

**ARCHITECTURAL RULES / DESIGN GUIDELINES
PASEO TRAIL PARCEL D COMMUNITY
ASSOCIATION**

October 1, 2003

Due to the nature of the community documents, it is important to converge all of the pertinent information regarding architectural submittals into one document: Architectural Rules / Design Guidelines ("Rules"). These Rules for Paseo Trail Parcel D Community Association, as allowed in the Declaration of Covenants, Conditions and Restrictions (CC&R's) for Paseo Trail Parcel D Community Association and all resolutions to date, will provide you with all the latest information relevant to improvements which will require approval from the Architectural Committee ("Committee"), per Article IX, Section 9.1 of the CC&R's.

The Rules, as set forth in this document, shall interpret and implement procedures for the Committee's review and standards, including, but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finish and material, signage, and wall design. These documents are intended to enhance property values and high standards of development that exist within Paseo Trail Parcel D Community Association. Unless specifically identified as not requiring submittal for approval within this document, prior approval from the Committee is required. The Rules are established to assist residents in conforming to the standards established, and amended from time to time, by the Board of Directors. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR CONSIDERATION BY THE COMMITTEE SHOULD THE COMMITTEE REQUIRE SUBMISSION FOR APPROVAL. Each application will be reviewed on a case-by-case basis.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR INSTALLATION, ALL PLANS MUST BE SUBMITTED, IF REQUIRED, TO THE COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE COMMITTEE. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED).

APPLICATION PROCEDURE

Submittal

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

**Paseo Trail Parcel D Community Association
c/o Associated Asset Management
2400 E. Arizona Biltmore Circle, Suite 1300
Phoenix, AZ 85016
602-957-9191 / Fax 602-957-8802**

The following information should be included with the submittal:

1. **Application Form/Architectural Committee Review Form:** a completed application form (copies may be obtained from the sales or management office).
2. **Plot Plan:** A site plan showing dimensions, relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans. Plot plans are available at the sales office or from the Builder.
3. **Elevation Plans:** Plans showing finished appearance of improvement in relation to existing dwelling.
4. **Specifications:** Detailed description of materials to be used, color samples and dimensions must be submitted.

All buildings, structures and other improvements erected within Paseo Trail Parcel D Community Association and the use and appearance of all land within Paseo Trail Parcel D Community Association, shall comply with all applicable City zoning and code requirements as well as the Declaration and these Rules.

REVIEW - APPROVAL AND/OR DISAPPROVAL

The Committee shall have 45 days after submittal of plans to approve or disapprove plans. No verbal approvals/disapprovals will be given by the management company. All decisions will be mailed via US Mail.

Review and approval or disapproval will include, but is not limited to, consideration of material, quality of workmanship, colors and consistency with the external design and color of existing structures on the lot and impact on neighboring lots. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Committee, nor the Board of Directors, nor the Declarant shall have any liability in connection with or related to approved plans, specifications, or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the improvement nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

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

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 of the date of the Committee's approval of the application.

Appeal Process

An appeal of the decision of the Committee must be submitted within thirty (30) days of the date of the decision to the Board of Directors:

Paseo Trail Parcel D Community Association
c/o Associated Asset Management
2400 E. Arizona Biltmore Circle, Suite 1300
Phoenix, AZ 85016
602-957-9191 / FAX 602-957-8802

THESE RULES MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.

DESIGN GUIDELINES

ANTENNA/EXTERIOR ACCESSORIES: No antenna, satellite receiving station or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used or maintained outdoors so as to be visible from neighboring property unless approved by the Committee; provided, however, with respect to antennas and other devices for the reception of video programming signals covered by 47 CFR Part 1, Subpart S, Section 1.4000 (or any successor provision promulgated under the Telecommunications Act of 1996, as amended from time to time) (collectively the "Permitted Antenna"), an owner may install a Permitted Antenna on his Lot if written notice identifying the type of Permitted Antenna is given to the Association, and, to the extent the following can be done without precluding the reception of an acceptable quality signal, the Permitted Antenna is installed so as to be inconspicuous from adjacent lots and common area in a manner that is architecturally compatible with the overall theme of the Project. This provision shall be interpreted in a manner to be consistent with the Telecommunications Act of 1996, as amended from time to time, and the regulations promulgated thereunder. The Committee may permit one or more aerial satellite dishes or satellite communication systems, and/or other apparatus and equipment for an antenna or cable system for the benefit of all or portions of the Project.

Clotheslines are not permitted in the project unless they are below the height of the fence surrounding the area where the clothesline is placed.

AWNINGS: All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material, of solid color on both sides, which match the color of the body of the exterior of the home or roof color and shall be installed only on the side and/or rear of the home. All awning submittals must include a drawing with the location of the proposed awning installation, a sample of the material to be used, along with the color and design of the proposed awning. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

BASKETBALL GOALS

1. Portable basketball goals are permitted in front and rear yards. "Portable basketball goals" shall refer to basketball equipment that has a base that is not permanently installed in the ground.

2. Portable basketball hoops should be stored in a manner so as to not inhibit the view or impede public accessways (streets) within the community.
3. Portable basketball hoops should be used only on a Member's lot and not in the common areas or public accessways (streets).
4. Pole mounted backboard and goals are acceptable. Poles must be set in the ground permanently. Backboards shall not be attached to the house, garage or roof.
5. All basketball goals must be installed on the "interior" of the driveway.
6. All basketball poles must either match the color of the body of the exterior of the home or be black.
7. Backboards must be of a predominantly neutral color (gray, black or white), or match the color of the body of the exterior of the home, or be clear Plexiglas.
8. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., constitute grounds for fines and/or removal.
9. Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
10. Courts may NOT be painted or permanently outlined on the driveway or other concrete surfaces.
11. Lighting for night use of the equipment is prohibited.

All basketball goals located in the rear yard must comply with all above applicable guidelines.

Basketball equipment does not need to be submitted for approval providing the equipment is in compliance with the above rules.

DECORATIVE ITEMS: Front yard item(s) of a permanent nature must be submitted for approval by the Committee. The Board of Directors reserves the right to require removal of decorative items in front yards based on size, quantity, color and location and any other criteria that the Board may determine.

Seasonal and Decorative Flags: Seasonal and decorative flags which are house mounted below the roofline, do not require approval. Seasonal flags must be removed within 30 days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc. ... constitute grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

Holiday Decorations: Holiday decorations may be installed 40 days prior to the holiday and must be removed within 40 days after the holiday.

Decorative Seasonal Items: Decorative seasonal items are allowed without architectural approval if temporary and non-fixed. Seasonal decorations should appropriately follow the seasons.

Decorative Art on Houses: Decorative Art on houses shall be neutral in color and limited to two items. Dimensions of decorative art shall be no greater than three feet in length, width and diameter.

Water Features, Statuary, Etc.: Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Committee, except on lots with view fencing. Water features may not exceed 4-1/2 feet in height. It is recommended that water features be chlorinated. The Committee reserves the right to limit the size and quantity of statuary in the front yard, as well as rear yards with view fencing. Statuary must not exceed 12 inches in height, must be of earth tones and must be approved by the Committee. Front yard water features should be constructed so as to not create a standing water hazard to surrounding neighbors (i.e., enclosing fountain behind a courtyard wall).

DRIVEWAY EXTENSIONS AND SIDEWALKS: Driveway extensions will be reviewed for approval provided the following conditions are met:

1. Only driveway extensions located in the side yard of the property will be considered.
2. Submittals must include a plat map with exact lot dimensions and the location and dimensions of the proposed extension.
3. 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 less.
4. All extensions must end one foot from the side property line. The area between the extension and the lot line must be landscaped with the same groundcover used in the front yard or a material approved by the Committee.
5. A clear finish may be applied to concrete areas; however, colored concrete surfaces for sidewalks and driveways is prohibited.

Additional Sidewalks: 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 three feet or less in width, is one foot or more from the property line, and is one foot or more from the home.
2. The area between the home and the sidewalk addition must have groundcover installed to match the existing groundcover.

The Committee reserves the right to review and request changes to the addition per these requirements.

Additional sidewalks in any other location in the front yard must be submitted for approval.

FENCES AND WALLS INCLUDING DECORATIVE WALLS: Plans to raise the height of a party wall must be submitted for approval with information on the height of all walls that will abut the wall(s) being raised. Side and rear walls may not exceed six (6) feet in height from ground level, as measured from the lowest side of the wall.

Plans for new fences or walls must be submitted to the Committee prior to construction. Walls must match the existing wall in texture and color.

Perimeter walls on lots bordering common areas may NOT be torn down to allow

access to rear yards. Access must be gained through the front wall on the side of the home, repairs to this wall must be completed in a timely fashion, and include repairing the old wall to match the texture and color of the remaining wall.

Decorative or garden walls may not exceed thirty-six (36) inches in height. Decorative or garden walls must be submitted for approval prior to installation and be stuccoed and painted to match the base color of the home.

FLAGPOLES: Per Arizona State Bill 1055 signed by the Governor on April 29, 2002, the following rules shall apply to flagpoles in this community:

Display of the American / Arizona State Flags:

1. These flags may be displayed from sunrise to sunset unless the flag is lighted.
2. These flags should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
3. No other flag or pennant should be placed above, or, if on the same level, to the right of the American flag.
4. If the American flag is displayed from a vertical flagpole or a flagpole/staff projecting horizontally or at an angle from a windowsill or front of a home, the union of the flag (blue, where the stars are located) should be placed at the peak of the flagpole/staff unless the flag is at half-staff.
5. The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
6. The flag should never touch anything beneath it (the ground, a floor, water, or merchandise).
7. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn down, soiled, or damaged in any way.
8. The flag, when it is in such condition that it is no longer a fitting emblem for display, must be removed and replaced with a new flag.

Placement of American/Arizona State Flags Display; Poles; Number of Flags:

1. Prior to installing a flagpole on any Lot, the Owner of said Lot must, in writing, submit a request, including specific plans detailing the height, type, location, method of installation, and color of the pole to the Committee for approval.
2. Only one (1) flagpole of any type is allowed on a Lot.
3. The height of a flagpole can be no taller than the height of the highest point of the roofline or the distance between the point of placement of the pole in the yard and the closest point of either of the following: the sidewalk (or the street, if no sidewalk exists); any common area; or any neighbor's property line.
4. There shall be no more than one (1) American / Arizona State flag displayed at any one time on a Lot.
5. The Association permits display of a reasonable number of additional American flags on the following National Holidays only (to be removed no later than 5:00 p.m. of the following day): Memorial Day, Flag Day, July 4, Labor day, Veterans Day.
6. The American / Arizona State flags may not be placed on common area.

GATES: All requests for additional gates or gates other than that which were offered

by the original developer of the lot/home must be submitted for architectural approval. Placement of gate(s) must be approved by the Committee. Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be of the same material, design and color as the originally installed single gates unless approved by the Committee. Gates may be painted to match the fence with approval from the Committee.

GUTTERS AND DOWNSPOUTS: Gutters and downspouts will be considered for approval if the finish matches the color of the home. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times.

HVAC (INCLUDING EVAPORATIVE COOLERS): Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior written approval of the Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of all neighboring property.

Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use so as to not be visible.

PAINT COLORS: Roofing materials should match that which were installed by the builder on the original roof of the home or that which were offered as an option by the builder for a patio cover. Asphalt shingles (including rolled shingles) are expressly prohibited unless used on the original roof of the home.

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers not installed by the builder 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.

PLAYGROUND EQUIPMENT: Plans for play structures and similar recreational equipment must be submitted for approval since in most instances they protrude over the fence line. This is not to eliminate play structures, but to consider privacy issues for adjacent neighbors and to assure nothing unsightly is erected.

The maximum height which will be considered for approval of swing sets and other play equipment shall be ten (10) feet. In no case will the maximum height of any such improvement be permitted to exceed twelve (12) feet. The maximum height for any deck/platform is four (4) feet above ground level.

The play structure may be placed no closer than five (5) feet to any lot line. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture or photograph of the structure, total dimensions, materials and a plat map or drawing indicating the proposed location and its proximity to adjacent property lines.

The color of canopy of the play structure must be one of the following: a "neutral" color (off white, beige, or light brown); a single solid color of red, blue, green, or yellow; or striped with white and one (1) other color (either red, blue, green, or yellow). Prints

and multi-colored striped canopies are prohibited.

POOLS AND SPAS: Pools and spas do not require the prior approval of the Architectural Design Review Committee. Perimeter walls on lots bordering common areas may NOT be torn down to allow access to rear yards. Access must be gained through the front wall on the side of the home, repairs to this wall must be completed in a timely fashion and include repairing the old wall to match the texture and color of the remaining wall.

All pool and spa equipment must be screened from view of neighboring property. (Lots with view fencing must submit plans for screening for approval by the Committee.)

Pools may not be backwashed into any common area. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage, including erosion, to common area due to backwashing will be repaired by the Association and all expenses incurred by the Association will be billed to the homeowner.

POOL FENCING AND EQUIPMENT: The specifications for rear yard wrought iron pool fencing installation 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, State, and Federal requirements.

Pool equipment on lots with view fencing must be screened from view from common areas. Screening may be through plant material or hardscape enclosure. Hardscape enclosures do not require approval if the enclosure does not exceed four (4) feet in height, stuccoed and painted to match the base color of the home. All other screen materials require approval from the Committee.

ROOF AND ROOF STRUCTURES: If the dwelling unit has a pitched roof, the roofing material for that portion visible from neighboring property must be clay or concrete tile. Unless specifically authorized in this document, no heating, air-conditioning, ventilation equipment, or any other equipment or structures shall not be located or installed or maintained anywhere on a Lot if it is visible from neighboring property.

SECURITY LIGHTING/DEVICES: Security lighting must be directed as to not shine on neighboring property. Security features including but not limited to doors and windows must be submitted for approval.

SECURITY/SCREEN DOORS/SUNSCREENS: Wrought iron security/screen doors need not be submitted for approval provided they are painted to match the base color of the home. 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 approval.

SIGNS: No signs shall be displayed on any lot except the following:

1. Signs required by legal proceedings;
2. Not more than two (2) identification signs for individual detached residences, each with a face area of seventy-two (72) square inches or less;
3. Such other signs (including but not limited to "for sale" and "for lease" signs, security company signs associated with a home security system installed in the home, construction job identification signs, builders' signs, directional signs, and subdivision identification signs) which are in conformance with the requirements of the County and/or City, as applicable, and which have been approved in writing by the Committee or the Declarant as to size, color, design, message content, and location.

SOLAR PANELS AND EQUIPMENT: Roof mounted solar equipment (excluding the solar panels) must match the roof material. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline. Visibility must be minimized from public view, and may be required to be screened from neighboring property in a manner approved by the Committee.

STORAGE SHEDS: Storage sheds will be permitted and need not be submitted for approval, provided the shed meets the following requirements:

1. Maximum height of the shed, including roof, does not exceed seven (7) feet;
2. Shed must be placed at least three (3) feet from all party walls and perimeter walls within the community.
3. Color of shed must match or blend with color scheme of house or be neutral (i.e., beige, tan).

If placed in a yard with a view fence, the shed must be screened from view with approved plant materials. Placement of a shed in a yard with a view fence requires approval of the Committee prior to installation.

Sheds not meeting the above noted specifications will need to be submitted to the Committee and will be considered on a case-by-case basis.

WINDOWS: Permanent draperies or suitable window treatments shall be installed on all front-facing windows within one hundred and twenty (120) 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. Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of the home.

**PASEO TRAIL PARCEL D COMMUNITY ASSOCIATION
ARCHITECTURAL DESIGN REVIEW FORM**

Please mail or FAX to:
Paseo Trail Parcel D Community Association
c/o Associated Asset Management
2400 E. Arizona Biltmore Circle, Suite 1300
Phoenix, AZ 85016
Phone: (602) 957-9191 FAX: (602) 957-8802

Name: _____ Date: _____

Address: _____ Lot No.: _____

Daytime Phone: (____) _____

Requesting Approval of: _____

Work to be performed by: _____

Type of Material (attach samples/pictures/brochures): _____

Color to be used (attach samples/pictures/brochures): _____

SUBMITTAL MUST INCLUDE A PLOT PLAN INDICATING LOCATION OF REQUEST AND INCLUDE ALL APPLICABLE MEASUREMENTS AND DIMENSIONS.

INCOMPLETE SUBMITTALS WILL BE DENIED.

I agree to comply with all applicable city and state laws, and to obtain all necessary permits. I also agree not to begin work until I have been notified in writing of the Committee's decision and to maintain all improvements to their original condition. Committee must review all submittals within 60 days of receipt of the application. All work will be completed within 90 days from day of approval.

Owner's Signature _____ Date _____

Approved _____

Conditionally Approved _____

Denied _____

Committee Member Signature _____ Date _____

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
PASEO TRAIL PARCEL D COMMUNITY ASSOCIATION
c/o Associated Asset Management
2400 E. Arizona Biltmore Circle, Suite 1300
Phoenix, AZ 85016
602-957-9191**

The undersigned, constituting all of the members of the Board of Directors of Paseo Trail Parcel D Community Association, Inc., 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 adopts the attached Architectural Rules / Design Guidelines dated October 1, 2003.

IN WITNESS WHEREOF, the undersigned have executed this consent as of September _____, 2003.


Eric Franz, President


Nick Dodson, Vice President


Dave Strickler, Secretary/Treasurer