

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
THE FAIRWAYS AT LOS PORTALES HOMEOWNERS ASSOCIATION**

c/o AAM, LLC
1600 W. Broadway Rd., Ste. 200
Tempe, AZ 853.73
(602) 957-9191

DESIGN GUIDELINES AND ASSOCIATION RULES

The undersigned, constituting all of the members of the Board of Directors of The Fairways at Los Portales Homeowners Association, an Arizona nonprofit corporation, hereby take the following actions in writing and without a meeting pursuant to Section 10-3821, 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 the Board of Directors hereby approves the Design Guidelines and Association Rules for The Fairways at Los Portales Homeowners Association attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the ~~File Policy and Appeal Process~~ effective as of October 1, 2020.

Design Guidelines and Association Rules

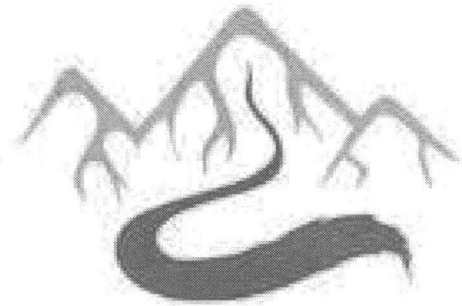
IN WITNESS WHEREOF, the undersigned have executed this consent as of this ____ day of 10/1/2020, 2020.

DocuSigned by:
Michael Brown
Michael Brown
President and Director, Board of Directors

DocuSigned by:
Tim Morris
Timothy Morris
Vice President and Director, Board of Directors

DocuSigned by:
Jamison Hendricks
Jamison Hendricks
Secretary/Treasurer and Director, Board of Directors

**THE FAIRWAYS AT LOS PORTALES
HOMEOWNERS ASSOCIATION**



**DESIGN GUIDELINES
AND
ASSOCIATION RULES**

October 1, 2020

**THE FAIRWAYS AT LOS PORTALES HOMEOWNERS ASSOCIATION
DESIGN GUIDELINES AND ASSOCIATION RULES**

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**THE FAIRWAYS AT LOS PORTALES HOMEOWNERS ASSOCIATION
Design Guidelines and Association Rules**

I. INTRODUCTION

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

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

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for The Fairways at Los Portales Homeowners Association (the “Declaration”) and any supplements or amendments thereto, unless the context requires otherwise. The Design Guidelines and Association Rules will be administered by the Design Review Committee (“Committee”) pursuant to Section 4.1 of the Declaration.

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

II. ARCHITECTURAL REVIEW PROCESS

Submittal

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

**The Fairways at Los Portales Homeowners Association
c/o Vision Community Management
16625 S Desert Foothills Pkwy
Phoenix, AZ 85048**

The following information must be included with each submittal;

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

All buildings and structures erected within The Fairways at Los Portales and the use and appearance of all land within The Fairways at Los Portales shall comply with all applicable County zoning ordinances, building codes and other ordinances as well as the Declaration and these Guidelines.

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

Review – Approval and/or Disapproval.

The Committee shall have 45 days after submittal of plans to approve or disapprove plans. Review and approval or disapproval will include but not be limited to, consideration of material, colors, consistency with the external design and color of existing structures on the Lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation will also be considered.

The Committee, Board of Directors and Declarant shall not have any liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition or its effect upon existing or future damage. Review of plans by the Committee is for aesthetic purposes only.

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

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

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

III. ARCHITECTURAL AND DESIGN CHARACTER

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

6. Any addition or change to a Residence shall not exceed ten percent (10%) of the original footprint of the Residence.

IV. DESIGN GUIDELINES AND ASSOCIATION RULES

A. ACCESSORY STRUCTURES - Accessory structures shall include gazebos, ramadas, pergolas, etc. These structures must be set back at least five (5) feet from all surrounding property lines and shall require shielding with approved landscaping material on Lots with view fencing. They require Committee approval if they are taller than the surrounding fences or are Visible from Neighboring Property to include other Lots or Association Common Areas. The intent is to use colors that are consistent with the Community; however, materials are subject to review by the Committee. If it is felt that the materials will not last in the Arizona weather, the Committee has the authority to request additional information or require that the materials be better suited to our climate. Any lighting proposed for accessory structures must be included in the submittal and approved by the Committee prior to installation.

Accessory structures may be erected in Rear Yards only, subject to prior review and approval by the Committee and subject to the following guidelines: (a) the maximum roof height is ten (10) feet at the highest point; (b) ramadas or gazebos must be painted or stained to complement the house color; (c) pergolas must contain an open slatted roof and must be painted to complement the body color of the home; (d) support pillars must be painted to complement the body color of the home or faced with stone accents as applicable to the Community; (e) may not cover under its roof more than 120 square feet.

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

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

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the backyard of the Lot;

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached.

C. AWNINGS AND OTHER ARCHITECTURAL FEATURES - Awnings, canopies, shutters, security shields, tile, iron, stone or other such architectural features on the front of the Residence must conform to the theme and color scheme of the Residence and Community. Awnings or canopies must be a high quality and durable fabric or material of a solid color. Patio awnings must be retractable, horizontally stabilized and made of quality material. The total square footage of the patio must not exceed ten percent (10%) of the livable square footage of the Residence. Submittal of such items must include a drawing with the location of the proposed installation, a sample of the material to be used, colors and designs. Owners shall be responsible for the maintenance and repair of such items. The Association retains the right to determine when items must be cleaned, repaired or replaced due to weathering, fading, tearing, etc.

D. BASKETBALL GOALS – Basketball goals are not allowed on the Property.

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

F. COURTYARDS - Walled courtyard areas are defined as an enclosure of the front portion of the residence to create a private/semi-private walled area. Courtyard walls must be constructed of concrete masonry unit (CMU) block and be stucco and painted to complement the body color of the home. Courtyard walls may be enhanced by stone or other accents that are consistent with that used on the homes within The Fairways at Los Portales. Front walls enclosing entry areas creating a private courtyard shall be no more than forty-eight (48) inches in height. Front courtyard pillars/columns are limited to a maximum height of fifty-two (52) inches. Modifications to courtyard wall and pillar height requirements may be made on a case-by-case basis with strong consideration given to the home series and elevation. Owners must submit detailed information with exact height, materials to be used, picture or drawing of the home series and elevation. The placement of 'Coach Light' type fixtures and planting pots is permitted on top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of front courtyard walls shall be around the front entrance area of the house creating a courtyard that does not encroach into the building setback line.

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

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

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

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

G. DECORATIVE ART ON HOUSES/LAWN ART Decorative Art on houses shall be neutral in color and may be limited in number, so as to not dominate the appearance of the home. Dimensions of decorative art shall be no greater than three feet (3') in length, width, and height. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors should be submitted for approval if Visible From Neighboring Property.

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

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

1. Extensions not to exceed two (2) feet in width shall be permitted on the interior and/or exterior sides of the existing driveway, OR
2. Driveway extensions located on the side yard of the property will be considered with the following requirements;
 - The total parking area may not exceed thirty (30) feet of contiguous frontage or fifty percent (50%) of the Lot width (existing plus extension) as measured at its widest point, whichever is greater.
 - Driveway extension must be at least one (1) foot off of the side Lot line and side of the Residence.
3. Submittals must include a plot plan with the following noted thereon: (a) the location and dimensions of the proposed extension; (b) the existing driveway dimensions; (c) the total linear feet of Lot frontage; and (d) the material proposed for the driveway extension.
4. Painting of paved surfaces that will be Visible from Neighboring Property is prohibited.

Sidewalks installed to utilize the side gates do not need to be submitted if all of the following conditions are met:

1. The additional sidewalk is four (4) feet or less in width and is setback one (1) foot or more from the property line and one (1) foot or more from the home.
2. Such setback areas between the property line and the sidewalk and the home and the sidewalk must have groundcover installed to match the existing front yard ground cover (i.e., decomposed granite, grass).

Sidewalks that do not meet the above conditions must be submitted for approval and will be considered on a case-by-case basis. Additional sidewalks in any other location must be submitted for approval.

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

Exterior lighting shall be permitted on a Lot or Parcel so long as (i) the source of such lighting is not Visible from Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; (iii) such lighting is limited to that which is reasonably necessary for the safety and convenience of the Residence Owner; and (iv) such lighting conforms with such other requirements as may be imposed by the Committee. Neighboring property for this section shall include Lots and Parcels, common areas, streets, and Open Mountain or field areas. Notwithstanding the foregoing, but subject to reasonable regulations by the Committee, exterior floodlights may not continuously remain on after 10:00 PM.

Owners may display holiday lights and/or decorations located or visible from outside their Residence, if the decorations are of reasonable size and scope and do not disturb the quiet enjoyment of other Owners in the Community by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Holiday decorations and/or lights may be displayed in season only from November 20 until January 20 and during other times of the year, from one week prior to and one week after any nationally recognized holiday.

Patio string lighting requires Committee approval prior to installation. Patio string lighting is permitted in the Rear Yard only and will be considered on a case by case basis. If an anchor pole is used it may not exceed eight feet (8') in height, be setback a minimum of five feet (5')

from all property lines and must be painted to match the color of the home. Lighting must be low voltage, soft and indirect. Lighting must be maintained in good condition at all times.

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

Prior approval of the Committee is not required for flagpoles that are installed in the front or Rear Yard of the Lot at least fifteen (15) feet from the property line. The height of the flagpole shall be no greater than the height of the highest point of the roofline. Flagpoles that are house mounted below the roofline of the Residence do not require prior approval of the Committee. Only one flagpole of any type (free standing or house mounted) is allowed on a Lot.

L. GARAGES - The interior of all garages shall be maintained in a neat and clean condition. Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be used for or converted to living quarters or for hobby/recreational usage without the prior written approval of the Committee and applicable City and State Zoning and Code requirements. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry or exit of vehicles or persons. No merchandise or other items, to include vehicles of any type, shall be placed, maintained or displayed for the express and sole purpose of sale in front of the garage or in any part of driveways, unless specifically approved by the Committee.

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

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

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

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

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

materials to be used, warranty by the manufacturer and the name and telephone number of the installer.

O. HOLIDAY DECORATIONS AND LIGHTING - For the holiday seasons that occur during November and December, decorations may be displayed beginning November 20th and must be removed by January 20th. For other seasonal holidays, decorations may be put up one week before the holiday and must be removed within one week after the holiday.

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

P. PAINT COLORS - Prior to exterior painting, the Committee must approve proposed colors. Colors must be chosen from pre-approved color schemes.

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

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

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

S. PLAY STRUCTURES - Play structures installed in Rear Yards that do not have a play platform, do not exceed a height of eight (8) feet from ground level, are placed a minimum of seven (7) feet from all neighboring boundaries; shall not require Committee approval. Swing sets and play structures that have play platforms and exceed eight (8) feet in height, must be submitted to the Committee for approval. The maximum height for a play platform on a play structure shall be four (4) feet from ground level. No play structure shall exceed ten (10) feet in height to include any canopy or roof. All play structures must be setback a minimum of seven (7) feet from all surrounding property lines and shall require shielding with approved landscaping on Lots with view fencing.

A canopy on the play structure must be an approved color blending with the color of the dwelling stucco.

Trampolines or any other playground equipment that shall be Visible from Neighboring Property must be submitted to the Committee for approval. Such items shall be placed a minimum of seven (7) feet from all neighboring boundaries and shall not exceed ten (10) feet in height. Safety nets, if any, must be brown, black or a neutral color with supports painted to match the net.

All playground equipment must be maintained in good condition at all times.

Batting Cages will not be considered for approval.

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

T. POOLS, SPAS AND JACUZZIS - In ground swimming pools do not require the prior approval of the Committee subject to the following restrictions: (a) perimeter walls on Lots bordering common areas cannot be torn down to allow access to Rear Yards. **An assessment of \$2000.00 will be applied to an Owner in which such wall has been removed without Committee approval;** (b) access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. In addition, any landscape that may be destroyed or damaged must also be replaced; (c) pool ladders, slides, rock waterfalls, etc. that will be Visible from Neighboring Property must be submitted to the Committee for approval; (d) Owners are responsible to ensure all codes and ordinances are complied with in regard to the installation of a pool; (e) pools may not be backwashed off of the Lot. Check with your pool contractor concerning ordinance requirements for backwashing your pool. Damage to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be charged to the Owner.

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

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

POOL SCREENING WALLS - All pool and spa equipment must be screened from view of neighboring property. Lots with view fencing must submit plans for screening to the Committee for approval. Pool equipment screening walls may not exceed five (5) feet in height and shall be painted to match the base color of the home.

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

V. SECURITY DOORS - Wrought iron security/screen doors must be submitted for approval and the color must match the front door of the Residence.

Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

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

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

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

1. Signs required by legal proceedings.
2. One (1) residential identification sign, identifying a Lot or Residence by number, address or Occupant in a style designated by the Committee, not to exceed seventy-five (75) square inches in size will be permitted.
3. No more than one (1) professionally lettered "For Sale" or "For Rent" or "Open House" sign with maximum size to be eighteen (18) inches x twenty-four (24) inches to be placed on any individual Lot within the Community. Such sign shall be located wholly within the Lot being advertised "For Sale" or "For Rent".
4. Owners shall be permitted to post a reasonable number of professionally designed home protection/security signs from a security/alarm company providing services to such Owner or the Residence. One single-sided security/alarm sign may be placed in the front yard where it is visible to persons approaching the Residence and a sign may also be placed in a window of the Residence. The signs shall not exceed seventy five (75) square inches in size.
5. One temporary sign identifying the contractor installing landscaping or a pool on the Lot or Parcel, but only during the period that such installation is in progress.
6. Per Revised State Statute Political signs may not be in place more than seventy one (71) days before an election and must be removed within fifteen (15) days after the election to which the sign pertains; signs must conform to City or County sign ordinances or may not exceed a total of nine (9) square feet.

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

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

Solar collecting panels and devices must be placed so as not to be Visible from Neighboring Property, or are placed in such locations and with such means of screening or concealment as the Committee may reasonably deem appropriate to limit, to the extent possible, the visual impact of such solar collecting panels and devices when Visible from Neighboring Property. Solar roof panels should be made to look like an integrated part of the roof design and mounted directly to roof plane and may not break roof ridgeline. Any visible cabling must be securely attached and painted to match that to which it is attached.

A ground mounted installation may be approved only if; the resulting potential visual exposure is reduced when compared to a similar roof mounted installation, existing vegetation and other

natural features of the Lot are not disturbed or eliminated, and related visual mitigation screening (such as walls, landscape, etc.) is included.

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

Y. STORAGE SHEDS - Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including the roof, does not exceed the height of the immediate surrounding wall(s) or fence(s). The shed shall have a minimum setback of five (5) feet from any rear walls.

Z. TANKS - No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot or Parcel unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any Lot or Parcel of an above ground propane or similar fuel tanks with a capacity of ten (10) gallons or less used in connection with a normal residential gas barbecue, grill, fireplace, spa or "hot tub", so long as any such tank is appropriately stored, used and/or screened, in accordance with the Design Guidelines and Association Rules or as otherwise approved by the Committee so as not to be Visible from Neighboring Property.

AA. WALLS AND FENCES INCLUDING DECORATIVE WALLS - Any fences or walls installed by the Declarant shall not be removed or altered without prior written approval of the Committee.

Plans to modify any Boundary Walls must be submitted for approval. Boundary Walls are defined in the Declaration under Article 9 Section 1 as each wall or fence, any part of which is placed on or adjacent to a dividing line between separate Lots. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being modified, materials to be used and texture and color of the finished wall. Side and rear walls may not exceed six (6) feet in height from ground level, as measured from the highest side of the wall.

Decorative walls shall not exceed forty-eight (48) inches in height. Pillars or columns shall not exceed fifty-two (52) inches in height. Such decorative walls, pillars or columns shall be stucco and painted to match the body color of the home or enhanced by stone or other accents that are consistent with that used on the homes within The Fairways at Los Portales. The placement of 'Coach Light' type fixtures and planting pots is permitted on the top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of all decorative walls, pillars and columns shall not encroach into the building setback lines and must be approved by the Committee.

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

BB. WINDOW COVERINGS/SCREENS - Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) 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.

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. All sunscreens must be submitted for approval.

CC. YARD SALES AND GARAGE SALES - Owners may hold "yard sales" or "garage sales" to sell personal property of such Owners only in compliance with the following requirements: (a) yard sales/garage sales shall be limited to two days per year on any Lot, (b) no yard sale/garage sale shall commence prior to 6:00 a.m. MST or continue after 5:00 p.m. MST, (c) no Owner shall post any signs advertising any yard sale/garage sale anywhere in the Community except that a temporary sign may be posted on such Owner's Lot on the day that a yard sale/garage sale is being held, and (d) if the Association ever adopts standard yard sale/garage sale dates for the Property, yard sales/garage sales shall be held only on such dates. The Association shall give reasonable notice to all Owners if it adopts standard yard sale/garage sale dates for yard sales in the Community.

DD. LANDSCAPING REQUIREMENTS AND GUIDELINES

FRONT YARD LANDSCAPING - Unless installed by the Declarant, within one hundred twenty (120) days from the close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot, any portion of a right-of-way for a dedicated street which is between the boundary of the Owner's Lot and the back of the curb of such street. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

Front yard landscaping on lots that are 65-75 feet wide must have a minimum of two (2) fifteen-gallon trees, nine (9) five-gallon shrubs, six (6) one-gallon shrubs. Lots that are 55 feet wide require one 24" box tree and six (6) five-gallon shrubs. Organic or inorganic ground cover on all areas (no bare earth is allowed), and underground irrigation to plant material is required on all lots. The tree requirement may be substituted with approved cacti with a minimum height requirement of five feet (5').

BACKYARD LANDSCAPING - Unless installed by the Declarant, within one hundred twenty (120) days from close of escrow, each Owner of a Lot abutting a Common Area where the rear and/or side yards are enclosed with wrought iron view fencing shall install all landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements, on such backyard and/or side yards. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

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

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

- Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition.
- All dead and dying plants must be replaced with same species or other appropriate plants.
- Yard tools, equipment and general storage items should be stored out of sight when not in use.

- Parking of vehicles of any sort in a backyard shall require screening from View of Neighboring Property at all times.
- Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. must be approved by the Committee prior to installation.

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

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

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

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

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

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

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

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

Homeowners may submit approval requests for high quality artificial turf; the Committee will make case by case determinations regarding this material after reviewing the submittals which shall include a sample of the proposed artificial turf. In the event artificial turf is approved, homeowner must maintain the appearance of the artificial turf in a clean, "like-new" condition. Association retains the right to determine when the artificial turf must be replaced due to weathering or other types of damage. Artificial turf must be replaced with same turf originally approved or real turf if replacement or repair is required.

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

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

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

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

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

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

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

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

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

HARDSCAPE - The Committee must approval any hardscape items proposed for front yard installation. Only hardscape items that will be visible from neighboring property in the Rear

Yard will require approval. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls and decorative walls.

EE. MAINTENANCE OF LANDSCAPING - Each Owner of a Lot or Parcel shall properly maintain and keep neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material all Landscaping located on (i) Owners Lot or Parcel; (ii) any public right-of-way or easement area which abuts or adjoins the Owner's Lot or Parcel and which is located between the boundary line of his Lot or Parcel and the paved area of any street, sidewalk, bike path or similar area (unless otherwise directed by the Board); and (iii) any non-street public right-of-way or easement area adjacent to his Lot or Parcel (unless otherwise directed by the Board); provided, however, that such Owner shall not be responsible for the maintenance of any areas over which the Association assumes the responsibility in writing or the City of Phoenix, Maricopa County or any other municipality or other governmental agency or entity having jurisdiction over such property assumes responsibility. Proper maintenance of Landscaping shall include, without limitation, removal and replacement of dead Landscaping, subject to the Design Guidelines and Association Rules.

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