

QUAIL CANYON HOMEOWNERS MASTER ASSOCIATION  
1607 NORTH WILMOT SUITE 102D  
TUCSON, ARIZONA 85712  
(602)290-9798

October 10, 1994

Dear Quail Canyon Homeowners,

To assist you in complying with the Declaration of Covenants, Conditions and Restrictions for our Association, the Board of Directors has created a condensed interpretation for your convenience.

The purpose of this document is to assist all homeowners in maintaining the consistent character and aesthetics of the Quail Canyon Development.

The Developer who planned and built our community created the guidelines and standards as written in the Declaration of Covenants, Conditions and Restrictions (CC & R's). These guidelines/standards apply to all exterior alterations, modifications, additions, improvements and permissible activities for each homeowner. It is the responsibility of the Board of Directors to implement and insure compliance with these guidelines/standards.

The Architectural Review Committee (ARC) is appointed by the Board of Directors. Their responsibility is to review all requests for alterations and insure that the proposed alteration is in compliance with the CC & R's. This process provides for the continuity of character which helps preserve and improve the appearance, thus enhancing the overall value of each home.

We hope that this document has been of assistance. Should you require further clarification or have additional questions, please contact our Property Manager, Margaret Becker at the above listed phone number.

Respectfully,



Norma Scholl, Chairperson  
QUAIL CANYON HOMEOWNERS MASTER ASSOCIATION  
Board of Directors

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CONDENSED INTERPRETATION OF THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

ARTICLE VII  
USE RESTRICTIONS

SECTION 1: Residential Use: such lots, and each and every one thereof, are for single family residential purposes only. No building or structure intended for or adapted to business purposes shall be erected, placed, permitted or maintained on such premises, or on any part thereof. No improvements or structure whatsoever, other than a first class private dwelling house, patio wall, swimming pool and garage, carport, servants' quarters, or guest house may be erected, placed or maintained on any lot on such premises.

SECTION 2: Occupancy: no private dwelling house erected upon any lot shall be occupied in any manner while in the course of construction, nor at any time prior to it being fully completed, as herein required, except the Declarant's Sales Office and private guard quarters, nor shall any completed structure be in any manner occupied until made to comply with the approved plans of the Covenants, Conditions and Restrictions herein set forth.

SECTION 3: Utility Lines and Radio and Television Antenna's: no exposed or exterior radio, television, or aerial transmission and/or receiving antenna's shall be erected, placed or maintained on any of the premises, except the construction or installation of an antenna upon the roof of the dwelling house, customary out buildings, garage, carport, servants' quarters or guest house which does not extend beyond five (5) feet from the highest point on the roof.

SECTION 4: Concealed Activities: all clothes lines, garbage cans, pool equipment, soft water tanks, wood piles or storage piles shall be enclosed or walled in to conceal them from view of the neighboring lots, roads, or streets. Plans for all enclosure's of this nature must be approved by the Association or the appropriate committee of the Association prior to construction.

SECTION 5: Signs: no billboards or advertising signs of any character shall be erected, placed, permitted or maintained on any lot or improvement thereon except herein expressly permitted. A name sign, address sign, and mailbox is expressly permitted if the design meets the approval of the Association or its appropriate committee.

CONDENSED INTERPRETATION OF CC & R'S

SECTION 6: Nuisances: no lot shall be used in whole or in part for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause such lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any lot that will emit foul or obnoxious odors, or that will cause any noise that will or might disturb the peace and quiet, comfort or serenity of the occupants of the surrounding property.

SECTION 7: Pets: no animals, birds or fowl shall be kept or maintained on any part of the property, except dogs, cats, and pet birds which may be kept thereon in reasonable numbers as pets for pleasure and use of the occupants, but not for any commercial use or purpose

SECTION 8: Vehicles and Equipment: no trailers, utility trailers or habitable motor vehicles of any nature, no commercial vehicles, construction vehicles, or like equipment of any nature shall be kept on or stored on any part of the property except within an area which is completely enclosed and approved in writing by the Association or its appropriate committee.

**\*\*\*\*\*ARCHITECTURAL GUIDELINES/STANDARDS\*\*\*\*\***

Approval from the Architectural Committee is required prior to construction for all additions or alterations as defined in the Covenants, Conditions and Restrictions (CC & R's) for Quail Canyon Homeowners Master Association.

**FAILURE TO OBTAIN THE NECESSARY APPROVALS PRIOR TO CONSTRUCTION CONSTITUTES A VIOLATION OF THE CC & R'S, SUCH FAILURE MAY REQUIRE MODIFICATION OR REMOVAL OF UNAUTHORIZED WORK AT THE EXPENSE OF THE HOMEOWNER, AND/OR MAY INCLUDE PAYMENT OF THE ASSOCIATIONS LEGAL FEES SHOULD LITIGATION BE PURSUED TO OBTAIN COMPLIANCE.**

**Approval of any project by the Architectural Review Committee DOES NOT WAIVE THE HOMEOWNERS OBLIGATION TO OBTAIN ALL REQUIRED PERMITS. In turn, obtaining permits DOES NOT WAIVE THE NEED FOR APPROVAL BY THE ARCHITECTURAL REVIEW COMMITTEE PRIOR TO COMMENCING CONSTRUCTION.**

ARCHITECTURAL PROCEDURES

1. Each homeowner is required to submit their proposal for any exterior addition, alteration or improvement on the lot to the Architectural Review Committee. This request must be in writing using the "Architectural Improvement Application and Review Form". The proposal must include a description of the proposed project, including height, width, length, size, shape, color, material and location of the improvement. Photographs or sketches of similar projects will assist the committee in making a final decision. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included with the plans submitted.
2. Oral requests will not be considered.
3. Each alteration or addition must be submitted separately for approval. Even if similar or substantially identical alterations or additions may have been previously approved, it is still required that each homeowner submit separate plans for review and approval. Similarity does not constitute automatic approval.
4. Pursuant to Article V of the CC & R's, the applicant shall be informed in writing of the committee decision within 30 days of receipt of submission (1).

COVENANTS CONDITIONS AND RESTRICTIONS  
FOR ARCHITECTURAL CONTROL  
ARTICLE V

No building, fence, wall, solar equipment, storage building, additional parking area or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to the harmony of external design and location in relation to surrounding structures and topography by the Board of Directors and its appointed Architectural Review Committee.

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CONDENSED INTERPRETATION OF CC & R'S

COVENANTS CONDITIONS & RESTRICTIONS  
REMEDIES FOR VIOLATIONS-INVALIDATIONS

SECTION 10: For a violation or a breach of any of the "USE RESTRICTIONS" by any person claiming by, through, or under the Declarant, or by virtue of any judicial proceeding, the Declarant, the Association, and the Lot Owner, or any of them severally, shall have the right to proceed at law or in equity to compel a compliance with the terms hereof or to prevent the violation or breach of any of them. The failure promptly to enforce any of the "USE RESTRICTIONS" shall not be construed as a waiver of the violation or the enforcement of future violations. The invalidation of any one or more of the "USE RESTRICTIONS" by any Court of competent jurisdiction in no way shall effect any of the "USE RESTRICTIONS", and all remaining "USE RESTRICTIONS" shall be in full force and effect.

ARTICLE VI  
GENERAL PROVISIONS

SECTION 1: "ENFORCEMENT" the Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all RESTRICTIONS, COVENANTS, RESERVATIONS, LIENS AND CHARGES now or hereafter imposed by the provisions of the Declaration. Failure by the Association or by any Owner to enforce any Covenant or Restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

SHOULD THIS DOCUMENT CONFLICT IN ANY WAY WITH THE COVENANTS, CONDITIONS AND RESTRICTIONS, THE COVENANTS, CONDITIONS AND RESTRICTIONS WILL CONTROL THE ISSUE. THIS CONDENSED INTERPRETATION OF THE COVENANTS, CONDITIONS AND RESTRICTIONS SHOULD ONLY BE CONSIDERED AS A GUIDELINE.

Appendix A

**QUAIL CANYON HOMEOWNERS MASTER ASSOCIATION  
ARCHITECTURAL IMPROVEMENT APPLICATION AND REVIEW FORM  
ADOPTED SEPTEMBER 1994**

Owner: \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

Lot # \_\_\_\_\_ Address \_\_\_\_\_

Nature of Project/Improvement \_\_\_\_\_

Location \_\_\_\_\_

Dimension \_\_\_\_\_

Construction Material \_\_\_\_\_

Color Scheme \_\_\_\_\_

Supplier or Contractor \_\_\_\_\_

Pima County Building Permit # \_\_\_\_\_

***A SKETCH OF ALL IMPROVEMENTS MUST BE ATTACHED TO THE  
APPLICATION TO SHOW LOCATION AND DIMENSIONS***

Send Applications To: Quail Canyon Homeowners Master Association  
1607 N. Wilmot #102-D, Tucson, AZ 85712

**REMEMBER**

1. All necessary permits must be obtained from the proper agencies.
2. All work must be done in a workmanlike manner and must be consistent with approved diagram and/or drawings.

**FOR INTERNAL USE ONLY** Date Received \_\_\_\_\_

Inspected by \_\_\_\_\_ Date Inspected \_\_\_\_\_

Approved \_\_\_\_\_ Approved w/Contingencies \_\_\_\_\_

Disapproved \_\_\_\_\_

Comments/Reasons \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Appendix B**

**QUAIL CANYON HOMEOWNERS MASTER ASSOCIATION  
ARCHITECTURAL COMMITTEE REVIEW NOTICE**

This is to inform you that the Architectural Committee/Board of Directors has reviewed your application for Architectural Improvement and said application is:

Approved \_\_\_\_\_ Approved w/Contingencies \_\_\_\_\_  
Contingencies are \_\_\_\_\_

Disapproved \_\_\_\_\_ Reason for Disapproval \_\_\_\_\_

You have sixty (60) days from the date of this approval to complete your project. An extension of an additional sixty (60) days may be granted by the Committee when requested in writing by the applicant.

The applicant is free to request reconsideration, if new or additional information which might clarify the request or demonstrate its acceptability can be provided.

Any member may appeal a decision of the Architectural Review Committee to the Board, provided that all subordinate avenues to resolution have been pursued, and further, provided that all parties involved comply with the decision of the Architectural Committee until such time, if any, as the Board amends or reverses the Architectural Committee decision.

\_\_\_\_\_  
Date of Notice \_\_\_\_\_ Chair, Architectural Review Committee  
Upon completion of the approved notice or improvement, detach and mail below portion of this notice to the Architectural Committee.

***NOTIFICATION OF PROJECT COMPLETION***

Owner \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_  
Lot # \_\_\_\_\_ Address \_\_\_\_\_  
Nature of Improvement \_\_\_\_\_

This is to notify the Architectural Committee of the completion of the aforementioned improvement, and request final inspection and issuance of a "Certificate of Compliance"

SEND TO: Quail Canyon Homeowners Master Association  
1607 N. Wilmot #102-D, Tucson, AZ 85712

**QUAIL CANYON HOMEOWNERS MASTER ASSOCIATION  
ARCHITECTURAL REVIEW COMMITTEE  
CERTIFICATE OF COMPLIANCE**

Owner: \_\_\_\_\_

Lot # \_\_\_\_\_ Address \_\_\_\_\_

Nature of Project/Improvement \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This is to certify that the aforementioned Project/Improvement complies with the Declaration of Covenants, Conditions and Restrictions and Architectural Guidelines of Quail Canyon Homeowners Master Association, and has been completed in accordance with the approved application.

Date \_\_\_\_\_ Approved By \_\_\_\_\_