

Paradise Views I & III Homeowners' Association

ARCHITECTURAL AND LANDSCAPE GUIDELINES

Welcome to:
Paradise Views I & III
June 2, 2003

INTRODUCTION

Every resident of Paradise Views I & III is a member of the Paradise Views I & III Homeowners' Association ("the Association"), the entity responsible for the management of all common areas and related Association facilities as well as administration of the affairs of the community. The Association is created by the recording of the Declaration of Covenants, Conditions, and Restrictions (the "CC&R's"). The CC&R's set forth procedures, rules, and regulations that govern the community. This document is an extension of the CC&R's and is designed to be used in harmony therewith.

The Board of Directors (the "Board") is responsible for overseeing the business of the Association and carries a wide range of authority. The Architectural Review Committee (the "Committee") is established and appointed by the Board to review plans detailing proposed new construction and modifications to existing structures and properties.

Review Process

Any change, addition, or modification to a site or building exterior of a residential property requires the prior written consent of the Committee. Owners with proposed changes, additions or modifications should contact the management company with whom the Association has contracted for full Association management to obtain the required information and submittal forms.

Simply stated, any owner wishing to:

- ▶ Excavate or alter the grading or draining of his lot;
- ▶ Construct or remove any improvements from his lot;
- ▶ Add, alter, repair, change or other work which in any way alters the exterior appearance, including but without limitation, the exterior color scheme;
- ▶ Install a pool, spa, or other water features that would be Visible from Neighboring Property;
- ▶ Place any object (i.e., lighting and decorations) on his lot;
- ▶ Add, alter or change the landscaping on his lot

must submit to the Committee a written request for approval specifying in detail the nature and extent of the construction, installation, addition, alteration, repair, change or replacement of any improvement, which the owner desires to perform. Any owner requesting approval from the Committee shall follow the application procedures detailed herein. Your submittal will receive a reply within thirty (30) days from the Association's date of receipt. Homeowners may appeal decisions of the Committee to the Board, in which case the decision of the Board shall be final.

The approval of the Committee shall be in addition to, and not in lieu of, any approvals, consents or permits required under the ordinances or rules and regulations of any county or municipality having jurisdiction over this community. It is the responsibility of the owner to obtain permits or approvals as required. Approval by the Committee is not a guarantee that approval will be obtained by the county or municipality nor does it satisfy the building permit requirements. If the county or municipality requires modifications to the plans, such modifications must be submitted to the Committee for approval.

VariANCES

In the event a variance is requested, the following items must be submitted to the Committee:

A typed letter referencing the address of the home involved, the name of the subdivision, a request that a variance be granted, a description of the variances(s) requested, and the reason for the variance(s).

Any plans, photographs or other visual aids that will help to explain the variance(s) request should be included.

If a landscape variance is requested, a landscape plan must be prepared and submitted which shows the footprint of the house and indicates plant varieties and locations.

The Committee will respond in writing to a request for variance(s) within thirty (30) calendar days of receipt.

Review Procedures

The following information should be included:

- ▶ Completed and signed application form (attached Exhibit A or additional copies are available from the Management Company).
- ▶ Plot Plan – A site plan indicating the dimensions of the proposed work relative to the existing dwelling unit and property line (setbacks). Measurements must be written on the plan.
- ▶ Elevations – Plans illustrating finished dimensions of the proposed work in relation to the existing dwelling. An accompanying photograph of the proposed location would be helpful.
- ▶ General Specifications and Plans – detail related to finish schedule and structural dimensions of the proposed work, as well as any other materials, color samples and/or information enhancing the completeness of the submittal package.

Please submit completed application packages to:

**Paradise Views I & III Homeowners' Association
Visison Community Management Company
16625 S Desert Foothills Pkwy
Phoenix, AZ 85048
Phone: 480 759 4945 / Fax: 480 759 8683**

GENERAL PRINCIPLES

The purpose of the Committee is to ensure consistent application of the design guidelines established within this document. The Committee's role and function applies to any portion of any lot or parcel which is visible from other lots or parcels, streets, or Association common areas. This includes backyards which are visually open to other lots, parcels, and common areas. The design guidelines promote those qualities in Paradise Views I & III that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship amongst structures, vegetation, topography, and the overall design of the community.

The Committee shall have no liability in connection with or related to approved or denied plans, specifications, or improvements. The approval of plans by the Committee 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 plans is predominantly aesthetic in nature.

Protection of Neighboring Property

The interests of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, light and air, and other aspects of design which may have a substantial effect on neighboring properties.

Design Compatibility

The proposed improvement must be compatible with the design characteristics of the property itself, adjoining properties, and the community. Compatibility is defined as harmony in style, scale, materials, color, and construction details.

ARCHITECTURAL REQUIREMENTS & GUIDELINES

Awnings and Canopies

Awnings and canopies over all windows shall be synthetic canvas or similar material, of solid color which matches or complements the color of the body or the trim of the exterior of the home or roof color. Metal or wood frames for awnings and canopies must be painted as outlined above. Rigid metal or plastic awnings or canopies are prohibited.

All awnings and canopies must be submitted for approval prior to installation and must include a drawing with the location of the proposed installation, sample of material, color, and design.

Owner is responsible for maintenance and repair of awnings and canopies and they are to be maintained in "like new" condition. The Association retains the right to determine when an awning must be cleaned, repaired or replaced due to weathering, fading, tearing, ripping, etc.

Basketball Goals

- ▶ No basketball goal, backboard or similar structure which would be Visible from Neighboring Property shall be placed or constructed on any Lot without the piror written approval of the Committee.
- ▶ No basketball goals shall be permitted to be attached to any unit.
- ▶ Backboards must be of a clear material.

- ▶ Permanent basketball goals must include a free standing pole which must be painted the same color as the body of the living unit.
- ▶ Lighting intended to illuminate the goal is prohibited.
- ▶ All equipment must be reasonably maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., constitute grounds for fines and/or removal.
- ▶ Only nylon or similar cords nets are acceptable. Metal or chain nets are expressly prohibited.
- ▶ Courts may not be painted or permanently outlined on the driveway or other concrete surfaces which would be Visible from Neighboring Properties.

Clotheslines

No clotheslines of any sort or other device for drying or airing of clothes shall be erected, placed or maintained upon any Lot in a manner so as to be Visible from Neighboring Property.

Driveways

Concrete additions to the driveway are not allowed. All driveways must be kept clean and clear of debris, oil, rust, and other stains.

Exterior House Materials

For additions or modifications to existing structures or dwelling units, finished building materials must be applied to all exterior sides (final paint or stucco finish). Acceptable materials include stucco, masonry and brick, as approved by the Committee.

Flagpoles

Only one flagpole of any type is allowed on a Lot/Unit. The flagpole may be attached to the house with brackets. The brackets should be painted to match the color of the house. Per Arizona legislation (Senate Bill 1055), free standing flagpoles will be allowed as long as the United States and State flags are displayed in a respectful and honorable manner. If a freestanding flagpole is to be placed close to the house, it should be two (2) feet lower than the tallest ridgeline of the house. If the pole is placed in the center of the front yard, it should be five (5) feet lower than the tallest roofline of the house. There shall be no more than one American flag displayed at any one time, and no flag shall be disproportionately large. The Association does permit 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 4th, Labor Day and Veteran's Day.

Garages

Any part of a Living Unit constructed as a garage shall be used for parking vehicles and other garage purposes only and shall not be converted for living or recreational purposes. Except in the case of model homes, whereby conversions are permitted until the end of the selling period when they must be restored to a full garage. All garages must be kept in a neat and tidy manner at all times. Garage doors must be kept completely closed at all times except to permit vehicle ingress and egress or when the garage is being used for access to and from the Living Unit. Garage doors are to be maintained in "like new" condition. The Association retains the right to determine when a door must be cleaned, repaired, repainted or replaced.

Gates

Gates must have a metal frame and may have wood slats. Gates opening onto common areas are prohibited. All gates must be natural wood colored or painted to match the color of the adjacent block wall or painted black. The metal frames may also be painted black or painted to match the color of the adjacent wall. Gates are to be maintained in “like new” condition. The Association retains the right to determine when a gate requires repairs, repaint or replacement.

Gutters and Downspouts

Gutters and downspouts will require written approval by the Committee prior to installation. The finish on the gutter must match the adjacent surface of the home in color. High quality materials that offer long life are necessary, as the homeowner will be required to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts and the type of material to be used.

Holiday/Seasonal Decorative Items

Seasonal and decorative flags shall not be displayed more than 30 days prior to the actual holiday and must be removed within 14 days of the date of the holiday. Flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc. are not allowed. Flags may not be offensive to neighbors or the Association. The Board, at its sole discretion, shall make this determination on a case-by-case basis.

Holiday/Seasonal decorative lighting, displays, flags, etc. do not require approval. However, such decorative items shall not be displayed more than 30 days prior to the actual holiday with which they are associated or more than 14 days after the actual holiday.

Lighting

The use of outside lighting is allowed, subject to the following instructions:

- ▶ Coach lights, porch and patio lights shall be per builder installation. Any changes to builders installed fixtures will require committee approval.
- ▶ Exterior lighting must be soft and indirect with no light sources directly Visible from Neighboring Properties or creating an annoyance to the Owner or Occupant of neighboring Lots.
- ▶ No colored light bulbs, lenses, or reflections are permitted.
- ▶ No outdoor flood lights or spot lights which would cause a glare to neighboring property or an annoyance to the Owner or Occupant of neighboring Lots, except in model homes.
- ▶ Low pressure sodium bulbs are prohibited.
- ▶ All outside lights shall be screened wherever possible with walls, plant materials or external shielding.
- ▶ Malibu type lights are permitted.
- ▶ Low voltage lighting which would not cause a glare to neighboring property or an annoyance to the Owner or Occupant of neighboring Lots is allowed.

Machinery and Equipment

No machinery or equipment of any kind shall be placed, operated, maintained, or be visible upon any lot or street at any time.

Ornamentation/Decorative Items

The utilization of objects as ornamentation or decorative items installed on the property must be harmonious with the character of the neighborhood. All functional and/or decorative items must be approved before being placed in the front yard or rear yard with view fencing. (swings, benches, stools, statues, etc.). The Committee reserves the right to limit the size and quantity of ornamentation in the front yard as well as rear yards with view fencing.

Outdoor fireplaces

Installation of outdoor fireplaces requires advance written approval by the Committee. Outdoor fireplaces may not exceed fence height.

Patio Covers

Patio covers must be painted to match the color of the body or trim or the existing home. Replacement roofing materials shall match that which was 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. Roof shall be flat or match the pitch 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.

Planters and Walkways

Planters, paved walkways, and other hardscape features Visible from Neighboring Property require written approval from the Committee prior to installation. Surface colors and textures are to complement the color and finish of the house.

Pools and Spas

Plans for back yard pools and spas need not be submitted for Committee approval unless they will be visible through a view fence.

Pool slides need to be approved and will be considered based upon appearance, height, and proximity to other properties.

Perimeter walls on lots bordering common landscaped areas may not be removed. Access must be gained by tearing down a front wall of the lot, leaving the perimeter wall intact, thereby assuring the texture and color consistency throughout the community. Homeowners are required to contact the management company to coordinate the intended point of construction access.

All pool and spa equipment must be screened from View from Neighboring Property. Screening must be designed to mitigate noise as well.

Pools and spas may not be backwashed into the drainage ditches, natural washes, common areas, drainage way, or streets. All backwashed water must be retained on the owner's lot.

Pool Fencing

The specifications for rear yard wrought iron pool fencing installation on a Lot with view fencing shall be 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.

Ramadas and Gazebos

Ramadas and gazebos must first be approved in writing by the Committee. Plans should include a site plan, elevations, and a finish schedule. A Neighbor Acknowledgment Form may be required of all adjoining neighbors should such structures be seen above the fence line.

Roof mounted mechanical equipment

In general, roof mounted mechanical equipment is prohibited.

Security Doors and Screen Doors

Security doors, security gates and screen doors must be approved in writing in advance and must be metal and painted to match the exterior body color of the house. Any designs on the doors must not be overly ornate.

Solar Panels

Solar panels must be approved by the Committee before installation. Any approved solar panel must blend with the existing roof and be screened from view. Roof mounted panels can have surface area of eight (8) feet by six (6) feet and must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline and must not be visible from public view. Any solar panels and/or equipment exceeding a surface area of eight (8) feet by six (6) feet must be ground mounted and shall not be Visible from Neighboring property or public view.

Storage and Tool Sheds and Structures

Storage or tool sheds or similar structures will not need to be submitted for approval if they do not exceed the maximum height of the immediately surrounding wall(s) or fences (s) and are screened from view of all common areas. Any storage or tool shed or similar structure that will exceed the height of the surrounding fence or wall and will be Visible from Neighboring lots or common areas must be submitted to and approved in writing by the Committee prior to installation. Such shed or structure shall be constructed of the same or substantially similar materials as, and is the same color as and is architecturally comparable to and compatible with, the exterior of the Living Unit located upon the Lot.

Swing Set, Trampoline, Batting Cage, Play Structures

No swing set, trampoline, batting cage or other play structure which would be Visible from Neighboring Property shall be placed or constructed on any Lot without the prior written approval of the committee. A brochure or picture of the proposed equipment should be submitted with application. The Committee may request the signatures of all adjoining neighbors who will be able to see the structure above the fence line (Neighbor Acknowledgement Form).

Trash and Recycling Containers and Collection

No garbage or trash shall be kept on any lot except in covered containers as provided by the City. These containers must be stored out of sight in the garage or backyard except for days of collection.

LANDSCAPE REQUIREMENTS & GUIDELINES

Any changes to the front yard landscaping or rear yards with view fencing must be approved in writing by the Committee prior to commencement of the work. Detailed plans which illustrate quantity, species, and location are required.

Per the CC&R's Section 4.02, landscaping must be installed within 120 days following the closing of the purchase of the Lot. Prior to installation of such landscaping, the owner shall maintain the portions of such lot required to be landscaped in weed-free condition. All landscaping shall comply with the following minimum requirements:

- ▶ Front yard landscaping shall include a minimum of two each 15-gallon trees at least three feet in height, ten each 5-gallon shrubs and ten each 1-gallon ground cover plants.
- ▶ Owners must cover all areas of the lot with landscape materials (plants, inert materials, etc.). Bare areas are prohibited.
- ▶ A fully automatic underground watering system shall irrigate all landscape plantings. Irrigation systems that use drip emitters instead of spray heads or bubblers are highly encouraged. When sprinklers are utilized, care should be taken to avoid over spray on hardscape, structures, walls, fences and windows. Planting areas of at least three feet are recommended between walls, fences and structures. Daytime watering of shrubs and turf areas should be avoided.
- ▶ All landscape shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses, and removal of trash.

Boulders

Only granite boulders of a color similar to the indigenous rock of the area are allowed. They must be buried with 1/3 the diameter below grade.

Fine Grading and Mounding

Fine grading is a critical aspect of landscaping. Each lot shall be graded such that all storm water will drain away from the home, walls, or any other structure. It is extremely important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or burming is proposed. Because of the difficulty and importance of maintaining the individual lot drainage pattern and creating natural appearing mounding, it is recommended that a Registered Landscape Architect or design professional be consulted. In all cases, the installation must comply with the City approved grading and drainage plan. Every effort should be made to make mounding appear natural.

Granite

Decomposed granite in the front yard or areas visible from the street must be earth-toned in color. Acceptable colors include: Gold, Beige, Blonde, Coral and Mauve.

Artificially colored rocks (blue, green, white or other non-earth tones) are not permitted. Decomposed granite shall be a minimum of 1/2" minus and shall be applied as a 2" thick layer minimum.

All granite areas should be treated with a pre-emergent weed control in regular intervals to retard weed growth.

Plant Support Rules

Trellis or lattice must be painted to match the color of the home. Chicken wire is prohibited.

Prohibited Plant Materials

The following vegetation type and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights, 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:

- ▶ Any species of tree or shrub whose mature height may reasonably be expected to exceed 30 feet, unless has been previously approved by the Committee.
- ▶ All Pines (Pinus), Cypress (Cupressus), False Cypress (Chamaccyparis), Juniper or Cedar (Juniperus), whose height may reasonably be expected to exceed six feet are prohibited. Dwarf varieties which will attain a height of less than six feet are allowed.
- ▶ Olive trees (Olea Europae) other than the “Swan Hill” variety.
- ▶ Fountain Grass (Pennisetum Setaceura) or Pampas Grass (Cortanderia Selloana).
- ▶ Mexican Palo Verde (Parkinsonia Aculeatea).
- ▶ All Eucalyptus.
- ▶ All varieties of mulberry trees.
- ▶ Citrus/fruit trees (all species).
- ▶ All Palms that will exceed six feet at maturity. Mediterranean Fan Palms or Dwarf varieties which will attain a height of less than six feet are allowed.

River Run Rock

River run rock shall be 3” to 8” In diameter. Not more than 10% of the front yard landscape area may be river run rock.

Rock Ground Cover

Rock ground cover may be decomposed granite or other natural rock material approved by the Committee. All bare earth must be covered.

Turf

Turf is permitted in front and rear yard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least three feet are recommended between walls, fences and structures and turf and spray irrigation. During the months of October through April, all turf areas visible from the streets, neighboring properties, or common areas must be over-seeded with Rye grass to preserve the green healthy appearance throughout the entire year.

The Board of Directors may, from time to time, adopt, amend and repeal these Architectural and Landscape Guidelines by a majority vote of the Board.