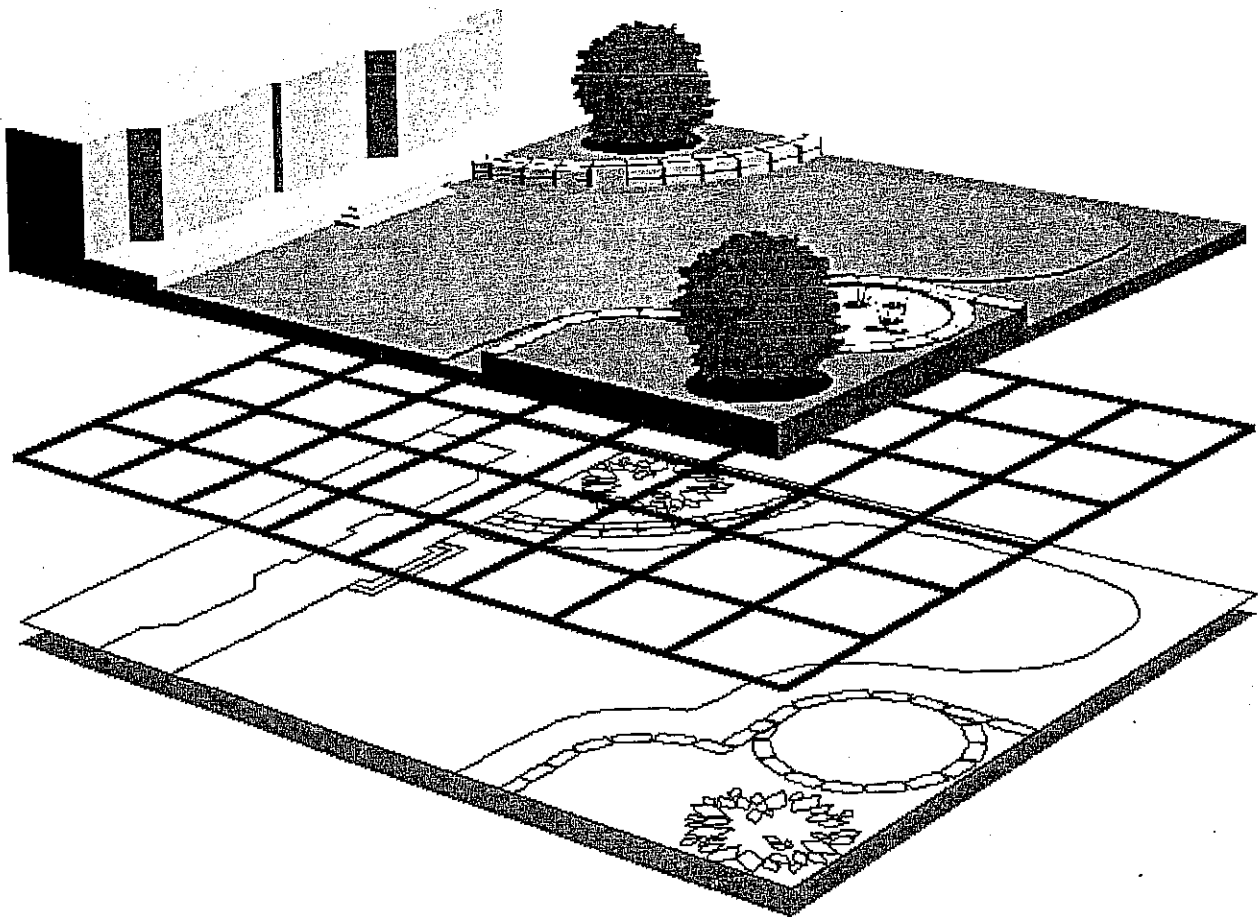


RAY MANOR HOME OWNER'S ASSOCIATION



ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES



September 1998

RAY MANOR HOME OWNER'S ASSOCIATION ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES

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Section I - Ray Manor Architectural and Landscape Design Guidelines

Introduction: Ray Manor (Association) is a unique community in Chandler, Arizona. The Board of directors, pursuant to Article 4, paragraph 4.1, of the Declaration of Covenants, Conditions, Restrictions and Easements (CC&Rs), hereby establishes the Architectural and Landscape Design Guidelines (Guidelines) to be used by the Design Committee (the Committee) in rendering its decisions on requests for design and landscape changes and/or additions.

Purpose: The purpose of the Committee is to maintain the compatibility of engineering, architectural and landscaping standards throughout Ray Manor and thereby enhance the esthetic and economic quality of the properties in the association.

Other Approvals: In addition to the Guidelines and any rules and regulations established by the Committee, the development of any lot within Ray Manor must be accomplished in accordance with all applicable ordinances, codes and land regulations of any appropriate political subdivision. The approval of the Committee contemplated herein and required by the CC&Rs shall be in addition to, and not in lieu of, any approvals, consents, or permits required under the ordinances, rules, or regulations of any political subdivision having jurisdiction over Ray Manor. *In all instances, the more restrictive requirements between guidelines shall control.*

Design Review Committee: The Design Review Committee (The Committee) shall adopt procedural rules and regulations for the performance of its duties, including procedures for the preparation, submission and consideration of applications for additions and changes as required by the CC&Rs. The Committee shall consist of such members and alternate members as the President of the Board of Directors of Ray Manor Homeowner's Association (President) may designate, except that the Committee Chairman must be a member of the Board of Directors (Board). The Committee shall have all the powers, duties and authority conferred upon it by the CC&Rs and these Architectural and Landscape Design Guidelines (Guidelines). The decisions of the Committee shall be final on all matters submitted to it, pursuant to the CC&Rs. [Article 4, para. 4.1]

The Committee may grant variances from the standards set forth in the Guidelines, if the Committee determines the matter permitted under the requested variance will not have a substantially adverse effect on the Owner's and Occupants and is consistent with the high quality of life intended in the Association.

Fees: The Committee may establish a reasonable fee from time to time to defer the costs of the Committee in considering requests for approval, which fee shall be paid at the time the request for approval is submitted. The Committee may authorize supplemental fees to cover the cost of retaining consultants and other professional services needed to properly evaluate any matter submitted for review and approval.

SECTION II - DESIGN REVIEW SUBMISSION AND PROCESS

1. **Initial Submission:** Each request for architectural and/or landscaping design review and approval must be submitted using the Tri-City Property Management Services form titled:

Ray Manor H.O.A. REQUEST FOR ARCHITECTURAL APPROVAL

This form may be obtained by calling Tri-City Property Management at 844-2224, or by going to, or writing Tri-City Property Management at 760 South Stapley, Suite 3, Mesa, AZ 85204. This form is self explanatory and outlines all enclosures that are required to insure proper review and speedy conclusion to the property owner's request, such as, but not limited to:

- Conceptual floor plans and elevations
- Color chips, material samples, color photographs, product brochures, etc.
- Landscape plans, including plant list
- Plot plans, where necessary

2. **Change Requests after Approval:** We anticipate that contractors, or homeowner's may wish to make improvements, or modifications to their design following initial approval. No modification to the original approval is authorized without **prior review** and **written approval** of the Committee. A request for review of the proposed modification by the Committee must include, but is not limited to:

- Letter of intent with detailed description of the proposed changes
- Plans, as necessary to describe the proposed changes
- Materials and other samples as required for initial approval.

3. **Initial Review:** The Committee shall make its decision on an application for approval within sixty (60) days of the receipt of such application in the offices of Tri-City Property Management Services at 760 S. Stapley, Suite 3, Mesa, AZ 85204.

4. **Changes Review:** The Committee will attempt to makes its decision on a change to original approval within thirty (30) days of the receipt of such application in the offices of Tri-City Property Management Services at 760 S. Stapley, Suite 3, Mesa, AZ 85204, except that the change is considered, in the opinion of the Committee, a "major change", wherein the sixty (60) day time period will be instituted. In such cases wherein the major change period is invoked, the owner will be notified within seventy-two (72) hours of receipt of the request for change review.

Section III - ARCHITECTURAL AND LANDSCAPING DESIGN STANDARDS

1. **Improvements and Construction.** The design, size, color, location and elevation of any improvement, or landscaping which is visible from neighboring property, and all changes thereto, must be approved by the Committee prior to installation. A storage shed, other equipment and other improvements which, is/are visible from neighboring property may not be placed, or installed on a Lot, without the written agreement of all adjoining property owners and must be approved by the Committee. Such approval may be denied at the Committee's sole discretion.

- a. **Colors** shall be consistent with the overall colors of other homes in the area in question, i.e., Kaufman and Broad, or Hacienda Builders, as determined by the Committee.
- b. **Home style, including elevation** shall be consistent with the original intent of the builders in the area in question, i.e. Kaufman and Broad, or Hacienda Builders, as determined by the Committee.
- c. **Paint colors, patterns and styles** shall be consistent with the original intent of the builders of the areas in question, i.e. Kaufman and Broad, or Hacienda Builders, as determined by the Committee.
- d. **Ground cover gravel and/or crushed granite** shall be of natural earth colors. No artificial colors, or bright colors, such as, but not limited to blue and green, are permitted.
- e. **Lighting and Landscape lighting -**
 - All additional lighting and landscape lighting (including walkway lighting) must be approved in writing by the Committee prior to installation.
 - In no case shall exterior lights be installed higher than the level of the top of the door of the first level of the house.
 - **Exception** to this rule is temporary holiday lighting, such as Christmas lights.
 - **Exception** to this rule is a house with a second level access to a balcony may have no more than one exterior single light fixture, such as a carriage light, mounted next to and not higher than the top of the second level exterior door.
 - Lighting shall be shielded such that the light shines primarily on the lot where it is installed. All lights, such as spot lights, which create glare visible from other lots, as determined by the Committee, are prohibited. An exception to this rule, is that "motion sensor" lights may be installed as long as the beam is perpendicular to the ground, but may not be set to remain on longer than five (5) minutes at any time.
- f. **Grass, plant and gravel maintenance** - Yards containing grass shall be adequately watered and maintained to have a lush green appearance at all times, however owner's with grass, during the fall and winter months, who choose not to plant winter grass, shall maintain the grass in a mowed and weed free manner at all times. No tree, shrub, or grass shall be allowed to encroach onto the sidewalk, or impede safe passage on the sidewalks. Trees, or other plants shall be maintained so they do not encroach on the area of other lots. Dead plants, shall be removed and replaced in a timely manner. Plants which are damaged by winter freezing shall be cut back in a timely manner. Gravel shall be raked to ensure a neat and clean appearance.
- g. **Window coverings** - In no case shall the windows be covered with reflective materials, such as foil, or with paper, bed sheets, or any temporary covering.

- h. **Set Backs** - All structural changes, or additions, will insure that required setbacks of ten (10) feet from rear property lines and five (5) feet from side property lines are maintained.
- i. **Time limits** - All exterior design work that has been approved shall be completed no later than 90 days from the start date given in the original application, unless an extension of this time period is justified, requested and approved in the original application. *The Board, on recommendation from the Committee, may assess a fine of not less than fifty dollars (\$50.00) for each week, or portion of a week, that the project exceeds the time frame allowed, except as an exception is granted by the Committee on written request.*

SPECIAL NOTE: Any property that is in violation of these rules at the time of their approval, which also has a prior written Board, or Committee approval of the violation, may remain in violation, without penalty, until such time as the property is transferred to another, at which time, the violation must be corrected to meet these design standards.

COMMITTEE APPROVAL IS NOT REQUIRED FOR:

- Installation of solar screens which are either black in color, or closely match the color of the dwelling unit's outside wall color.
 - Planting of seasonal flowers.
 - Replacement of plants with identical, or similar commonly available plants.
 - Addition of new commonly available plants, as long as they conform to the overall landscaping plan of the dwelling and do not result in an over planted, jungle like appearance, as determined by the committee.
2. **Heating Ventilating and Air Conditioning Units.** No heating, air conditioning, or evaporative cooling units, or equipment shall be placed, constructed, or maintained upon the Property, including, but not limited to, upon tile roof, or exterior walls of any structure on any part of the property unless:
- Where such unit, or equipment is installed upon the roof of any structure upon the property, such unit or equipment is fully screened from view from any adjacent Lots by a parapet wall which conforms architecturally with such structure; or
 - in all other cases, such unit or equipment is attractively screened or concealed and is not visible from neighboring property, which means of screening or concealment shall (in either case (a) or (b)) be subject to the regulations and approval of the Committee.
3. **Solar Collection Panels or Devices:** The Committee recognizes the benefits to be gained by permitting the use of solar energy as an alternative source of electrical power for residential use. At the same time, the Committee desires to promote and preserve the attractive appearance of the Property and the improvements thereon, thereby protecting the value generally of the Property and the various portions thereof, and of the various Owner's' respective investments therein. Therefore, subject to prior approval of the plans therefor by the Committee, solar collecting panels and devices may be placed, constructed or maintained upon any Lot within the Property (including upon the roof of any structure upon any Lot), so long as either:
- such solar collecting panels and devices are placed, constructed and maintained so as not to be visible from neighboring property, or

- such solar collecting panels and devices are placed, constructed and maintained in such location(s) and with such means of screening, or concealment as the Committee may reasonably deem appropriate to limit, to the extent possible, the visual impact of such solar collecting panels and devices when viewed by a person six (6) feet tall standing at ground level on adjacent properties.

4. Antennas, Poles, Towers and Basketball Goals. No television, radio, shortwave, or other antenna, pole, or tower shall be placed, constructed, or maintained upon the property (including, but not limited to: upon the roof, or walls of any Dwelling Unit, or other structure), unless:

- a. where such antenna, pole or tower is installed upon the roof of a dwelling, unit, or other structure, such antenna pole, or tower is fully screened and concealed from view from adjacent properties by a parapet all which conforms architecturally with the structure of such Dwelling Unit, or other structure; or
- b. in all other cases, such antenna, pole, or tower is fully and attractively screened or concealed from view from adjacent properties, which means of screening, or concealment shall (in either case (a) or (b)) be subject to the regulations and approval of the Committee. Except as permitted by the next sentence, no basketball goal or similar structure or device (whether mounted on a pole, wall or roof) shall be placed or constructed upon the front yard, front elevation or front roof surface of any structure on any part of the Property. A basketball goal may be permitted which is mounted on a free standing pole and which meets the standards stated on Exhibit "B" hereto which are incorporated herein by this reference. For purposes of the foregoing sentence, the term "front" shall be deemed to mean visible from ground level view from the street(s) running immediately in front of or along the side of a Dwelling Unit or other structure.

5. Fences, Interference's and Obstruction: No fence, wall, hedge, shrub or other plant which obstructs sight lines at elevations between two (2) feet and six (6) feet above adjacent public streets shall be permitted on any corner Lot within the triangular areas formed by the streets and a straight line connecting those property lines at points twenty-five (25) feet from the intersection of those property lines (or, in the case of a rounded Lot corner, from the intersection of those property lines as extended).

6. Drainage: No Owner or Occupant shall interfere with the drainage established for the Property or any other property adjacent to its Lot.


7. Miscellaneous: The Committee, in its good-faith discretion, may grant such waivers of the restrictions contained in Declaration of Covenants, Conditions, Restrictions and Easements (CC&Rs) as it shall deem appropriate, so long as the use permitted by such waiver shall not result in an unsafe, unsanitary or aesthetically displeasing condition and shall not result, in the Committee's opinion, in a substantial departure from the common plan of development contemplated by this Declaration. In addition, the Property shall continue at all times to be subject to applicable zoning laws and ordinances; provided, however, that where the Provisions of this Declaration are more restrictive than such laws or ordinances, the provisions of this Declaration shall control.

8. **Common Areas and Party Walls and Fences:** If a party wall is located on the boundary line between Common Areas and a Lot, or between the Property and other property, the Association shall be responsible for the painting and maintenance and repair of the surface on the side thereof that faces the Common Areas, or other property and the top of such wall, and the owner, or owner's owning the opposite side of the wall shall be responsible for the maintenance, repair, painting and replacement of such opposite side and for all structural repairs and replacement (i.e., In the case of destruction of both sides of a wall, the owner(s) owning Lots adjacent to the wall shall be responsible for replacement of the wall and the Association shall have no such responsibility). Unless otherwise approved in writing by the Board or Committee, all walls and fences constructed by an owner, or occupant must be located entirely within the property line of the owner's, or occupant's Lot. No wall may be located on the Common Areas, unless it is part of the Common Areas.

9. **Non-Compliance:** Any owner who is found to have made design and/or landscaping modifications, which would require Committee approval, but who did not secure such approval is in violation and immediately subject to a fine, as determined by the Board. Further, that owner shall be required to immediately request design approval and, should the design be found not to comply with this Architectural and Landscaping Design Guidelines, the owner shall be required to return the grounds and/or structure to the condition it was in prior to the unauthorized modification.

10. **Appeals:** The decision of the Committee is final, except that the owner who is denied a modification, or addition, by the Committee, may, in writing, appeal the decision of the Committee to the Board. The board may, by majority vote of those members in attendance, a quorum being present:

- Deny the appeal
- Refer the matter back to the Committee for re-consideration
- Approve the design request, with, or without modifications.



Approved by a majority vote of the Board of Directors of the Ray Manor Homeowner's Association, a quorum being present, this 8th day of September, 1998.

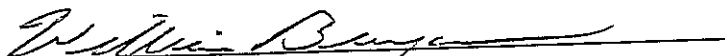

William Bumgarner, President

EXHIBIT B

SPECIFICATIONS FOR BASKETBALL POLES, BACKBOARDS AND GOALS

1. Only pole-mounted backboards and goals are acceptable. Backboards shall not be attached to the house, garage or roof
2. Basketball poles must be painted to match house or trim color.
3. Poles must be set in the ground permanently and must be centered between garage wall and back of sidewalk.
4. Backboards must be of a predominantly neutral color (black, gray, white), or match the house or trim color. Clear Plexiglas or glass backboards are acceptable.
5. Portable or temporary goals are acceptable; however, they must be removed from visibility after play has ceased (a goal may not remain out overnight).
6. 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.
7. Only nylon or similar cord nets are acceptable. Metal or chain nets are not acceptable.
8. 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 owners (with the goal or standards) responsibility to repair or replace.
9. For the consideration of the neighbors-(to each side of the home), their signature is required on the Request for Architectural Approval form, which will state that they approve of a basketball hoop being constructed adjacent to their lot.

Lots with basketball poles, backboards and goals that do not meet these requirements will be assessed fines in accordance with the Association's rates and/or have them removed at owners expense.



TRI-CITY PROPERTY
MANAGEMENT SERVICES, INC.

760 S. STAPLEY DR., SUITE 3
MESA, AZ 85204

www.tcpm.net
PHONE (480) 844-2224
FAX (480) 844-2061

December 16, 2002

Ray Manor Homeowners,

On April 29, 2002 Governor Jane Hull signed Senate Bill 1055 into law making changes to the condominium Act and Planned Community Act by adding a new section 33-1808 Allowing for the display of the American flag.

Senate Bill 1055, also known as The American Flag Patriotic Display Law, mandates that Associations "shall not prohibit the outdoor display of the American Flag by a unit owner". *This new law went into effect August 21, 2002.*

The law does stipulate that an owner, wishing to display the American Flag, must display it "in a manner consistent with the Federal Flag Code" This law also allows associations to develop a "reasonable" policy regulating the display and placement of the American Flag and any pole to fly the flag. You may obtain a copy of the American Flag Code on the web: <http://www.bcpl.net>.

The legislature, by adding the requirement that owners must abide by the Federal Flag Code, provided help to Associations in implementing reasonable Flag regulations.

As this change in the law needed to be incorporated within our Architectural Guidelines, we have revised those guidelines and included our new flag policy. Please take the time to review these new guidelines and replace any previous versions of the Architectural guidelines specifically addressing the display of American Flags.

This attached resolution is very important and should be reviewed when wanting to make any changes to your residence.

If you have any questions, please feel free to contact me at 480-844-2224, ext. 29.

Sincerely,

Dawn Stoner, CMCA,AMS Association Manager

Enclosure

**FLAG POLICY
FOR
RAY MANOR HOMEOWNERS ASSOCIATION**

**To be inserted in the
RULES & REGULATIONS BOOKLET**

The Governor signed Senate Bill 1055 into law amending Sections 33-1261 & 33-1808, Arizona Revised Statutes, relating to condominiums and planned communities. This law expands the types of flags that can be flown, in addition to the display of the American Flag. *This Law will become effective September 21, 2006.*

This law provides for Associations to adopt a reasonable policy regulating the display and placement of the American Flag, United States Military Flags, POW/MIA, Arizona State Flag and the Arizona Indian Nations Flag, and any pole necessary to fly the flag.

WHEREAS, The Board of Directors of Ray Manor Homeowners Association at a duly called meeting discussed the following, by authority granted in accordance with the Covenants, Conditions and Restrictions, and by the Amendment provided in the Planned Community Act, adopted the following policy to become effective simultaneously with the Planned Community Act amendment on September 21, 2006.

NOW, THEREFORE, LET IT BE RESOLVED: that the following be adopted by the Board of Directors:

1. The display of the American Flag will be done so in accordance with the Federal Flag Code.
2. The display of the following flags are permissible with the same guidelines as the American Flag: United States Army, Navy, Air Force, Marines or Coast Guard, POW/MIA, Arizona State Flag, and an Arizona Indian Nations Flag.
3. The association must approve any lighting in writing, prior to installation.
4. Flag poles are allowed as long as the height of the pole is no greater than the distance between the point of placement of the pole in the yard and the closest point of either of the following; (1) any sidewalk or driveway, (2) any common area, or (3) any neighbor's property line.
5. All flag pole installations must be submitted to the Board of Directors for prior approval.

FURTHER RESOLVED: that this resolution takes effect on October 12, 2006.

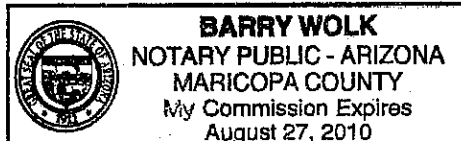
This **RESOLUTION** is adopted on this 12th day of October, 2006, by a majority of the Board at a meeting where a quorum of the Board was present.

STATE OF ARIZONA)

Maricopa County)

13th

This 12th day of October, 2006, Greg Priem, personally appeared as said Secretary, and being authorized to do so, executed the foregoing instrument. IN WITNESS WHEREOF, I do hereby set my hand and official seal.



Greg Priem, Secretary

Notary Public

Ray Manor Homeowners Association Satellite Dish Resolution and Policy

On October 14, 1996 an FCC Rule preempted deed restrictions regarding satellite dish and antenna installations.

The Association hereby adopts this Resolution and Policy in order to regulate the installation, use and maintenance of satellite dishes and antennas in accordance with the FCC rule.

While this Resolution and Policy applies to all owners, tenants and occupants within the Association, the owner of record is ultimately responsible for compliance with this resolution and Policy.

Antenna/Satellite dish types are as follows:

1. This Resolution applies only to the following three types of antennas as listed in the FCC Rules:
 - Direct Broadcast Satellite ("DBS") antennas less than 1 meter in diameter.
 - Multi-point Distribution Service ("MDS") antennas less than 1 meter in diameter.
 - Antennas designed to receive television broadcast signals.

Antenna/Satellite dish installation guidelines are as follows:

1. The dish must be installed at least 5 feet back from the front exterior fence wall and must be installed on the fascia or trim board of the house. Dishes are not permitted to be installed on the top of the house. All cables must to be concealed as much as possible. Any exposed cable or wires need to be anchored to the building in an inconspicuous manner and painted to match the building. Cables and wires shall not run over the roof or walls.
2. If the antenna must be mounted to a mast, the height requirement is Twelve (12) feet or less above the roofline, in accordance with FCC Rules.
3. No antenna/dishes shall be allowed to encroach upon common elements or neighboring properties. Antenna/dishes shall comply with all applicable laws, regulations and codes.
4. Owner is responsible for the care and maintenance of the satellite dish. At no time shall the dish be in disrepair. Owners are responsible for any damage resulting from the installation or at any time in the future.
5. Owner shall hold the Association harmless and indemnify the Association in the event someone is injured by an antenna or satellite dish.

Severability: If any provision of this resolution and Policy is ruled invalid, the remainder of these rules shall remain in full force and effect.

Enforcement:

In the event of a violation of this Resolution and Policy, The Association reserves the right to assess fines to be determined by the Board of Directors as well as seek injunctive relief for the removal of an antenna or satellite dish in the event it becomes a safety hazard.

This Antenna Resolution and Policy is adopted and is immediately effective
This _____ day of _____, 2005.

President
Ray Manor Homeowners Association

Subscribed to and sworn to before me this _____ day of _____, 2005..
by _____, President, Ray Manor Homeowner's Association.

My Commission expires: _____

RAY MANOR HOMEOWNER'S ASSOCIATION
Notice of Intent to Install Antenna

Lot # _____

Homeowner(s): _____

Address: _____

Phone: (day) _____ (evening) _____

Type of Antenna: _____

Direct broadcast satellite ☐ B18-inch ☐ Other ☐ Size _____

Television broadcast ☐

Multi-point distribution service ☐ Size _____

Company Performing Installation _____

Location and Method of installation _____

Date of Installation _____

Signature of Owner _____ Date _____