

Architectural Guidelines for Maryland Place Townhomes

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Introduction 1.01

Purpose of Architectural Guidelines

The Architectural Guidelines (“Architectural Guidelines”) for Maryland Place Townhomes (referred to as Maryland Place), shall provide an overall framework and comprehensive set of standards and procedures for the development of the Homeowners Association (referred to as Association), in an orderly and cohesive manner. These standards have been developed to assist in the landscaping and modification of Units within Maryland Place; these standards do not cover the initial construction of Units within Maryland Place. The standards set forth criteria for design, style, materials, colors and location of site improvements, landscaping, and lighting. In addition, the Architectural Guidelines establish a process for review of proposed modifications to Units to ensure that all sites within the Association are developed and maintained with the consistency and quality that attracted you to Maryland Place Townhomes.

A. Architectural Review Committee

The Architectural Review Committee (referred to as ARC) is established as stated in our legal document; CC&R’s Section 18. The purpose of the committee is to review the Architectural Guidelines and Standards of the community for the betterment of Maryland Place. The ARC Committee will meet regularly. All completed architectural applications will be reviewed on a first come basis, then given to the Board of Directors (referred to as Board) for review at the following monthly Board meeting. Please take timing into account in your planning for any requests.

B. Governmental Permits

To the extent that City of Phoenix ordinances or any governmental rules, building code or regulation requires a more restrictive standard than the standards set forth in these Architectural Guidelines or the Declaration of Covenants, Conditions, and Restrictions for Maryland Place, the government standards shall prevail. To the extent that any government standard is less restrictive, the Declaration and the Architectural Guidelines (in that order) shall prevail.

C. Applicability of Architectural Review

Unless otherwise specifically stated, all plans and materials for front landscaping or any exterior modifications of or improvements on a Unit must be approved in writing by the Architectural Committee and the Board of Directors **before any construction activity begins**. A completed Architectural Request(s)/Approved and signed must be on file prior to beginning any activity. Any work that begins without prior approvals in place will incur a \$250 penalty initially and be subject to a fine of \$100 per week thereafter until proper approvals and documents are filed and in place.

Unless otherwise specifically stated in these Architectural Guidelines, no structure may be erected upon any Lot or roofs. No improvements including staking, clearing, excavation, grading and other site work, exterior alteration of existing improvements shall take place without receiving the prior written approval of the ARC as described below. Where these Architectural Guidelines specifically allow an Owner to proceed only with advance approval, such allowance shall only be effective so long as the Owner complies with the requirements of the stated guideline. Exceptions to the ARC pre- approval would be plants located in the backyard that do not cause damage to the structures and the utilities, and do not intrude onto the adjacent backyards.

Owners are responsible for ensuring compliance with all standards and procedures within these Architectural Guidelines. Owners are also governed by the requirements and restrictions set forth in the CC&R's and any applicable Supplemental Declaration(s). Owners should review and become familiar with the Use Restrictions and Rules and Regulations applicable to Maryland Place, which addresses restricted and prohibited activities and conditions within the Community.

These Architectural Guidelines shall not apply to the activities for the Common Area by or on behalf of the Maryland Place Townhomes ("association")

Architectural Review 1.02

A. Review of Modifications

The review of modifications shall require the submission of an application to the Property Management Company via the Maryland Place website:

<https://www.visioncommunitymanagement.com/current-homeowners/community?name=Maryland+Place>

The request will then be forwarded to the ARC for review and approval – and then to the Board for final approval. Depending on the scope of the modification, the ARC may require the submission of all the plans and specifications related to the proposed modification. In the alternative, the ARC may require a less detailed description of the proposed modification.

B. Plans to be Reviewed

The ARC will require two sets of modification plans, refer to Section 2.

C. Elevation View

An elevation view may be required when submitting for changes to the exterior, such as doors, windows, or other changes or additions to the exterior of any part of the building, including but not limited to cameras and doorbells.

Such other information, data, and drawings as may be requested, including, without limitation, irrigation systems, drainage, lighting, landscaping, and other features.

D. Review Criteria, Recommendations, Variances

While the Architectural Guidelines are intended to provide a framework for modifications, the Architectural Guidelines are not all-inclusive. In its review process, the ARC may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures among other things. The decisions of the ARC may be based on purely aesthetic considerations; provided, the ARC shall not grant approval for a proposed modification that is inconsistent with the Architectural Guidelines unless the ARC and/or Board grants a variance. Each Owner acknowledges that opinions on aesthetic matters are subjective and may vary as members of the ARC and Board change.

The ARC may, in its sole discretion, provide that the lists of recommended materials constitute “approved materials,” and that the installation of such materials requires no approval. The ARC and or Board may provide that the purpose of the list(s) is merely to provide guidance and that installation of recommended materials does not relieve the Applicant from any obligations set forth in these Architectural Guidelines to acquire approval prior to installation.

E. Review Period

Each application and plan submittal shall be approved based on information provided. When a decision is rendered, an ARC member will communicate the decision to the applicant. The completed application and plans shall be retained for the Association’s records, unless otherwise requested. All modifications must be consistent with the Architectural Guidelines unless the ARC has granted a written variance. As a condition of approval under this Section, each Owner and all successors-in-interest shall assume all responsibilities for maintenance, repair, replacement, and insurance to and on any change, modification, addition, or alteration.

F. Appeal

Any Applicant shall have the right to appeal a decision of the ARC by re-submitting the information, and documents set forth above; however, such appeal shall be considered only if the Applicant has **altered the plans for modification or has added information which would, in the ARC’s opinion, warrant reconsideration**. If Applicant fails to appeal a decision of the ARC, to the Board of Directors, the ARC’s decision is final. In the case of a non-approval and resubmittal, the ARC shall have 14 days from the date of each resubmittal to approve or disapprove any resubmittal.

G. Governmental Approval

The review and approval of plans and specifications by the ARC shall not be a substitute for compliance with the permitting and approval requirements of the City of Phoenix or any other governmental authorities. It is the responsibility of Applicant to understand the governmental regulations, and to obtain all necessary permits and approvals.

H. Implementation of Approved Plans

All work must conform to approved plans. If it is determined by the ARC that work completed or in progress on any Unit is not in compliance with these Architectural Guidelines or any approval issued by the ARC, the ARC shall, directly or through the Board of Directors or Management Company, notify the Owner in writing of such noncompliance specifying in reasonable detail the particulars of noncompliance and shall require the Owner to remedy the same. If the Owner fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within the time stated in the notice, then such noncompliance shall be deemed to be in violation of the Approved Application and the Architectural Guidelines.

I. Time to Commence

If construction does not commence on a modification for which plans have been approved within 90 days of such approval, such approval shall be deemed withdrawn, and it shall be necessary for the Applicant to resubmit the plans to the ARC for reconsideration.

J. Time to Complete

The ARC shall include in any approval a maximum time for the completion of any modification. If no maximum time is specified in the approval, the modification shall be completed within 90 days of its commencement. The Applicant may request an extension of such maximum time not less than three days prior to the expiration of the maximum time, which the ARC may approve or disapprove, in its sole discretion.

K. Changes After Approval

All proposed changes to approved plans, including changes that affect the exterior of any building, colors, windows, grading, paving, utilities, or landscaping made after the approval of plans must be submitted to and approved in writing by the ARC prior to implementation. Close cooperation and coordination between the Applicant and the ARC will ensure that changes are approved in 15 days.

If the City of Phoenix or any other authority having legal control requires that changes be made to final modification plans previously approved by the ARC, the Applicant must notify the ARC of such changes and receive written approval from the ARC prior to implementing such changes.

Maintaining Community Standards 1.03

Enforcement/Waiver

In the event of any violation of these Architectural Guidelines, the Board may ask the Management Company to pursue any form of relief authorized by the CC&Rs and/or Arizona law, which may include levying fines, pursuing injunctive relief, and/or exercising self-help to cure the violation and assessing the costs back to the offending Owner. **Approval of plans for any proposed modification shall not be deemed to constitute a waiver of the right to withhold approval as to any similar proposals subsequently submitted for approval.**

1. Management Company

- a. The management company, under contract with Maryland Place Townhomes, shall be responsible for conducting field inspections of Maryland Place to identify problem areas and violations. Inspection reports consisting of all sections shall be included in Board packets for all members of the Board of Directors. Inspections identifying areas requiring immediate action shall either be acted upon immediately by the inspector or reported to the Community Manager for appropriate action.
- b. The management company shall receive complaints from any source regarding problem areas and violations requiring enforcement action on the Maryland Place Townhomes property. The management company shall document all complaints received and forward them to the appropriate owners for action or act upon them depending upon the nature of the complaint.
- c. The management company shall perform those functions related to enforcement action as directed by the Board.
- d. The management company shall keep ARC committee and the Board informed through the President or other designated person(s), and by other appropriate means, of enforcement actions taken and of potential problem areas where enforcement may become necessary.

Disclaimer 1.04

The Association, ARC, Board, or any officer, employee, agent, director, or member thereof shall not be liable for damages to any persons submitting plans and specifications for approval by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval, disapproval, or failure to approve any plans and specifications. ***Every person, owner, or owner representative who submits plans and specifications for approval agrees, by submission of such plans and specifications, that it will not bring any action or suit against the Association, Declarant, or ARC to recover any such damages.***

The purpose of the Architectural Standards is to provide guidance in preparing requests for architectural approval and set forth the standards applied by the ARC. **These Architectural Standards are not all-inclusive, and no inference should be made that the failure to include a particular type of exterior or landscaping change somehow exempts that change from the approval process.**

If any paragraph, section, sentence, clause, or phrase of these Standards shall be or become illegal, null, or void for any reason or shall be held by any court of competent jurisdiction to be illegal, null, or void, the remaining paragraphs, sections, clauses, and phrases are severable and shall continue to be in full force and effect. These standards supersede all previous guidelines or standards, and shall remain in effect until otherwise rescinded, amended, modified, or repealed by a majority vote of the Board of Directors.

Construction Guidelines 1.05

A. Inspections

The Applicant shall schedule and coordinate a review of all construction activities with the Management Company to verify compliance with the approved plans and specifications. The Management Company may also perform additional periodic informal inspections to ensure that work is being performed in conformance with approved plans, these Architectural Guidelines, and the Community-Wide Standard. All inspections are observations only and will not relieve the obligation to obtain inspection approvals from the City of Phoenix and other organizations having authority if they are so required.

For job sites not in compliance with the Declaration, these Architectural Guidelines or approved plans will be issued a Notice of Violation and a punch list of items needed to bring the construction and/or job site into compliance. Further construction is prohibited until such punch list items have been corrected.

B. Construction Damages

Any damage to vegetation or common area facilities caused by the Applicant, its contractors, sub-contractors, agents, or employees must be corrected immediately to the satisfaction of the Management Company, the Declarant, and the Owner of the damaged

property. If the damage is not corrected, the Declarant or the Association may repair such damage and assess the costs of repair to the Applicant.

C. Conduct and Cleanliness

The Applicant must ensure that all contractors and subcontractors control the conduct of their employees while working in Maryland Place. Loud music, profanity and other behavior which is unbecoming of a quality operation will not be tolerated. Contractors and Employees violating this policy may be asked to leave the premises and may be denied future access to Maryland Place. All sites must always be maintained in a clean and orderly manner. The storage of materials should be in an inconspicuous location within the site and stored neatly and orderly. All construction debris shall be cleared at the end of each working day and, if not, then the Applicant will incur a fine of \$250 per day and any cleanup cost by the Association will be charged to the Applicant.

Architectural Request Procedures 2.00

Architectural Request Application/Process

STEP 1: **Application Request:** the property owner (not contractors or other parties) can either request the *Application Request Form* by going to the www.wearevision.com and finding our communities website “Maryland Place” and completing the application online or simply contacting Vision Community Management at the numbers or address listed below:

16625 S Desert Foothills Pkwy

Phoenix, Arizona 85048

Phone: 480-759-4945

Fax: 480-759-8683

Email: marylandplace@wearevision.com

STEP 2: **Applying online is the easiest and simplest way to get your information to the ARC.** If requested from the management company, the management company will promptly forward to the property owner the Architectural Request Form, but this will take extra time. Paint sample(s) should be mailed to the management company.

STEP 3. **Prior to any alteration, addition or improvement,** the property owner completes the application form and provides all applicable information as requested on the application form. Reference should be made to the Architectural Control Standards for specific information needed for the proposed improvement, addition, or alteration. All parts of the form need to be filled out and all pertinent information shall be included in the submittal. **Incomplete applications will be returned.**

STEP 4. The property owner sends the completed Architectural Application form, along with any attachments or required supporting documents via email with scanned or faxed supporting documents. Referring the ARC to look online at color samples WILL NOT be accepted, as we need an actual sample, which can be dropped off or mailed to the management company. For review purposes we will need detailed plans including measurements, elevations, materials used in manufacturing (metal, vinyl, wood types, glass, colors, etc.), and if applicable, the contractor’s name and if the Arizona Register of Contractors license the contractor.

Applications can be mailed, faxed, or sent electronically to the management company. Please include:

- | | |
|--|--|
| _____ Sets of plans | _____ Drawing and/or Picture |
| _____ Plan showing location | _____ All colors being used |
| _____ Any samples or brochures | _____ All dimensions, including height |
| _____ All materials being used | |
| _____ Contractor information, certification of liability and if R.O.C. | |

STEP 5. The management company will mark the date the application is received in its office. The management company will then copy and distribute the dated application to the ARC for inclusion on the agenda of the next regularly scheduled meeting of the ARC.

STEP 6. Completed applications that are received by the management company will be considered and acted upon by the ARC in a reasonable amount of time.

STEP 7. The ARC may (a) approve the application or (b) deny the application, stating the reasons for the denial in writing or ask for clarification if needed in which case the application may need to be amended and re-submitted . The ARC will then forward their decision for review by the Board. Any calculation of time concerning the processing of an application will not start to run until the application is complete. In the case of approval with conditions, the conditions shall be listed on an appropriate form and provided to the homeowner and the homeowner may begin the project if the stated conditions are satisfied. In the case of “Disapproval” the reasons and/or requirements will be noted on the application.

STEP 8. Upon its receipt of the Committee’s decision on an application, the management company will mark the decision with the date that the decision is forwarded to the property owner and will then forward a copy of said decision to the homeowner. In the case of approval, the homeowner can begin the project. In

the case of an administrative denial for insufficient information, the information needed shall be listed on an appropriate form and provided to the homeowner.

Note: A property owner who is not satisfied with the Committee's decision on an application may submit a new application (should the property owner want to resubmit another application, the thirty (30) day process starts again with each submittal).

Architectural Control Sections 2.01/2.02/2.03
Application Request Form

THIS PROCESS HAS MOVED ONLINE
FOR MORE INFORMATION GO TO:

WWW.WEAREVISION.COM
EMAIL: MARYLANDPLACE@WEAREVISION.COM
Vision Community Management
16625 S Desert Foothills Pkwy
Phoenix, Arizona 85048
480-759-4945 PHONE = 480-759-8683 FAX

Architectural Standards 3.00

Building Addition or Exterior Modification 3.01

Modifications include anything attached to the exterior of your structure including storm doors, gutters, cameras, doorbells, screens, and sunshades to name a few examples.

There are no building additions permitted in Maryland Place. This is governed by our legal documents and covered in the CC&R's Section 18.

Lighting (Exterior) 3.02

A. Appearance:

Exterior lighting must be compatible with the Maryland Place architectural scheme. Low voltage, low brightness accent lighting confined to planting beds or along walkways and on decks is acceptable. Warm light bulbs should be used in all outdoor fixtures. Other lighting devices, i.e., light fixtures visible from other homes, pathway lighting, pergolas, or security lighting will need to have ARC approval.

B. "Temporary" holiday lighting. Generally, does not require approval from the ARC; however, such "temporary" lighting and any associated wiring must not be installed earlier than 14 days prior to the holiday, and must be removed no later than 14 days after such holiday. The exception is the Gregorian calendar's end of the year holidays. The lights cannot be installed earlier than 14 days before the date which Thanksgiving

is observed in the U.S.A. and must be removed no later than 14 days after the Gregorian calendar's New Year's Day.

C. Exterior Fixtures - Front Door lighting must be compatible with the community theme, as determined by the ARC. Backyard lighting shall not be intrusive to the adjacent backyard(s).

Maintenance – 3.03

The association is responsible for the maintenance of all outdoor spaces, excluding the Common Area/Exclusive Use spaces in the back of each townhome. Should maintenance be required, please contact the management company, and report any issues and request repairs. The management company will create a 'repair ticket' which will be followed up in the Weekly Management Report managed by the management company and reviewed by the Board. If the damage is caused by the owner, owner's visitor, or the owner's tenant, then the owner will be responsible for the repairs.

Painting - 3.04

Exterior paint is the responsibility of the association. Approved colors and paint types must match the current color scheme.

This includes:

- a. Building Walls
- b. Trim/Fascia
- c. Garage Doors
- d. Metal/Iron Entry Gates – Black

Satellite Dishes/Antennas - 3.05

Satellite dishes and antennas that measure less than one meter in diameter are regulated by the FCC Rule (Section 207 of the Telecommunications Act of 1996). Installation of any Satellite dish or antenna that is not regulated by the FCC Rule (i.e., that measures larger than one meter in diameter) requires an ARC approval prior to installation.

Walkways and Patios – 3.06

If plans arise that would necessitate any change to a walkway or patio, an Architectural Request is required prior to any work commencing. For regulations on lighting added on public walkways by owners, see information in 3.02.

Personalization of public property along walkways in front of security gates is permitted and does not require approval. Please see below for a brief list of acceptable items:

1. Wreaths on doors

2. Potted plants in planters; Approved Colors: Black, Gray, White, Navy Blue, Dark Green, and Terracotta.
3. Permanent botanicals
4. Welcome signs, maximum of 26 x 12 inches
5. Animal Forms, main structure maximum high is 45 inches
6. Small decorative flags (seasonal), maximum 24 x 24 inches and remove 14 days after the holiday.
7. Flags and signs that are expressly permitted by A.R.S. § 33-1261 may be displayed in accordance with any requirements or restrictions set forth in the statute or applicable City of Phoenix ordinance(s). All other flags and signs are prohibited, unless expressly permitted by these Guidelines.

Please find below a list of items NOT acceptable:

1. Any sign or flag that is not expressly permitted by these Guidelines or protected by A.R.S. § 33-1261.
2. Ornaments or other items that spiral
3. Items that make noise
4. Inflatables

Windows – 3.07

The approved color for all window frames must be black, coffee bean or similar color (color names vary by manufacturer). There is no specification to vertical or horizontal. Window glass may be glazed but not to the extent that the coloration is visible (i.e. green, blue, etc.).

NOTE: Window Replacement or alteration requires an ARC approval.

Terrace/Deck/Patio Doors – 3.08

Terrace/Deck and Patio doors must match the color scheme, or be black, coffee bean or similar color (color names vary by manufacturer). Patio doors may be French or slider style and may have 'grids' or 'mullions'. Replacement or alterations requires an ARC approval.

Window Coverings– 3.09

Exterior window coverings (examples are sunscreens, roll down shutters, and canvas covers) visible from the exterior of the buildings must have ARC approval.

Terrace/Deck Coverings – 3.10

Terrace/Deck canvas coverings, which were once an approved covering, are no longer approved. The existing canvas covers which are in good conditions do not need to be removed. A damaged canvas cover needs to be removed within 30 days. Pergola coverings are the only approved newly installed terrace material, which is aluminum, and the approved color is 'desert sand' or the manufacturer's color name that closely resembles the desert

sand color, or similar coordinated color. Pergola posts and beams for the pergolas need to closely match existing pergola design and installations. Replacement or alterations requires an ARC approval.

Gates – 3.11

Any front gate replacement or alteration requires the ARC approval. The only approved color is black. The backyard gates need to match the fence color.

Front Door – 3.12

Front door replacement needs to be in compliance with the structural theme and approved by the ARC and Board. Repair and repainting or staining to the current door color and design does not need ARC approval if there no alterations the building structure.