

RULES AND REGULATIONS
AND DESIGN GUIDELINES
SILVERTON II HOMEOWNERS
ASSOCIATION

INTRODUCTION

This manual contains the Rules and Regulations and Architectural Guidelines established by the Board of Directors of Silverton II Homeowners Association. The Rules and Regulations and Design Guidelines have the same force and effect as if they were set forth within the CC&Rs. Additional or revised Rules and Regulations and Design Guidelines may be enacted in the future and distributed to the members of the Association. Additional or revised Rules and Regulations and Design Guidelines will be subject to the enforcement provisions set forth herein and shall become effective upon adoption. Some of the references outlined in this manual merely highlight provisions of the CC&Rs. In the event any conflict arises between any provision of the Rules and Regulations and any provisions of the CC&Rs, Articles of Incorporation or Bylaws, the provisions of these Rules and Regulations and Design Guidelines shall be superseded by the provisions of the CC&Rs, Articles of Incorporation or Bylaws. We encourage each of you to review this manual as well as the CC&Rs,

These Rules and Regulations are intended to be of benefit to homeowners and tenants alike. Homeowners are responsible for the compliance of their tenants with the CC&Rs, Articles of Incorporation, Bylaws and Rules and Regulations and Design Guidelines, and to the extent permitted by law, liable for all violations and losses caused by such tenants. Though these policies may seem restrictive in nature, they are designed as guidelines for good community relations and to protect your investment.

Violations of these Rules and Regulations and Design Guidelines and other documents referenced above may result in the imposition of fines, penalties, attorney's fees and costs. The Board of Directors sincerely believes that your careful review of these documents will make your ownership at Silverton II more enjoyable and will facilitate communication and cooperation throughout the community.

**RULES AND REGULATIONS AND DESIGN GUIDELINES
FOR
SILVERTON II HOMEOWNERS ASSOCIATION**

OCTOBER 1999

A. ARCHITECTURAL APPROVAL No Ancillary Unit may be constructed or maintained on a Lot, and no exterior addition, change, or alteration may be made to any Detached Dwelling Unit or approved Ancillary Unit located on a Lot, until all plans and specifications are submitted to and approved in writing by the Architectural Committee. All plans and specifications submitted to the Architectural Committee must show the nature, type, size, style, color, shape, height, location, materials, floor plan, approximate cost, and other material attributes. All plans and specifications will be reviewed by the Architectural Committee for harmony and compatibility of external design and location in relation to surrounding structures, landscaping, topography, and views from neighboring Lots. All approvals of the Architectural Committee are intended to be in addition to, and not in lieu of, any required municipal or county approvals, or permits, and the Owner is solely responsible to ensure conformity with municipal and county building codes and building permits, if applicable.

**Homeowners may obtain an Architectural Request Form from
Management by calling 480-759-4945 or emailing to Silverton2@WeAreVision.com.**

B. ARCHITECTURAL COMMITTEE The Architectural Committee may, by unanimous vote or unanimous written consent, adopt, amend, and repeal rules and regulations regarding the procedures for the Architectural committee approval and the architectural style, nature, kind, shape, height, materials, exterior colors, surface texture, and location of any improvement on a Lot. These rules and regulations will be called the Architectural Committee Rules. The Architectural Committee Rules will not be interpreted in a manner that is inconsistent with the Declaration, the Articles, the Bylaws, or the Plat, and upon adoption, the Architectural Committee Rules will have the same force and effect as if they were set forth in full and were part of the Declaration.

C. ANIMALS Pursuant to Article VIII Section 8.7 of the CC&Rs, no animals, livestock, horses, birds, or poultry of any kind will be raised, bred or kept on or within any Lot or structure on a Lot; however, an Owner may keep a reasonable number of dogs, cats, or other common household pets in the Detached Dwelling Unit or in an enclosed Private Yard if permitted under local zoning ordinances. The Board will be the sole judge as to what constitutes a reasonable number of pets and what constitutes a common household pet. Each Owner covenants that it will seek the Board's prior approval before bringing pets on the Owner's Lot that may not be considered common household pets. The foregoing restriction will not apply to fish contained in indoor aquariums. These permitted types and numbers of pets will be permitted for only so long as they are not kept, bred, or maintained for any commercial purpose and for only so long as they do not result in an annoyance or nuisance to other Owners. Not pets will be permitted to move about unrestrained in any Public Yard of the Owner's Lot or any other Lot, Common Area, Areas of Association Responsibility, or any public or private street within the Project. Each

Owner will be responsible for the immediate removal and disposal of the waste or excrement of all the Owner's pets from the Owner's Lot or any other Lot, Common Area, Areas of Association Responsibility, or public or private streets. Owners will be liable for all damage caused by their pets. The Board may establish a system of fines or charges for any infraction of the foregoing, and the Board will be the sole judge for determining whether any pet is an annoyance or nuisance. No dog runs, animal pens, or similar pet enclosures may be erected on any Lot unless approved by the Architectural Committee.

D. ANTENNAS AND SATELLITE DISHES Pursuant to Article VIII Section 8.11 of the CC&Rs, except for the Permitted Satellite Dishes and Exterior Antennas, no external radio antenna, television antenna, or satellite dish may be installed or constructed on any Lot, on the roof of any Detached Dwelling Unit, or on any permitted Ancillary Unit in any manner that will make any portion of the external radio antenna, television antenna, or satellite dish Visible from Neighboring Property. Notwithstanding the preceding sentence and Owner may install Permitted Satellite Dishes and Exterior Antennas in any location on a Lot, Detached Dwelling Unit, or Ancillary Unit so long as the Owner notifies the Architectural Committee of the location. When permitted by law with respect to Permitted Satellite Dishes and Exterior Antennas, the Architectural Committee may require specific locations, size limitations, or screening devices so long as the restrictions do not impair the installation, maintenance, or use of the Permitted Satellite Dishes and Exterior Antennas, as the term "impair" is defined under the Telecommunications Act of 1996 and any rules promulgated under the Telecommunications Act, as either may be amended.

E. BASKETBALL EQUIPMENT Pursuant to Article VIII Section 8.19 of The CC&Rs, basketball hoops, backboards, and other elevated sport structures may be installed and maintained in the Public Yard of a Lot (including front driveway) so long as the structure is removable or on removable sleeves and so long as the structure is up only during actual use (and is stored when not in actual use so as to minimize the structure being Visible From Neighboring Property). Portable basketball goals also are allowed in the Public Yard (including the front driveways) so long as they are up only when in use and are stored when not in use so as to minimize the structure being Visible From Neighboring Property. Basketball hoops, backboards, and other elevated sport structures may be erected, placed, and maintained in any Private Yard of any Lot on a permanent basis only after approval by the Architectural Committee

F. CLOTHES DRYING FACILITIES Pursuant to Article VIII, Section 8.19 of the CC&Rs, outside clotheslines or other outside facilities for drying or airing clothes will not be erected, placed, or maintained on any Lot unless they are erected, placed, or maintained in a Private Yard in a manner so as to not be Visible From Neighboring Property.

G. COMMERCIAL AND RECREATIONAL VEHICLES Pursuant to Article VIII, Section 8.23 of the CC&Rs, except as provided in this paragraph below, no Commercial or Recreational Vehicles may be parked upon a Lot within the Project. Notwithstanding the limitation in the previous sentence, upon a written request by any Owner, the Board may approve the storage or parking of certain limited types of Commercial or Recreational Vehicles within the Project so long as the Board determines, in advance of its use within the Project, the Commercial or Recreational Vehicle to be of a size and type that would be consistent with the residential

nature of the Project and so long as the approved Commercial or Recreational Vehicles are parked only:

1. Within a fully enclosed garage located on the Owner's Lot;
2. In a Recreational Vehicle Parking Area;
3. In the driveway of the Lot on a Nonrecurring And Temporary Basis;
4. On any public or private street within the Project only on a Nonrecurring and Temporary Basis.

Commercial or Recreational Vehicles may not be parked in the driveway of a Lot other than on a Nonrecurring and Temporary Basis. Any Commercial or Recreational Vehicles parked in violation of these restrictions may be towed by the Association at the sole expense of the owner of the vehicle if the vehicle remains in violation of these restrictions for a period of twenty-four (24) hours from the time a notice of violation is placed on the vehicle, and the Association will not be liable for trespass, negligence, conversion, or any criminal act by reason of towing the vehicle.

H. CHILDREN'S PLAY STRUCTURES AND EQUIPMENT Pursuant to Article VIII, Section 8.28, Children's play structures that are Visible from Neighboring Property may be erected only in the Private Yard and only after approval by the Architectural Committee. If the structure is Visible from Neighboring Property, the structure must remain a natural wood color or be painted a color to match the color of the Detached Dwelling Unit. Without limiting the foregoing, the color and use of any shade canopy for the children's play structures (whether or not Visible From Neighboring Property) must be approved by the Architectural Committee.

I. DECORATIVE ITEMS All front yard exterior decorative items require written approval from the Architectural Committee prior to placement or installation. This includes, but is not limited to, ironwork, fountains, statutes and personalized nameplates. Holiday decorative items do not require approval; however, decorative items shall not be displayed more than 30 days prior to the actual holiday or more than 30 days after the actual holiday.

SEASONAL AND DECORATIVE FLAGS: Seasonal and decorative flags, which are house or garage, mounted brackets or flagpoles must receive Architectural Committee approval. Seasonal flags must be removed within 30 days of the date of the holiday. Flags must be maintained in a good condition at all times. Torn, ripped, faded, etc. constitute grounds for fines and/or removal. Flags may not be offensive to neighbors or the Association. The Board of Directors, at its sole discretion, shall make this determination on a case by case basis.

J. DRAINAGE PLAN Pursuant to Article VIII, Section 8.18 of the CC&Rs, no Detached Dwelling Unit, Ancillary Unit, pool, concrete area, or landscaping will be constructed, installed, placed, or maintained on any Lot or any other areas of the Project in any manner that would obstruct, interfere, or change the direction or flow of water in accordance with the drainage plans for the Project.

K. FENCES/WALLS AND GATES Pursuant to Article V, Section 5.7 (a) and (e), except as may be installed by the Declarant, no boundary or enclosure fence or wall, other than the wall of the Detached Dwelling Unit constructed on the Lot, may be constructed on any Lot without the prior approval of the Architectural Committee. In addition, no fence or wall of the type described in the previous sentence will be more than six (6) feet in height. All gates will be no higher than the adjacent fence or wall. The exterior appearance, color, or finish of the side of any Fence that is visible from any street located within or adjacent to the Property may not be modified from the condition originally constructed by the Declarant unless approved by the Architectural Committee. The design, material, or construction of any Fence may not be altered or changed without the approval of the adjoining Owners, if any, and the Architectural Committee. A Fence may not be painted or stuccoed without the prior the prior approval of the Architectural Committee.

L. GARAGES AND PARKING OF FAMILY VEHICLES Pursuant to Article VIII, Section 8.24, each Lot will have at least one (1) garage that will be used by the Owner of the Lot for parking of Family Vehicles or Commercial or Recreational Vehicles and for household storage purposes only. The garage door will be maintained by the Owner in good and functioning order and will remain closed except while the garage is in use for cleaning, entry, or exit. No garage may be used for storage ~or any other use that restricts or prevents the garage from being used for parking Family Vehicles, or approved Commercial or Recreational Vehicles. Additional Family Vehicles that cannot be parked in the garage located on the Lot may be parked in the driveway or in any Recreational Vehicle Parking Area so long as the Family Vehicles are operable and are, in fact, operated from time to time. Notwithstanding any less restrictive local or municipal codes, ordinances, or stipulations, Family Vehicles may be parked in any public or private street within the Project only on a Nonrecurring and Temporary Basis, and no other on-street parking is permitted within the Project.

M. GUTTERS AND DOWNSPOUTS Gutters and downspouts must be approved in writing by the Architectural Committee. The proposed finish must match the color of the home, be made of high quality materials and be maintained in good condition.

N. HOSES Hoses must be wound on a reel, housed in hose pottery or concealed from view at all times that the hose is not in use. Hoses cannot be left laying in the front or side yards or wrapped around the front yard hose bib.

O. LANDSCAPE GUIDELINES Pursuant to Article V, Section 5.5 of the CC&Rs, unless completed by Declarant as part of the Owner's purchase contract for the Lot and Detached Dwelling Unit, the Public Yard of a Lot must be landscaped within ninety (90) days of becoming an Owner. Plans for all landscaping, lawns, plants, irrigation systems, sprinklers, shrubs, trees, decorative features (such as fountains, water features, flag poles, planters, bird baths, sculptures, and walkways), and the like (collectively called, in this Declaration, the "landscaping") that are to be installed in the Public Yard must be approved prior to installation by the Architectural Committee under Article VII of this Declaration. The landscaping plans may not incorporate the use of any prohibited plants designated from time to time by the Architectural Committee and must incorporate only those approved plants designated by the Architectural Committee. The landscaping plans must incorporate (and the Owner must plant or retain) at least two (2) trees in

the front yard of the Lot, both of which must be at least fifteen (15) gallon trees of a non-deciduous variety. The Lot and all landscaping located on the Lot must be maintained at all times in clean, safe, neat, and attractive condition and repair solely by the Owner of Lot, and the Owner will be solely responsible for neatly trimming and properly cultivating the landscaping located anywhere on the Lot and for the removal of all yard clippings, trash, weeds, leaves, and other unsightly material located on the Lot. If, for any reason, any front yard tree located on a Lot dies, becomes diseased, or is cut or knocked down resulting in less than two (2) trees being located in the front yard, the Owner will replace the tree with a minimum fifteen (15) gallon tree of a non- deciduous variety.

Drainage No owner shall interfere with the drainage established for the property or any other property adjacent to his or her lot.

Granite If decomposed granite is used, it must be of an earth tone color and not white, green, or other bright colors. All rock areas shall be treated with a pre-emergent weed control at regular intervals to retard weed growth.

Lighting Except as originally installed by the Declarant or as otherwise approved by the Architectural Committee, no spotlights, floodlights, or other high intensity lighting will be placed or utilized upon any Lot so that the light is directed or reflected on any Common Area or any other Lot.

Encroachment No tree, shrub, or planting of any kind on any Property will be allowed to overhang or otherwise to encroach upon any neighboring Lot, sidewalk, street, pedestrian way, or Common Area in the area between ground level to a height of ten (10) feet.

Materials Storage of all materials, e.g., rock, lumber, plants, sod, granite, etc., shall be screened from view from the street and from all adjacent properties. Temporary placement of materials is permitted for a maximum of seven days.

P. MACHINERY Pursuant to Article VIII, Section 8.15 of the CC&Rs, no machinery of any kind will be placed, operated, repaired, or maintained upon or adjacent to any Lot or Common Area other than machinery that is usual and customary in connection with the use, maintenance, or construction of a Detached Dwelling Unit and machinery that Declarant or the Association may require for the operation and maintenance of the Property.

Q. MAILBOXES Pursuant to Article VIII, Section 8.27 of the CC&Rs, except when originally installed by the Declarant, no mailboxes, mail posts, or similar items for the receipt of mail will be installed, constructed, or placed on a Lot unless the location, design, height, color, type, and shape are approved by the Architectural Committee. If the Project is developed with "NBU's", cluster boxes, or "gang" mailboxes, the Association will maintain the community mailboxes, and no Owner will be permitted to install or use individual mailboxes on the Owner's Lot.

R. ROOFS AND MOUNTED EQUIPMENT Pursuant to Article VIII, Section 8.6 of the CC&Rs, all original and replacement roofs for all Detached Dwelling Units located within the Property must be made of tile, slate, fired clay, concrete, or similar material, unless otherwise approved by the Architectural Committee.

SOLAR PANELS Solar energy panels, solar energy devises, swamp coolers, air conditioning units, or other cooling, heating, or ventilating systems may not be installed on the roof of any Detached Dwelling Unit or Ancillary Unit or in any other area of a Lot that is Visible From Neighboring Property, except where originally installed by the Declarant, unless otherwise approved by the Architectural Committee.

S. SIGNS Pursuant to Article VIII Section 8.3 of the CC&Rs, no emblem, logo, sign, or billboard of any kind will be displayed on any of the Lots or Common Area so as to be visible from neighboring property except:

1. Signs used by Declarant to advertise the Lots or living units on the Lots for sale or lease.
2. Signs on the Common Area as may be placed and approved by the Declarant, during the period of Declarant Control, or by the Architectural Committee, after the period of Declarant Control.
3. One sign having a total face area of five (5) square feet or less advertising a Lot and Detached Dwelling Unit for sale or rent placed in a location designated by the Architectural Committee.
4. Any signs as may be required by legal proceedings.
5. Signs (including political signs and symbols) as may be approved in advance by the Architectural Committee in terms of number, type, and style.

The foregoing will not be deemed to prevent an Owner from displaying religious and holiday signs, symbols, and decorations of the type customarily and typically displayed inside or outside single family residences, subject to the authority of the Board or the Architectural Committee to adopt reasonable time, place, and manner restrictions for the purpose of minimizing damage and disturbance to other Owners (including disturbance from pedestrian and vehicle traffic coming on the Project to view the signs, symbols, and decorations.

T. SETBACKS No portion of any Detached Dwelling Unit or any ancillary Unit may be located within any building setback areas designated with respect to each Lot on the Plat.

U. SCREEN/SECURITY DOORS Screen/security doors must be approved in writing by the Architectural Committee prior to installation, unless the proposed door colors match the trim, body or some exterior color of the home.

V. SUNSCREENS Bronze, gray, brown, beige or charcoal sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames. All sunscreens must be submitted for approval prior to installation.

- **REMOVAL OF ANY PERIMETER WALL REQUIRES A \$2,000.00 DEPOSIT. PLEASE CONTACT YOUR COMMUNITY MANAGER FOR DETAILS.**

W. TRASH Pursuant to Article VIII, Section 8.9 of the CC&Rs, all rubbish, trash, and garbage will be regularly removed from their respective Lots, and Owner will not allow rubbish, trash, or garbage to accumulate on any Lot. If an Owner allows trash to accumulate on the Owner's Lot, the Board, on behalf of the Association, may arrange and contract for the removal and cleanup of the trash, and the costs will become a special assessment to that Owner. No incinerators will be kept or maintained on any Lot. Refuse containers may be placed on a Lot so as to be Visible From Neighboring Property only on trash collection days and then only for the shortest period of time reasonably necessary for trash collection. Except as permitted in the previous sentence, refuse containers will be stored in an enclosed garage or on another portion of a Lot that is not Visible from Neighboring Property.

Y. WINDOW COVERINGS Pursuant to Article VIII, Section 8.12 of the CC&Rs, sheets, newspapers, and similar items may not be used as temporary window coverings. No aluminum foil, reflective screens, reflective glass, mirrors, or similar reflective material of any type will be placed or installed inside or outside of any windows of a Detached Dwelling Unit or Ancillary Unit without the prior written approval of the Architectural Committee. No awnings, storm shutters, canopies, air conditioners, swamp coolers, or similar items may be placed in, on, or above any window of a Detached Dwelling Unit or Ancillary Unit so as to be Visible From Neighboring Property, unless approved by the Architectural Committee.

Z. VEHICLE REPAIRS Pursuant to Article VIII, Section 8.25 of the CC&Rs, routine maintenance and repairs of Family Vehicles or approved Commercial or Recreational Vehicles may be performed within the garage (with the garage door closed) located on the Lot but not on the driveway located on a Lot, any Recreational Vehicle Parking Area, any public or private streets within the Project, or any other portion of the Owner's Lot. No vehicles of any type may be constructed, reconstructed, or assembled anywhere on any Lot. Without limiting the provisions of Sections 8.23 and 8.24, no Family vehicle, Commercial or Recreational Vehicle will be permitted to be or remain anywhere on any Lot (including in an enclosed garage) in a state of disrepair, construction, reconstruction, or modifications or in an inoperable condition. No vehicle frames, bodies, engines, or other parts or accessories may be stored on a Lot.