

VISTOSO HILLS HOMEOWNER'S ASSOCIATION

ARCHITECTURAL REVIEW GUIDELINES

The mission of the Architectural Review Committee (hereinafter referred to as the ARC) is to interpret and enforce the CC&Rs and architectural guideline of the Association in an impartial and objective manner, regardless of personal likes, dislikes preferences or friendships.

The objective of the ARC is to ensure that alterations or modifications are in harmony with, and uphold the aesthetic standards of the community.

VISTOSO HILLS DESIGN GUIDELINES

In order to maintain an attractive and harmonious appearance to our community and to protect and enhance property values, the ARC has developed a set of design guidelines. These community Design Guidelines are intended to be a conceptual, dynamic guide and are subject to change when the Board of Directors or ARC determines such change is in the best interest of the community.

These Guidelines reflect the mandate of the ARC as defined in Article VIII of the CC&R's and will serve as a supplement to guidelines already established in Article IX of the CC&R's. These Guidelines reflect decisions made by previous Boards and ARCs and by membership vote, as well as recently adopted standards.

Requests for any and all modifications to the exterior of the homes (including as the permitted additions or modifications listed below) must be submitted, in writing, to the ARC. The Homeowner must receive written approval from the ARC prior to initiation of any modification activity. Decisions of the ARC shall be binding and conclusive.

1. Construction deposits:

The ARC may require a refundable construction deposit prior to work commencing on projects that are deemed to be of the nature to impact the common area of the Association. The refundable construction deposit range will be \$500 to \$1000 as determined by the ARC, at their discretion, depending on the scope of work to be performed. Upon review of the completed project by the ARC, the construction deposit will be fully refunded once the project is approved to be complete as submitted and no damage to the common area is confirmed. (*Resolution 10-21-2004*)

2. Screen and/or security doors:

Screen doors and/or security doors are permitted as long as they are either the color of the wrought iron entry gate (Dunn-Edwards Cellar Door), the color of the house (Dunn-Edwards #SP 175 Barley) or the color of the trim (Dunn-Edwards #SP 83 Jakarta.) (*Original ARC Guidelines*)

3. Sunscreens:

Window sunscreens are permitted as long as the screen itself is black or dark brown and the frame is white. (*Original ARC Guidelines*)

4. Rolling shutters:

Rolling shutters are not permitted. (*Original ARC Guidelines*) (*Amendment 6-24-2004*)

5. Patio shades:

Patio shades are approved by ARC discretion, as long as the shade is not visible from neighboring property when in the "up" position and that the shade should match the color of the stucco of the dwelling as closely as possible. At its discretion, the ARC may approve patio shades that are either operated manually, or by sunlight/solar activation. All patio shades must be retracted at sunset. Improper maintenance of the shades shall subject the Homeowner to the improper-maintenance provisions contained in the Declaration. (*Amendment 6-24-2004*)

6. Signs:

The only sign allowed on the lot is a single "For Sale" or "For Lease" sign, not to exceed five (5) square feet. The sign must be placed on the front gate and only one (1) brochure box or tube may accompany it. If the gate is side facing rather than front facing, the sign may be attached to the wall immediately adjacent to the gate. (*Original ARC Guidelines*)

7. Vegetation on walls:

Homeowners who have allowed vines and other vegetation to adhere to walls of the house or patio will be responsible for the removal of all vegetation and the completion of whatever wall repair and/or other preparatory work is necessary in order for any scheduled painting to begin. (*Original ARC Guidelines*)

8. Changing of common area landscape:

Homeowners shall not add or remove plants, rocks or gravel from common areas or from front or side yards exterior to the courtyard walls without prior written approval of the Board; nor are they to tap into existing drip systems whose bills are paid by the Association. (*Original ARC Guidelines*)

9. Tree and foliage infringement from Common Areas:

Upon notification by the Homeowner or property inspection, trees and foliage growing in common areas whose root systems and/or branches infringe upon courtyard or home walls shall be trimmed up and/or removed by the contracted landscaper and the ARC. (*Resolution October 20, 2009*)

10. Tree and foliage infringement upon Common Areas:

Homeowners with trees and foliage that infringe upon common area spaces, within 60 days of receipt of ARC notification of such occurrence, will be required to take action to confine such trees and foliage to within the Homeowner's courtyard walls. (*Resolution October 20, 2009*)

11. Play equipment:

No basketball hoops or other sports or play equipment shall be attached to the buildings and no such equipment shall be placed at the front or side of the property or in any common area. (*Original ARC Guidelines*)

12. Sun umbrellas:

Sun umbrellas shall be placed at the rear of the house only. (*Original ARC Guidelines*)

13. Patio decorations:

Front and back patio decorations, which are entirely within the confines of patio walls, may be installed at the Homeowner's discretion. However, decorative installations, which are visible to neighbors and may become cause for complaint, must be submitted to the ARC as noted above. The requests will be considered on a case-by-case basis. (*Original ARC Guidelines*)

14. Driveway coatings:

Driveway coating is permitted as long as the color used is either Clear (concrete gray) or Barley (Dunn-Edwards #SP 175) or an equivalent color from another manufacturer. (*Revision from Original ARC Guidelines*) (*Board action/Newsletter – January 2006*)

15. Satellite TV dishes:

Satellite TV dishes are approved for roof installation only and as long as the installation is not visible by neighbors or from the street. (*Resolution June 20, 2002*)

16. Flag display:

Display of a standard residential-size (3 ft. x 5 ft.) American Flag is permitted on a standard residential-size (6 ft.) pole, mounted by a bracket to the garage portion of the house. No freestanding flagpoles are permitted. The flag may be displayed only from sunrise to sunset unless appropriate lighting is installed that properly illuminates the flag without disturbing the tranquility, use and enjoyment of the neighboring properties. Such lighting must be approved by the ARC prior to installation. (*Original ARC Guidelines*)

17. Flags:

No flag, other than the American Flag, may be flown on a day-to-day or regular basis. However, special flags or banners may be flown for a 24-hour period on special occasions. (*Original ARC Guidelines*)

NOTE: The ARC recognizes there are two flagpoles in the community that do not meet these guidelines. Both of the existing installations (lot #24 and lot #44) are in the back yards of properties on the ridge, along the wash. Because these two installations predate our guidelines and because neither imposes itself into a neighbor's view, the ARC will allow these two installations to remain as long as the present owners reside on the property, and as long as they comply with the Federal Flag Code. If there are Homeowners who object to either of these installations, they may put their objections in writing and submit them to a Board Member or the Association's Managing Agent. The Board will then re-evaluate the situation.*

*On April 29, 2002, Governor Jane Hull signed Senate Bill 1055 into law. SB 1055 adds AR.S. 33-1261 and AR.S. 33-1808 to the existing statutes effective on August 21, 2002.

Under AR.S 33-1261 and AR.S. 33-1808, an owner who wishes to display the American Flag must display it "in a manner consistent with the Federal Flag Code." AR.S. 33-1261 and AR.S. 33-1808 also allow associations to develop a "reasonable" policy regulating the display and placement of the American Flag.

The Federal Flag Code (4 U.S.C.4) states: "It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated in the hours of darkness."

Violation of Rules: (CC&R's Article IX, Section 9.09)

If any Owner, his family or any licensee, tenant or lessee or invitee violates these Restrictions or the Association's Rules, the Board may, in addition to any other enforcement provisions contained herein, suspend the right of such person to use the Common Area (including but not limited to the pool and clubhouse) under such conditions as the Board may specify, for a period not to exceed sixty (60) days for each violation. Each day an infraction continues is a separate violation. Before invoking any such suspension, the Board shall give such person notice of hearing before the Board.

Suggestions, Complaints and/or Requests for Action:

All suggestions, complaints and/or requests for action should be prepared in writing, signed by the submitting Homeowner and brought to the attention of the Board of Directors by mailing, faxing or e-mailing to Managing Agent, David Way, at Y Cross Management Group, LLC, phone (520) 219-4520, fax (520) 219-4711, e-mail david@ycross.biz, after-hours phone (520) 609-0550.

Thank you for your attention and the time you took to review these important conditions of residency in Vistoso Hills. Please do not hesitate to call the Managing Agent if there is any part of this document that you wish to discuss or do not understand.

Attachments:

Forms:

- Pool/clubhouse reservation
- ARC form
- Landscaping form
- Rental form
- Directory Information

Resolutions:

- Fine policy
- Fine schedule
- Clarification of CC&R Article VIII, Section 8.01.
- Clubhouse/pool reservation policy
- Replacement of thriving plants.
- Satellite dishes
- Patio shades
- Landscape maintenance
- Lighting maintenance
- Construction deposit

Arizona legislative action regarding filing of complaints