of the home (i.e. wood framing and stucco finish)
3. Owners are responsible for obtaining all necessary government permits.
4. Approval by the Design Review Committee is required before installation is started.

- **Ramadas and Gazebos**

1. Ramadas and gazebos may be erected in rear yards after prior approval and subject to the following guidelines:
 - a. The structure must be set back a minimum of 7 feet from any perimeter wall
 - b. The structure must be painted to match the house color or be natural treated wood and be maintained in good condition.
 - c. Any roof material must match the color of the body or trim of the home or be natural treated wood.
 - d. Lighting of the structure must meet the policies outlined in the Landscape Policy for lighting.

- **Play Structures**

1. Play structures may be erected **in the rear yards only** and are subject to the review and approval of the Design Review Committee prior to installation.
 - a. Structures must be set back a minimum of 7 feet from **any** perimeter wall.
 - b. Maximum height allowed for the top support bar or highest point of the structure is 10 feet.
 - c. Maximum height of any deck or platform is to be 4 feet above original level of yard.
 - d. The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with the plans.
 - e. Any shade canopy must be a neutral, solid tan or “earth tone” color.
 - f. A brochure or picture of the structure should be submitted with the Architectural request form when possible.
 - g. The Design Review Committee will take appearance, height, and proximity to neighboring properties into consideration when reviewing the request for installation.

- **Pools and Spas**

1. Permanent Pools and spas must be installed only in backyards.
2. Permanent above ground pools and spas must be set back a minimum of 7 feet from **any** perimeter wall. Cleanout trap on/at the home should be used
3. Flushing/discharging Pool and Spa water into the common areas, golf course property or streets is prohibited. Cleanout trap on/at the home should be used for this purpose.
 - a. Check with Pinal County to determine where/how water from pools and spas can be discarded.
4. Pools and spas installed in yards which do not have view fencing do not require approval for installation. However the following conditions must be met.
 - a. All pool and spa equipment must be screened from view of neighboring property.
 - b. Any pool equipment visible above the fence line (such as slides, etc.) must be approved in advance prior to installation.
 - c. All pool materials and equipment visible from neighboring property must be kept in good repair and condition at all times.

5. All pools and spas in yards with view fencing must be approved prior to the start of construction.
6. Perimeter walls on lots bordering common areas and shared homeowner, neighbor, walls may not be torn down to allow access to rear yards.
 - a. Construction access must be gained by removing a portion of the front wall on the side of the home.
 - b. 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.
7. Temporary pools and spas in backyards which do not have view fencing must meet the same requirements defined previously for permanently installed pools and spas and do not require prior approval.
8. Temporary pools and spas intended to be up longer than six (6) months in a twelve (12) month period in yards with view fencing must have prior approval before exceeding the time six (6) month limit.

- **Screen/Security Doors**

1. 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.
 - a. Silver-colored aluminum screen doors are prohibited.

- **Signs**

1. No signs shall be displayed on any common areas within the community without the prior written approval of the Board.
2. No signs are allowed on any Lot except for the following:
 - a. For Sale Signs: Only one indoor or outdoor sign for the purpose of advertising the property for sale is permitted.
 - i. Sign cannot exceed 18 x 24 inches and a sign rider cannot exceed 6 x 24 inches.
 - b. For Rent Signs: Only one (1) sign of not more than five (5) square feet may be placed on a Lot advertising the property for rent.
 - c. Home Security Signs: Security provider signs are permitted.
 - i. Maximum one sticker sign on inside of each first floor window
 1. Maximum size is 20 sq. inches.
 - ii. Maximum one staked sign in the front yard and one in the backyard.
 1. Maximum size is 12 inches.
 - d. Political Signs: Unless otherwise provided by Arizona State Statute A.R.S. 16-1019 and A.R.S. 33-1808, or Pinal County laws, all signs must be non-illuminated and may not exceed 2' x 3' feet. Signs are allowed to be placed 60 days prior to an election and remain until 10 days after an election.

- **Storage Sheds**

1. Storage sheds require written approval prior to installing and are subject to the following guidelines:
 - a. Storage sheds are subject to rear setbacks of 5 feet.
 - b. Quality materials and construction shall be required.
 - c. Sheds must be in harmony with the exterior of the residence including siding, color, and roofing materials.

i. Approval/Acceptance by the Design Review Committee will be on a case-by-case basis.

- **Window Covering Criteria**

1. Permanent draperies or suitable window treatments shall be installed on all windows facing common areas, streets, common areas, and golf course property within ninety (90) days of occupancy.
 - a. Window treatments do not include sheets, blankets, towels, clothing items, or materials with patterns or colors not blending into the original style or color of the Residence.
2. 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.
3. Exterior window coverings or treatments used to decorate or shelf openings must be compatible, with respect to materials and color, with the style and color of the home.
 - a. Brown or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames.
4. No enclosures, drapes, blinds, shades, screens, or other items affecting the exterior appearance of a Residence shall be constructed or installed without the prior written consent of the Design Review Committee.

Landscape Guidelines

Overview

Within 90 days after conveyance of a property to a new purchaser, the land around a lot, including front and back yards, shall meet the following minimum plant and ground cover installation and irrigation improvements. These requirements are contained in The Oasis at Magic Ranch Homeowners Association CC&R's, section 4.24, and the Landscape Guidelines, which are adopted and modified from time to time by the Board.

Maintenance

All landscaping will be maintained in a neat and attractive condition, insuring compliance with the original minimum plant and ground cover installation and irrigation requirements at all times. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses, and removal of trash.

1. Plants restricting visual identification of safety issues on public streets must be trimmed so people can see oncoming traffic. The Board of Directors will determine compliance on a case by case basis.

Plant Requirements

Minimum plant requirements must conform to the originally installed design by the Builder unless otherwise approved by the Board. Minimum requirements are:

1. Front Yards (including side yards visible from streets and adjacent lots):
 - a. Tree – One 15 gal (size at planting)
 - b. Shrubs or Cactus – 5 gal (size at planting)
 - c. Organic or inorganic ground cover
2. Back Yards
 - a. Organic or inorganic ground cover
3. No exposed dirt areas on a lot except as approved by the Board.
4. Planting under liners, such as plastic sheets, are discouraged.
5. Select plants for alternating seasons of display and color.
6. Homeowners to select low shrubs/groundcover along driveway and street frontages to maintain visibility.
 - a. Plants exceeding two feet (2') in mature height shall be located at least of 2' 0" back from public sidewalks or curbs. Measurement is from the center of the plant to the edge of the sidewalk, driveway, or curb.
 - b. All plants within this two foot (2') section shall not exceed two feet (2') in height.
 - c. Growth of plants within this 2' area shall not be allowed to overgrow sidewalks, driveways, or curbs.
7. Trees that are expected to be eight feet (8') or higher at maturity must be planted at least three feet (3') from any party wall or property line.
 - a. Homeowners are responsible for trimming trees that overlap other homeowner lots whenever the offended homeowner complains about the branches and leaves overhanging their property.

- b. Trees overhanging public streets must be trimmed so that standard school buses will not hit branches or leaves. This provides a minimum eight (8) foot vertical clearance from street to tree branches or leaves.

Irrigation

With an average yearly rainfall of less than nine inches, most plant material requires 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 an underground drip system to provide deep watering.

1. Sprinkler valves are to be installed underground in a vault style valve box.
2. All wires connecting water valves to the controller are to be out of sight, underground.
 - a. Hidden in conduit when above ground.

Hardscape

1. Any proposed hardscape installations for a front yard not specifically approved in this Document must be approved by the Design Review Committee.
2. Hardscape items that will be visible from neighboring property in the rear yard must be approved by the Design Review Committee before installation.
3. Hardscape materials include, but are not limited to, concrete, brick, tile, wood, etc.
4. Hardscape examples include, but are not limited to, planters, walkways, retaining walls, decorative walls, fountains, brick borders, pavers, etc.
 - a. Items seen from a neighboring property or public street must be neutral or “earth tone” in color and **not** white, green, blue, or any bright colors.
5. Planters and Decorative Walls: Low masonry planter walls and decorative walls are acceptable. These walls must be no taller than 36 inches. Walls should be painted and stucco finished to match the residence.
6. Border Materials: Border material is to be installed on all property lines where turf meets granite.
 - a. Approved border materials are brick, concrete, or flagstone.
 - b. Metal or plastic edging will not be approved.
7. Hard Surface Areas: Hard surface areas include additional concrete, sidewalks, flagstone paths and decorative pavers.

Rock and Ground Cover

1. If decomposed granite or other landscape rock is used, it must be of an “earth tone”, neutral, color and not green, blue or any bright colors.
2. All rock areas will be kept free of weeds.
 1. Rock areas should be treated with a pre-emergent weed control at regular intervals to retard weed growth.
3. Decomposed granite can range in size from 1/2 inch to 1 inch in diameter.
4. River rock shall be three (3) to six (6) inches in diameter.
 - a. Not more than 10% of the front yard landscape may be river rock.
5. Lava rocks are prohibited.
6. Special design features such as low walls, trellis, water features or other structures must be approved in advance by the Committee.

Fine Grading and Mounding

1. Fine grading is a critical aspect of landscaping. Each lot has been graded in such a manner that all storm water will drain away from the house. It is important that this drainage pattern is maintained (per CC&R's, section 4.15) when preparing the landscape design, especially if mounding or berms are proposed.
2. In all cases, the landscaping installation must comply with the local government's grading and drainage plan/requirements.
 - a. Mounds and berms cannot divert drainage flows onto any adjacent Lot or open space.
3. Every effort should be made to make mounding appear natural.
 - a. Mounds and berms must be gently sloping and have natural looking shapes.
 - b. The maximum height of any mound or berm will be 24 inches.

Water Features

1. Items such as fountains, birdbaths, etc. are permissible within the rear yard if less than three (3) feet in height.
2. Water features to be installed in front yards and require the prior written approval of the Design Review Committee.
 - a. It is recommended that all water features be chlorinated.
 - b. Water features must not have foul smelling or dirty/contaminated water in the structures.
3. The Board reserves the right to limit the size and quantity of water features in the front yard.
 - a. Water features must be of earth tones, no brightly painted finishes.
 - b. All functional and/or decorative items must be approved before being placed in the front yard.
4. All water features items must be placed on a lot where they will not create a nuisance to neighbors or to common areas.
5. All features are to be maintained in good condition and appearance as determined by the Board.

Lawn Ornaments

1. Smaller front yard ornaments, less than twenty four (24) inches in height, set at ground level, and of a color and design integrated into the landscape do not need approval.
2. Single family birdhouses in the rear yard are not restricted. However, large birdhouses, bird hotels, and large decorative feeders are considered lawn ornaments and are not permitted.
3. All lawn ornaments must be placed on a lot where they will not create a nuisance to neighbors or to common areas.
4. All ornaments are to be maintained in good condition and appearance as determined by the Board.

Benches, Tables, Rockers, Etc.

1. Only outdoor rated furniture can be placed in the front yard.
 - a. Other types of furniture can temporarily be used in the front yard and those yards with viewing fences but must be removed when not being used.
2. All outdoor furniture must be maintained in good shape and condition as originally designed.

Lighting (Exterior)

Except as initially installed by the Builder, no spotlights, floodlights or other lights shall be installed on the exterior of a residence or on the ground or on any wall situated on any Lot without the prior written approval of the Design Review Committee. The following outlines the minimum standards for outside lighting. Per CC&R section 4.22

1. Lighting shall be shielded such that the light shines primarily on the lot on which it is installed.
2. Lighting that creates a glare visible from other lots is prohibited.
 - a. Light sources will be adjusted to minimize glare on adjacent common areas and streets.
3. Low voltage lighting to highlight entry walks, or accentuate trees does not require Board approval.
4. Colored bulbs and lenses are prohibited as permanent installations.
5. Coach lights on garage fronts and next to front doors do not require Design Review Committee approval.
6. All lighting equipment must be kept in good working order, which includes replacing burned out light bulbs.
7. All exterior lighting is subject to local government ordinances.

Association Rules

Overview

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 Oasis at Magic Ranch an enjoyable experience for everyone.

General Property Restrictions

1. Owners may rent only the entire lot or dwelling unit.
2. 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.
3. Owners must receive Board permission to apply for any rezoning, variances or use permit.

Nuisances

1. No rubbish or debris of any kind shall be placed or permitted to accumulate on any lot or other property, and no odors or loud noises shall be permitted to arise or emit from an owner's property.
2. No person shall permit anything or condition to exist upon any lot which shall induce, breed or harbor infectious plant diseases or noxious insects.

Trash/Recycling Containers and Collection

1. No garbage or trash shall be kept on any lot except in covered containers as provided by the Waste Removal Company approved by the Association.
 - a. These containers must be stored out of sight except on days of collection.
 - b. No garbage or trash shall be kept on any lot except in covered containers as provided by the Waste Removal Company.
 - c. These containers must be kept or placed on a lot so as not to be visible from a neighboring property except to make them available for trash collection.
 - d. Trash containers should be placed at the curb no earlier than 5:00pm the day before and returned to its storage place by 8:00am the day after collection.

Pets

1. A reasonable number of generally recognized house and/or yard pets, mentioned in the CC&R's, is defined as four or less.
2. No more than four pets will be allowed to reside within a homeowners' residence at any one time.
3. Animals cannot be kept or raised for commercial purposes.
4. Animals must be kept on a leash at all times when not on the owner's property.
5. Pet owners must clean up after their pets at all times.
6. Pet Nuisance reporting procedures (such as noise, smell, running loose, etc.) are as follows:
 - a. An inconvenienced homeowner must first contact the County Animal Control Office and make an official complaint.

Machinery and Equipment

1. 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 neighboring property or public property.

Vehicle Operation and Parking Policy

It is the intent of this Policy to limit the parking of Motor Vehicles owned or leased by an Owner, Lessee or Resident of the Lot on the driveway, on any approved driveway expansion area designated for parking, and on the streets within the community. The CC&R's provide a contract that binds homeowners to follow all of the following rules regardless of who owns the community streets, driveways, or driveway expansion areas.

Vehicle Storage:

1. No motor vehicles are allowed to be visibly stored on any lot, including in backyards, driveways, or driveway expansion areas without the prior written approval of the Design Review Committee.
 - a. Vehicles are considered inoperable if:
 - i. Don't have a valid/current registered license plate attached to the vehicle.
 - ii. Have environmental indicators such as excessive dirt, spider webs, grass/weed debris surrounding the vehicle, etc.
 - iii. Have physical indications of not having been moved, such as flat tires, missing parts (such as doors, mufflers, broken windows, wheels, engine, etc.), resting on jacks/blocks, etc.

Vehicle Parking:

1. The garage is the primary space to be used for storage and parking of motor vehicles.
 - a. If space is not available in the garage, then vehicles can be parked on the driveway.
 - i. Including previously approved driveway expansion areas designated for vehicle parking.
 - b. If garage space and driveway expansion areas have vehicles parked in/on them, then vehicles may temporarily be parked on the community streets.
 - c. Vehicles are to be parked only in front of lots that the vehicle owners either own, reside in or are visiting.
2. Motor vehicles parking in the community may not exceed eight feet (8') in height or twenty-two feet (22') in length.
3. No vehicle shall be parked in violation of any posted signs or pavement markings such as fire lanes.
4. No vehicle shall have more than one tire width of their vehicle tire off the paved surface, or any other board approved surface, at any time.
5. No vehicle shall park in the front, back, or side yards on any lot.
6. No vehicle shall be parked in such a manner and area that obstructs the safe, free-flow of moving vehicular traffic or obstructs the movement of other vehicles into and out of driveways.

7. Equipment and machinery are not allowed on any lot at anytime.
 - a. This includes, but not limited to, any agricultural, industrial, construction, or similar machinery or equipment.
 - b. Oil pans, carpet, boards, or any other objects used to contain oil spills from driveways must be removed when not in use so as not to be visible.
8. The dumping, disposal or leakage of oil, grease, or any other chemical residue substance or particles from motor vehicles anywhere in the Association is prohibited.

Liability:

1. The Association assumes no responsibility for and disclaims responsibility for any damage to any vehicle parked or operated in the Oasis at Magic Ranch community.

Mailbox Maintenance

Overview:

The mailboxes in the Association are not owned or maintained by the U.S. Postal Service. Any maintenance or repair of damaged boxes or locks is generally the responsibility of the Association and the individual homeowner. The Association maintains the shell of the mailbox clusters and is responsible for the repair of the large sized parcel box doors and locks. The following defines the responsibilities of the individual homeowner and the U.S. Postal Service. Subsequent violation of these responsibilities by homeowners is subject to the Oasis at Magic Ranch Violation Enforcement Policy.

Homeowners:

1. Homeowners are responsible to insure their mail box has the proper lock.
 - a. Contact the Community Manager for a list of acceptable locksmiths recommended to perform work on the mail box clusters within our Association if the below listed people are not available.
 - i. Express Mailbox, Lock, Key, and Repair Services (480-440-4424)
 - ii. J&K Postal Works (623-465-0442)
 - b. Homeowners will need to contact a recommended locksmith if they do not have keys for their mail box.
 - i. This usually requires a new lock to be installed.
 - c. The homeowner is responsible for the expense associated with all repairs and lock replacement activities to their mail box.
2. Report vandalism to both the Pinal County Sheriff's Department and the Community Management Company.
 5. Graffiti will be removed by the Association when reported to the Community Management Company.
3. Failure to comply with the above procedures can be grounds for fines per the Violation Enforcement Policy.

U.S. Postal Service:

1. Determines which mail box locations are associated with which home addresses for mail delivery.
 - a. Homeowners will need to contact the Florence Post Office (520-868-5651) to find out the location of the particular mailbox where their mail will be delivered to.
2. Will repair the cluster mail box master lock and associated door.

Administrative Guidelines

Overview:

The following Administrative Guidelines provide instructions on how several provisions found in the CC&R's as well as the Policies and Procedures established by the Board are to be accomplished. Cooperation on the part of all residents in following these rules will help make living the Oasis at Magic Ranch community a more enjoyable experience for everyone.

Association Meeting Procedures

Overview:

All meetings of the Association, Board of Directors or designated committee meetings, except for Executive Meetings, are open to all members of the association or any person designated by an Association member in writing as the member's representative. All meetings require a quorum of the Board of Directors before official business can be conducted. There are five types of meetings which the Board will hold with regard to performing HOA duties. These are Executive, Emergency, Regular and Annual meetings.

Executive Meetings:

1. These meetings are closed to all Association members except those expressly invited in writing by the Board of Directors, or designated Board representative, to attend.
2. These meetings will only be used to discuss and decide on matters relating to the following five general reasons per Arizona State Law):
 - a. Legal advice from an attorney for the Board or the Association.
 - b. Pending or contemplated litigation.
 - c. Personal, health or financial information about an individual member of the Association, an individual employee of the Association, or an individual employee of a contractor for the Association.
 - d. Matters relating to job performance or associated complaints against an individual employee of the Association or individual employee of a contractor who works under the direction of the Association.
 - e. Discussion of a member's appeal of any violation cited or penalty imposed by the association except on request of the affected member that the meeting be held in an open session.

Regular Meetings:

1. Primary meeting format used by the Board of Directors to discuss HOA issues and approve operational and strategic items requiring the attention of the Board.
2. Used to approve past meeting minutes, provide financial information, review and approve/reject Architectural Requests, review ongoing HOA projects, and discuss other generic issues affecting the HOA.
 - a. Homeowners will be given an opportunity to voice views on matters being voted on by the Board after Board discussion and prior to the Board's actual vote.
 - b. Open/Generic input from Homeowners will only be sought during the open session defined on the meeting agenda.

3. Notice of meetings and any change in the status of a meeting will be issued by any of the following media; Newsletter, posting on message boards, Posting on the HOA website (oasishoa.com).
 - a. Homeowners can call the community management company to confirm the date and time of any HOA meeting.
4. Agendas will be posted at least 48 hours prior to a meeting in on the HOA website.
5. Modified Roberts Rules of Order will be used to coordinate the meeting.

Emergency Meetings:

1. May be called to discuss business or take action that cannot be delayed until the next regularly scheduled board meeting
2. Minutes of the meeting shall be read and approved at the next regularly scheduled meeting of the Board.
3. Notice to unit owners of meetings of the Board is not required if an emergency circumstance requires action by the board before notice can be given.

Annual Meetings:

1. An annual meeting is a Homeowner meeting which is held once a year for the purpose of electing future Board members.
2. A review and approval of the past Annual Meeting minutes is done.
3. Homeowners are provided time to ask questions and make comments about the HOA and the past performance of the Board.

Homeowner Participation:

Except for the Annual Meeting, all of the above mentioned meetings are for Board Members to conduct business of the HOA. Only at specified times during a meeting will the Board of Directors ask for input from the attending Association members.

1. Individual Associations members, when noticed by the Board, will have no more than 3 minutes total time to iterate their issue or make comments.
2. Association members can video tape meetings they are allowed to attend if:
 - a. Written notice is received by the Board of Directors at least 72 hours in advance of the specific meeting to be taped.
 - b. The camera will be mounted on a fixed tripod in the back of the meeting room. (No hand held cameras will be allowed)
 - c. The camera is not moved or touched except to change batteries or fix a mechanical problem.
 - d. The camera is to be setup prior to the official start of a meeting as to not interfere with meeting proceedings. Cameras will not be allowed to be set up after the official start of a meeting.
3. Association members can audio record meetings they are allowed to attend if:
 - a. The recording device is placed in an open area within the meeting room and is not touched except to change batteries or fix mechanical problems.
4. Questions presented to the Board do not require answers to be presented at the time of the meeting. Responses may be generated at a later date as determined by the Board.
5. The failure of any unit owner to receive actual notice of a meeting of the board of directors does not affect the validity of any action taken at that meeting. (Arizona Statute 33-1804)

Residential Rental Policy

Overview:

The administration of rental lots by the Association is mandated under the CC&R's in section 4.20. The following guidelines provide additional requirements to be followed when renting homes within the Association. Subsequent violations to these procedures are subject to the Oasis at Magic Ranch Violation Enforcement Policy.

1. Homeowners must provide the Association with the appropriate leasing information per the CC&R's at least 10 days prior to the commencement of the lease term.
2. Homeowners must provide the current contact information of any management company or individual being used to manage the investment/rental operation.
3. Homeowners are responsible for providing the lessee with copies of the CC&R's, Bylaws, and related Association Policies and Procedures (Association Rules) before the lessee occupies the property.
4. The owner of the Lot will be held liable for any violation of the Association documents by the lessee or other persons residing or visiting the property.
 - a. The Violation Enforcement Process procedures will be used to manage the violation.
5. Any violation of this Rental procedure will be managed under the Violation Enforcement Policy.
 - a. The Lot Owner will be sent violation notices when violations are identified.
 - b. The management company/individual, if communicated to the Association's Community Management Company in advance of the violation, will be notified of the violation.
6. Homeowners are required to notify the Association's Community Management Company within ten days of the last day a lessee lives on the property.
7. The Lot Owner will be held directly responsible for immediately taking all necessary actions to correct all violations.

Assessment Procedure

The following outline provides the procedure for collecting assessments and associated monies owed to OMR.

1. A late fee of \$15 is applied whenever an assessment payment is received after the 15th day of each month.
 - a. All monies collected for assessment payments will be credited first for the assessment payment and the remaining will be used to pay off late fee requirements.
2. Notices:
 - a. 45 days delinquent – Agency Pre-Demand Letter – No Cost
 - b. 60 days delinquent – Agency Demand Letter - \$50 Cost to Homeowner
 - c. 75 days delinquent – Agency Lien Letter - \$150 Cost to Homeowner
 - i. This is an additional Lien filing, recorded in Pinal County.
 - d. 90 days delinquent – Account Sent to Collection Agency - \$210 Cost to Homeowner.
 - i. \$10 paid to CPMC for initializing the process.
 - ii. \$200 paid to Collection Agency when delinquent amount collected.
3. Any monies (if greater than \$150) still owed OMR after bankruptcy or foreclosure (Trustee Sale) activities will be sent to a collection agency for collection.
 - a. The Collection Company will notify the various credit reporting agencies of the collection activity.
4. Until the Mortgage Company or Bank officially records a change in ownership, the homeowner is responsible for all assessments and fines accumulated until the transfer.
5. In a bankruptcy procedure, the homeowner is responsible for the monthly assessment payments incurred after the date of the bankruptcy filing regardless of the outcome of the bankruptcy.

Fine Procedure

The following outline provides the procedure the Board uses to assess and collect fines and associated fees or costs associated with the process of trying to collect the fines per Section 33-1803 of the Arizona Revised Statutes. This policy applies to violations committed by any homeowner or family member, guest, tenant or other occupant of the Lot or home owned by the homeowner.

1. When a violation of the Association's rules and regulations is determined by the Board or agent of the Association, such as the Community Management Company representative, an initial **Courtesy Letter** is sent to the homeowner identifying the violation.
 - a. This letter also defines a grace period given the homeowner to correct the violation, usually ten (10) business days from the date of the letter, before further actions are incurred.
2. The letter will be sent to the mailing address listed in the property files and a copy will be sent to the property address if different from the identified mailing address.
3. If, after the grace period, the original violation is identified as not having been corrected, a second letter, **Notice of Intent to Fine**, is sent to the homeowner. This letter notifies the homeowner the Association's intent to assess a monetary penalty if the violation still exists after another period of time from the date of the letter, usually ten (10) days.
4. If the original violation is determined to not be remedied at the end of the second period of time, a third letter, **Fine Notice**, will be sent to the homeowner. This letter states a monetary penalty is being assessed and making it due and payable within thirty (30) calendar days as of the date of this letter, unless:
 - a. A written response by the homeowner is received by the community management company within ten (10) days of the date of the Fine Notice letter, stating an appeal or requesting a hearing with the Board.
5. The amount of the monetary penalties shall be determined based on the nature of the offense and the number of violations and the amount so established by the Board shall range from \$25 to a maximum of \$500 per day.
6. The following schedule of fines is meant to be used by the Board as a guideline but actual monetary amounts are determined on a case by case situation: \$100.00 for the initial fine, additional fine amounts will be \$200.00, \$400.00 and \$500.00.
7. If the original violation is determined to not be corrected at the end of the thirty (30) calendar days from the Fine Notice letter date, additional fines will be assessed for each ten (10) calendar days thereafter until the violation is corrected.
 - a. Any costs incurred by the Association, including attorney fees, to collect these fine amounts will be assessed against the homeowner.
8. At any time the Board shall have the authority but not the obligation to hire legal counsel to pursue enforcement of the governing document, which includes the ability to seek injunctive relief.

Appeal Process

When a violation notice is sent to a homeowner, the notice includes a statement notifying the homeowner that they have the "RIGHT TO APPEAL". When a homeowner wants to appeal a violation, they must send the Community Management Company written notice that they are requesting an appeal of the violation or leniency in the amount of fines/late fees being assessed.

1. Appeals must be received within ten (10) business days of the date of the fine notification(violation letter).
2. Appeals shall demonstrate extenuating circumstances which require deviation from theCC&R's and/or the Policies and Procedures
3. Appeals shall include all pertinent backup information to support the existence of theextenuation circumstance.
4. All decisions of the Board are final and may not be further appealed.
5. Any appeal that does not meet the above requirements shall be heard by the Board and shall be considered DENIED.
6. The homeowner appealing the violation will be given written notice that the appeal isscheduled.
7. The appeal shall be heard in Executive Session unless the homeowner specifically asks inthe written appeal request to meet in the Regular Open Board Meeting.
8. Lengthy discussions are not a part of an appeal process.
9. The homeowner who is appealing will be asked to state their case and present anydocumentation that is applicable.
10. Each Board Member will have the oppportunity to ask the homeowner specific questionsregarding the appeal.
11. Upon completion of the question and answer period, the Board will state that the appealhas been heard and the Board will make their decision in a closed session. Then "WRITTEN NOTICE" will be given to the homeowner of the Board's decision within seven (7) business days.
12. If the appeal is denied, the homeowner has fourteen (14) calendar days from the date ofthe written notice to remedy the violation. If the violation still exists after the fourteen (14) days, the homeowner will be fined per the policy shown above.