

SUNRISE AT WIGWAM HOMEOWNERS ASSOCIATION

ARCHITECTURAL COMMITTEE RULES AND GUIDELINES & ASSOCIATION RULES

Adopted: APRIL 13, 1999

SUNRISE AT WIGWAM HOMEOWNERS ASSOCIATION

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OVERVIEW

Community Organization

Every resident of Sunrise is a member of the Sunrise at Wigwam Homeowners Association (the "Association"), the entity responsible for the management of all common areas as well as administration of the affairs of the community. The Association is created by the recording of the Declaration of Covenants, Conditions, Restrictions, and Easements (the "CC&R's"). The CC&R's set forth procedures, rules and regulations, which govern the community. The Association Rules and Design Guidelines are an extension of the CC&R's and are designed to be used in harmony.

The Board of Directors (the "Board") is charged with responsibility for overseeing the business of the Association and has a wide range of powers. The Architectural Committee (the "Committee") is established by the Board to review all improvements within Sunrise including new construction and modifications to existing properties. The Committee has adopted architectural guidelines and standards to evaluate proposed construction activities.

Design Review Process

Any change, addition, or modification to a site or a building exterior of a residential property requires the prior written approval of the Committee. Residents with proposed changes should contact the Management Company, with whom the Association has contracted for full Association management, to obtain the necessary architectural guidelines and submittal documentation.

Simply stated, no improvements, alterations, repairs, additions, or other work, **including changes in exterior color, is to occur on any lot or exterior of any home from its improved state existing on the date such property was first conveyed by Builder to a purchaser without the prior approval of the Committee.** The responsibility of the Committee is to ensure the harmonious, high quality image of Sunrise is implemented and maintained. Any owner requesting approval of the Committee shall follow the application procedures listed below. Submittals will be returned to you either approved, denied, or for more information within forty-five (45) days of receipt of your request.

Application Procedure

The following information should be included:

- Application Form completed and signed (copy enclosed, additional copies may be obtained from the Association Management Office.
- Plot Plan – A site plan indicating dimensions relating to the existing dwelling and property lines (setbacks, etc) and the improvement to be installed.
- Elevation Plans – Plans showing finished appearance of the improvements in relation to the existing dwelling and property lines.
- Specifications – Description detailing materials to be used with color samples attached; drawing or brochure of structure indicating dimensions and color.

Submit the application and plans to:

SUNRISE AT WIGWAM HOMEOWNERS ASSOCIATION
C/O KINNEY MANAGEMENT
P.O. BOX 25466
TEMPE, ARIZONA 85285-5466

Kinney Management Services – (480) 820-3451

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all counties, local, state and federal government agencies. The Committee, the Management Company and the Association assume no responsibility for obtaining these reviews and approvals.

ARCHITECTURAL COMMITTEE RULES AND GUIDELINES

General Principles

The purpose of the Committee is to ensure consistent application of the Architectural Committee Rules. The Committee monitors any portion of any lot or parcel which is visible from other lots or parcels, the street, or Association common areas. This would include backyards which are visually open to other lots or Association common areas. The Architectural Committee Rules promote those qualities in Sunrise that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the community.

Protection of Neighbors

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

Design Compatibility

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

Workmanship

The quality of workmanship evidenced in construction must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Association and the Committee assume no responsibility for the safety or livability of new construction by virtue of design or workmanship.

Building Architecture

In general, any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure.

Gates

Double gates may be installed to allow wider accessways to yards. Double gates should be the same type, design, and color as the originally installed single gates. Shrubs, trees or other plants should be located between the house and the double gates, where possible. All double gates require Committee approval except those installed by the builder during original construction.

Gutters and Downspouts

Gutters and downspouts will require approval. The finish on same must match the adjacent surface of the home in color. High-quality materials that offer long life are recommended, as the homeowner will be required to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of material to be used, warranty by the manufacturer, and the name and telephone number of the installer.

Patio Covers and Storage Sheds

Backyard storage sheds detached from the house will be considered provided they are lower than the home's surrounding wall or fence so as not to be visible from neighboring property. Storage sheds, along with any permanent addition to a home, including patio covers and other buildings, except those installed by the builder during original construction, must be submitted to the Committee for approval prior to construction.

Ramadas and Gazebos

Ramadas and gazebos may be erected in rear yards only subject to prior review and approval by the Committee, subject to the following guidelines:

- 1) Maximum square footage (under roof area) is 120 square feet.
- 2) Maximum roof height is 10 feet at the highest point.
- 3) The structure must be set back a minimum of 7 feet from any perimeter wall.
- 4) The structure must be painted to match house color and maintained in good condition.
- 5) Any roof tile must also match the tile of the house.
- 6) Lighting of the structure must be approved by the Committee prior to installation.

Play Structures

Play structures may be erected in rear yards only subject to prior review and approval by the Committee, subject to the following guidelines:

- 1) May be erected in rear yards only and structures must be set back a minimum of 7 feet from any perimeter wall.
- 2) Maximum height allowed to top support bar or highest point of structure, is 10 feet.
- 3) Maximum height of any deck/platform is to be 4 feet above ground.
- 4) The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans.
- 5) The Committee will take the appearance, height, and proximity to neighboring property into consideration.
- 6) Any shade canopy must be a solid tan or earthtone color.
- 7) Submit a brochure or picture if possible.

Satellite Dishes

While the Association does not prohibit the use of satellite dishes, the Association does regulate the size and location of the "dish" on the following basis.

1. Any "dish" larger than one meter (39 inches) that is visible from the street, neighboring property or the common areas is prohibited.
2. All dishes are to be located in rear yards only.
3. Homes with "view" fencing must locate the dish in the most unobtrusive location possible while still receiving a quality signal.
4. All dishes that are visible from neighboring property, streets, or the common areas are to be painted to match the body color of the house.
5. All other antennae such as those used to receive signals from multichannel multipoint distribution services and television broadcast stations will be reviewed on a case by case basis.

6. All dishes and antennae are to be submitted to the Committee with a diagram showing the location and size of the device.

Roof & Wall-Mounted Equipment

No devices of any type, such as evaporative coolers or air conditioning units shall be placed on any roof. Any rooftop solar equipment must be integrated into the roof structure and requires advance approval by the Committee.

Outdoor Fireplaces

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

Outdoor Lighting

Any outdoor lighting installed on a lot or dwelling, subsequent to initial lighting installed by the builder, must receive advance approval by the Committee. Permanent lighting sources shall not be directed toward streets, common areas or neighboring property.

Screen Doors

Screen doors and "security doors" must be approved in advance by the Committee except for those installed by the builder during original construction. Submittals should be high quality wrought iron in a color that matches the house. Overly ornate designs will be discouraged. Pictures or brochures should be submitted.

Window Coverings Criteria

In no event shall the interior or exterior of any windows be covered with reflective material, such as foil, or with paper, bed sheets or other temporary coverings. All such window coverings facing the street must show white, beige, earth tone, or pastel colors unless otherwise approved in writing by the Committee. Reflective materials may not be installed on the windows or any portion of the house or any other area of the Lot unless approved in writing by the Committee. Bronze or charcoal sunscreen material may be installed; frames for window screens must be the same as existing window frames.

Building Repair

No building or structure shall be permitted to fall into a state of disrepair. The owner of every home or structure is responsible at all times for keeping the buildings in good condition and adequately painted or otherwise finished. In the event any building or structure is damaged or destroyed, the owner is responsible for immediate repair or reconstruction. Roofs must be kept in good repair at all times.

Swimming Pools

Prior to construction of a swimming pool, homeowners should contact the Management Company to coordinate the point of construction access to ensure damage to common landscaped areas and common perimeter walls is avoided. In all cases, residents will be advised to enter through the side yard wall, from the front of their homes. Pools may not be backwashed into the drainage ditches, natural washes, common landscaped areas, drainage-ways or streets. All backwash water is to be retained on the owner's lot. If necessary, a hole should be dug and filled with rocks to provide for the needed capacity. Swimming pool fence requirements are regulated by the City of Goodyear.

The City of Goodyear should be contacted to determine the safety fence requirement for your pool. For safety reasons, all openings in walls must be securely covered during construction to prevent anyone from entering and being injured.

Pool plans will not need prior approval unless there is a feature (pool slide or other structure) which would be visible above the top of the wall. All pool equipment shall be screened from view of neighboring property, streets and common area with walls which match the architectural character and color of the house or the existing wall. **IF POOL EQUIPMENT IS PLACED NEAR VIEW FENCING, SPACE MUST BE ALLOWED TO ACCOMMODATE THE SCREENING WALL.**

Basketball Goals

Homeowners must submit an application to the Committee for approval prior to the installation of a basketball goal. Pole mounted goals only will be allowed as a permanent installation in front yards only adjacent to the driveway. No permanent goals will be approved in rear or side-rear yards and portable goals are prohibited. Strict guidelines will be adhered to regarding the quality of equipment and installation and special attention will be paid to placement of the pole on the Lot. Backboards may be transparent or a standard type with highly visible logo material prohibited. Only nylon or similar cord nets are acceptable. Metal or chain nets are not acceptable. 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. No lighting designed to illuminate basketball goals shall be installed without prior written approval of the Committee. The owner of the home with the basketball pole backboard is fully responsible for ball containment on his property. Any damage to neighboring property or landscaping from basketballs shall be the property owner's (with the goal or standards) responsibility to repair or replace.

Driveways

Except for Driveways installed by the Builder, driveways may not be expanded without the prior approval of the Committee. All driveways must be kept clean and clear of debris, oil, rust and other stains. A minimum two-foot colored paver or landscape separation is suggested between the driveway and any expansion.

Clotheslines

Clotheslines or other outside facilities for drying clothes are not permitted unless they are placed exclusively within a fenced yard and not visible above the top of the block wall or otherwise concealed.

Initial Landscape Installation

Any front yard landscaping installed by Builders is pre-approved by the Committee. Any portion of any lot, which is visible to other lots, the street, or Association common areas must be landscaped within ninety (90) days of close of escrow. Landscaping plans shall be approved by the Committee prior to installation. This includes the installation of turf, groundcover, trees, plants, flowers, or decomposed granite. If decomposed granite is used, it should be of an "earth tone" color and not white, green, blue, red, or other bright colors. Native soil is not an acceptable groundcover. The following are clarifications to specific landscape requirements.

1. Minimum plant requirements are as follows:

<u>Plant Type</u>	<u>Size</u>	<u>Quantity</u>
Trees	15 GAL	2
Shrubs or Cactus	5 GAL	3
Shrubs	1 GAL	6
Groundcover	1 GAL	4

2. Select plants for alternating seasons of display and color.
3. Homeowner to select low shrub/groundcover along driveway and street frontages to maintain site visibility. Plants exceeding 2'0" in mature height shall be located at least 8'0" back from public sidewalks or curb.
4. Surface select boulders may be grouped in clusters, with varied sizes, buried 1/3 below grade and incorporated with grades to mimic a natural outcropping. Boulders may not exceed 3' in height and shall have a natural oval character that is compatible with specific decomposed granite. Colored and lava rock is strictly prohibited.
5. The use of river rock is prohibited unless specified for drainage considerations.
6. Homeowner may use low voltage lighting to highlight entry walks, or accentuate trees. Colored bulbs and lenses are prohibited. Light source shall be adjusted to minimize glare onto adjacent properties, common areas or streets.
7. Ornamentation such as driftwood, skulls, wagon wheels, sculptures, etc are not permitted in front yards.
8. Special design features such as low walls, trellis, water features or other structures must be approved in advance by the Committee.

Maintenance

All landscaping 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.

Planters and Walkways

Planters, paved walkways and other hardscape features visible from neighboring property must be reviewed and approved by the Committee. Surface textures and colors are to match the paint color and materials of the house.

Flagpoles

Flagpoles are not allowed in residential areas except for those used temporarily by Homebuilders at the Models. Homeowners are advised to use brackets mounted on the house or garage to display flags.

ASSOCIATION RULES

The following Association rules summarize some of the common provisions found in the CC&R's as well as rules established by the Board. Cooperation on the part of all residents in following these rules will make living at Sunrise an enjoyable experience.

General Property Restrictions

Owners may rent only the entire lot or dwelling unit. Rental must be made only to a single family. No gainful occupation, trade or other non-residential use may be conducted on the property for the purpose of receiving products or services related to such usage. Owners must receive Board permission to apply for any re-zoning, variances or use permits.

Trash/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 except for days of collection.

Pets

Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Animals cannot be kept or raised for commercial purposes, and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Dog runs must have prior approval of the Committee. Dogs must remain on leashes at all times while on Association property. All owners must clean up after their pets.

Holiday Lighting

Temporary holiday decorations are permitted from Thanksgiving through January 15. Any other temporary holiday decorations are permitted so long as they are removed after a reasonable period of time.

Machinery and Equipment

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

Vehicles

No motor vehicles classed by manufacturer rating as exceeding $\frac{3}{4}$ ton, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, boat, boat trailer, or other similar equipment or vehicle may be parked, maintained, constructed, reconstructed or repaired on any lot or on any street so as to be visible from neighboring property without the prior approval of the Committee; provided, however, that the provisions of this Section shall not apply to pick up trucks of $\frac{3}{4}$ ton or less capacity with camper shells not exceeding seven (7) feet in height measured from ground level and mini-motor homes not exceeding seven (7) feet in height and eighteen (18) feet in length which are used on a regular and recurring basis for basic transportation.

No automobile, motorcycle, motorbike, or other motor vehicle shall be constructed, reconstructed or repaired upon any lot or street in Sunrise, and no inoperable vehicle, including but not limited to vehicles with flat tires may be stored or parked on any such lot or street so as to be visible from neighboring property or to be visible from common areas or streets; provided, however, that the provisions of this section shall not apply to emergency

vehicle repairs or temporary construction shelters or facilities maintained during, and used exclusively in connections with, the construction of any improvement approved in writing by the Committee.

Vehicles of all owners and residents and of their guests and invitees, are to be kept in garages, carports, residential driveways of the owner, and other designated parking areas wherever and whenever such facilities are sufficient to accommodate the number of vehicles at a lot; provided, however, this section shall not be construed to permit the parking in the above described areas of any vehicle whose parking in Sunrise is otherwise prohibited or the parking of any inoperable vehicle. Owners are requested to restrict on-the-street, overnight parking to emergency situations only.

The Board shall have the right to have any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment or vehicle or any automobile, motorcycle, motorbike, or other motor vehicle which is parked, kept, maintained, constructed, reconstructed or repaired in violation of this Declaration towed away at the sole cost and expense of the owner of the vehicle or equipment. Any expense incurred by the Association in connection with the towing of any vehicle or equipment shall be paid to the Association upon demand by the owner of the vehicle or equipment. If the vehicle or equipment is owned by an owner, any amounts payable to the Association shall be secured by the assessment lien, and the Association may enforce collection of suit amounts in the same manner provided for in this Declaration for the collection of assessments.