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ARCHITECTURAL COMPLIANCE GUIDELINES UNIT 11 TOWNHOUSE ASSOCIATION

Sun Lakes Phase Two Unit 11 Townhouse Association

IT IS THE RESPONSIBILITY OF EACH HOMEOWNER TO REQUEST AUTHORIZATION FROM THE ARCHITECTURAL /PROPERTY COMMITTEE PRIOR TO MAKING ANY EXTERIOR ALTERATIONS, MODIFICATIONS, OR ADDITIONS TO THEIR PROPERTY.

REVISED APRIL, 2019

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SUNLAKES PHASE 2 UNIT ELEVEN TOWNHOUSE ASSOCIATION, INC.

Architectural/Property Committee

Introduction

Sun Lakes Unit 11 is a residential neighborhood within Sun Lakes Homeowners Association Phase 2. All townhouse owners in Unit 11 share in the amenities, government, and financing of Sun Lakes Homeowners Assoc. Phase 2.

Unit 11 consists of 108 homes (4 townhouses in each of 27 buildings) and approximately 5.75 acres of common area. It is bounded on the north by Riggs Road, on the south by the 16th fairway of the Cottonwood Golf Course, on the west by Glenburn Street, and on the east by the 17th fairway of the Cottonwood Golf Course.

Unit 11 is unique within Sun Lakes Properties in that the buildings and Common Areas are managed, maintained, and financed **COLLECTIVELY** by the townhouse owners. These functions are performed by an elected Board of Directors. The Amended Articles of Incorporation were filed on June 9, 1998, and the Revised By-Laws were approved by the townhouse owners at the same time.

The Architectural/Property Committee – Unit 11 (APC-11) is appointed by the Board of Directors and is responsible for maintaining the existing high standards of architecture of the buildings and the landscaping of the Common Areas.

It is the purpose of this document to:

1. Explain the procedures a townhouse owner must use when requesting a modification of the building architecture or landscaping of the Common Areas.
2. Outline the guidelines and standards used by the APC-11 in reviewing requests to modify building Architecture and Common Area Landscaping.

ARCHITECTURAL COMPLIANCE REQUIREMENT SUMMARY

1. Townhouse owners who wish to make exterior changes to their property must complete an APC-11 Architectural Change Request Form.
 - a. Request Forms are available in the drop box on Berry Brook or from the Property Manager.
 - b. Include all information when completing the form.
2. A plot plan must be attached whenever additions or alterations to the existing structure are involved.
3. The Architectural/Property Committee will receive all plans and specifications submitted by a property owner for any required exterior changes. They will approve or disapprove the form and return it to the townhouse owner within fifteen (15) working days. If desired, the townhouse owner may request an appeal in writing to the Board.
4. Upon approval by the APC-11, it is the responsibility of the townhouse owner to obtain the necessary zoning clearances and building permits from Maricopa County. All construction must follow County zoning and building codes and the Association reserves the right to require more restrictive requirements.
5. A copy of the approved Unit11 Architectural request form will be returned to the townhouse owner.
6. All work must be completed within 120 days. If work cannot be completed in this time frame, the townhouse owner is required to submit a request for a time extension.

GENERAL

The Architectural/Property Committee (APC-11), appointed by the Board of Directors, has the responsibility to maintain the existing high standards of architecture and landscaping within its jurisdiction. Although this Committee is appointed by the Board of Directors, it has complete and final say in all matters within its assigned authority subject to the right of appeal as outlined herein.

It is the responsibility of the APC-11 to ensure that the aesthetics of the community are not compromised and that the CC&R's are not violated. Obviously, many specific situations are unique and APC-11 must review and decide on each situation in the best interest of the community to maintain property values. Architectural Change Request forms are available in the Berry Brook drop box or from the property manager.

Nothing contained herein shall be construed as altering, amending, or changing the Unit 11 CC&R's that run with the land and are recorded with the County of Maricopa, or the Articles of Incorporation and By-laws of the Sun Lakes Unit 111 Townhouse Association, Inc.

The purpose of these guidelines is to assist townhouse owners with the architectural review process. These guidelines will be periodically updated and published by the Sun Lakes Unit 11 Townhouse Association, Inc.

NOTE: NOT ALL ARCHITECTURAL ISSUES ARE ADDRESSED IN THESE GUIDELINES. IF YOU ARE UNCERAIN WHETHER A PARTICULAR IMPROVEMENT WILL REQUIRE APC-11, PLEASE CONTACT THE COMMITTEE OR THE TOWNHOUSE ASSOCIATION.

Licensed and bonded contractor's status can be verified by calling (602) 542-1525 (State of Arizona Registrar of Contractors Office)

ARCHITECTURAL CHANGE REQUEST FORMS

Regardless of whether specifically referenced in the APC-11 guidelines, all exterior modifications or changes to the home, landscape, hardscape, or any other part of the property must be reviewed and approved by the APC-11 prior to commencing work. These guidelines are to assist townhouse owners with proposed improvements and to provide the correct information required for the APC-11.

Application forms are available in the drop box on Berry Brook or from the Property Manager. Only one alteration and/or addition per form. Drawings and specifications of acceptable quality must be submitted with each application along with all requirements on the APC-11 form. No changes or deviations of such plans and specifications, once approved, will be made without another written approval of the APC-11. To review each proposal, one complete set of plans is required to accompany the applications. These plans will not be returned and will be retained in the townhouse owners property file.

NONCOMPLIANCE/FAILURE TO COMPLY

The Architectural/Property Committee reserves the right to require townhouse owners to stop and all work being performed with by the owners and/or contractor for which a modification has not been approved of which is deemed unsuitable, undesirable, or is in violation of the CC&R's. Townhouse owners not in compliance will be subject to penalties as defined in Board Policies.

ARCHITECTURAL SPECIFICATIONS

1. ADDITIONS (structural)

The additions must be of similar design and of compatible materials to the existing structures. The additions cannot extend beyond the approved building setbacks. The structural addition and/or modification must be in conformity with the established aesthetics of the neighborhood.

The APC-11 encourages neighbors to communicate with each other regarding issues of concern pertaining to adjacent properties.

Townhouse owners should be aware that they are responsible for any damage caused to party walls or residences as result of landscaping, drainage, or irrigation whether willful, negligent, or accidental.

2. ANTENNA & SATELLITE RECEIVERS

External antennas are not allowed on any residential lot except to the extent permitted by federal law. Satellite dish antennas must meet both federal government and APC-11 regulations. Any deviation from these criteria requires APC-11 or Board approval.

3. AWNINGS AND SUNSHADES

The location, color, material, and style for awnings or sunshades must be specified. Sunshades must be tied down when extended.

The color of awnings and sunshades must match or be compatible with the existing color of the home, trim, or roof. Approved color swatches are available in the Resource Center of Phase 2.

Awnings and sunshades must be properly installed and maintained in good condition.

4. NEW OR REPLACEMENT OF EVAPORATIVE COOLERS/AIR CONDITIONERS

A Maricopa County Permit is required for the relocation of new evaporative coolers and air conditioners and may be mounted on the roof only. No evaporative coolers may be placed on top of an air conditioner.

5. FLAGS/FLAGPOLES

Flagpoles are not permitted in the common areas. Flags may not exceed 4' by 6'. Flags and flagpoles must be maintained in good condition at all times.

6. GATES

Wrought iron gates must be painted black, white, or the color of the stucco wall on which it is mounted. Replacement or new gates for the front entry require a brochure or sketch with the color specified, to be submitted to the APC-11 for approval.

7. GUTTERS AND DOWN SPOUTS

Gutters and down spouts must match the trim or base paint of the home on which they are mounted. Plans must be submitted to the APC-11 and include the proposed location of the gutters and down spouts. Gutters must follow the contour of the structures to which they are attached. They must not span open spaces or cross blank walls. The objective is to ensure that they are as inconspicuous as possible. Water must not drain into neighboring property. No gutter may be installed without attached down spouts.

8. LANDSCAPING/DECORATIVE ITEMS—COMMON AREAS

The planning, installation, modification, removal, maintenance, and financing of all landscaping in the common areas is the responsibility of the Association, and not the individual townhouse owner.

In rare instances a townhouse owner may wish to finance the installation (or removal) of a landscaping feature (tree, shrub, hedge) where the owner is the sole benefactor. This must be approved by the APC-11. The Unit 11 Board will allow the planting of certain trees to be planted in the Common Areas, provided the placement and planting is approved by the Board, and done under the supervision of the property manager and the contractor caring for the grounds. No new citrus trees will be planted in the common areas because of the amount of upkeep they require.

Decorative items or the homeowner's personal items are not allowed in the common area. No new plantings may be made in the common area in the rock/curb area outside each unit.

Potted plants are allowed on the stub walls provided the homeowner takes precautions to prevent water damage (use of drip trays etc.). The homeowner will be responsible for any damage to the stub walls caused by watering plants on the stub walls.

9. WATER FEATURES

Water features in the patio areas must be approved by the Board.

10. LIGHTING

Lights must be pointed downward toward the property on which they are located. Lighting shall be shielded so that the light shines primarily on the lot; lights which create a glare visible from other lots are prohibited.

11. MAINTENANCE

It shall be the responsibility of the townhouse owner to maintain their landscape regularly (trees and bushes trimmed and their property free of weeds and trash). It is the townhouse owners responsibility to arrange for the removal and disposal of all trimmings, debris or dead plants from their property.

12. MAILBOX ENCLOSURES

In addition to written approval from the APC-11, mailboxes must comply with U.S. Postal Service requirements.

Mailbox replacement may be constructed of masonry and stucco and be built on a concrete base located in the hedgerow. The box must accommodate two residences. The bottom of the enclosed mail box must be between 3'6" and 4' from ground level.

Stucco mailboxes must match the texture and finish of the residence and painted to match the color of the residence.

13. PAINTING (Exterior)

Painting is the responsibility of the Unit 11 Association. All painting requires prior approval even if only touch up is necessary. Paint may be obtained from the property manager.

14. PRIVATE POOLS AND SPAS

Exterior spas or hot tubs may be installed in interior court yards or in patio areas only.

15. SOLAR COLLECTORS/PANELS

Specifications of the roof and proposed location of solar collectors/panels must be submitted. Additionally, a brochure or sketch of the solar panel must accompany the plans. The APC-11 will review each application on a case by case basis

16. ROOFS

Total roof replacement and maintenance is the responsibility of the townhouse owner and must comply with the roof criteria established by the Board.

Roof tiles will be maintained by the HOA.

17. RUBBISH AND DEBRIS

Rubbish containers must be kept so that they are not visible from neighboring lots except to make them available for collection, and then only for the shortest time necessary to affect this collection.

18. SCREENED IN PATIO

Screening in an existing patio requires a plot plan showing the location of the existing covered patio and specifications of the proposed screen area. The kickboard is to match the color of the home and the color of the screening is to be compatible with the color of the home. A Maricopa County Permit must be obtained if any electrical or plumbing is required. A plan of the screened area is required.

19. SECURITY DOORS

Screen and security door colors shall be limited to the following: white, black, or match the color of the house or door trim.

Exterior Roll Down Security Screens must be the same color as the house or trim.

Security Signs shall not be placed in the Common Areas.

20. SKYLIGHTS AND SOLAR TUBES

An Architectural Request Form is required to install new skylights or solar tubes. A construction drawing must accompany these applications.

21. STORAGE FACILITIES

No exterior storage facilities are permitted outside the perimeter of the property.

22. TRELLISES

Trellises are permitted for the purpose of supporting plant growth under the following guidelines:

If used in conjunction with an open patio, the trellis must be securely supported at both top and bottom to present a stable appearance.

The total of all trellis horizontal dimensions for any single patio area must not exceed 30% of the perimeter dimension.

If the trellis is used to support plants on walls or fences, the trellis must be painted the color of the wall or fence, be maintained in good condition, and is not to exceed the height of the fence.

23. WALLS—MASONRY AND WROUGHT IRON FENCES

Each townhouse owner is subject to the Declaration of Restrictions with respect to party walls. Alteration or modification of any party wall requires written consent of the adjacent wall owners and subsequent approval of APC-11. Walls and fences must match color and texture of the existing dwelling.

Wrought iron fences must be black, white, or the color of the house.

Replacement fences may be vinyl or aluminum, however a brochure must be submitted with the application showing style and height of fence. A wall may be part masonry and part wrought iron, vinyl, or aluminum.

All wrought iron gates or fences must be maintained free of rust spots.

24. WATER SOFTENER TANKS

No water softener tanks may be installed outside of the building.

25. WINDOWS AND WINDOW COVERINGS

Windows, doors, air conditioning, units, evaporative coolers, and/or any other ventilation device proposed to be installed, requires an APC-11 permit.

Each submittal will be reviewed individually.

Aluminum foil, cardboard, paper, insulation material, or any other such material are not allowed inside or outside to shade windows from the sun.

IT IS THE RESPONSIBILITY OF THE BOARD OF DIRECTORS TO ASSURE THAT THE AESTHETICS OF UNIT 11 ARE NOT COMPROMISED AND THAT THE CC&R'S ARE NOT VIOLATED.

It is the responsibility of each homeowner to request approval from the Board of Directors by submitting the completed Architectural Form and necessary attachments prior to making any exterior alterations to the property including painting, signage, security doors, patio covers, ramadas, room additions, exterior light fixtures, evaporative coolers, window changes and any other additions or modifications.

Unit 11 Board of Directors recommends that every homeowner carefully research contractors before selecting and paying money for services in advance. It is also recommended that a licensed and bonded contractor be selected. Contractors licensing status can be verified by calling (602) 542-1525 (State of AZ Registrar of Contractors Office).

NONCOMPLIANCE

The Board of Directors reserves the right to require the homeowner to stop all work being performed either by the homeowner or the contractor that has not been approved by the Board or which is deemed unsuitable or in violation of the CC&R's.

Homeowners not in compliance could be subject to:

- a) A fine (not to exceed \$500 per occurrence or per day)
- b) Enforcement Policy can result in cause of action at law or in equity, either for injunctions, action for damages, or such other remedy as may be available.
- c) The homeowner found in violation will be liable for all Legal fees and Court costs.
- d) The homeowner has appeal rights. Appeals must be in writing and sent to the Board of Directors within ten days of receipt of the first notice of fine.