# SaddleBrooke Ranch
# Architectural & Landscaping Requirements and Guidelines

REVISIONS ADOPTED BY THE BOARD OF DIRECTORS FOR
SADDLEBROOKE RANCH HOMEOWNERS ASSOCIATION, INC.
On September 24, 2026

# SaddleBrooke Ranch
# Architectural & Landscaping Requirements and Guidelines

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# SaddleBrooke Ranch
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## ARTICLE I GENERAL INFORMATION

**1. Introduction**

On or about October 26, 2007, Robson Ranch Mountains, LLC, a Delaware limited liability company (the "Developer"), recorded that certain Declaration of Covenants, Conditions and Restrictions of SaddleBrooke Ranch Resort Community in the Official Records of Pinal County, Arizona, as Instrument No. 2007-119346 (as amended from time to time, the "CC&Rs") on certain real property located in Pinal County, Arizona. The CC&Rs were recorded in order to provide for the development of a planned community to be known as "SaddleBrooke Ranch Resort Community" or "SaddleBrooke Ranch". Capitalized terms used but not specifically defined herein shall have the meanings set forth in the CC&Rs. SaddleBrooke Ranch Homeowners Association, Inc., an Arizona non-profit corporation (the "HOA"), was formed for the purposes set forth in the CC&Rs. In accordance with the CC&Rs, the Board of Directors of the HOA (the "Board") has created the Architectural and Landscaping Committee (the "ALC") as a standing committee of the Board and has approved the issuance of these SaddleBrooke Ranch Architectural & Landscaping Requirements and Guidelines (as amended from time to time, the "Guidelines"). The ALC is responsible for administering the Guidelines under the direction of the Board. These Guidelines and the CC&Rs are used as the basis for decisions by the ALC for the approval or disapproval of ALC Permit Applications, as required, for the initial installation or modifications to landscaping and exterior architectural changes. The Guidelines are intended to protect and preserve the appearance, aesthetics and value of SaddleBrooke Ranch. The major goal of the ALC is to assist homeowners in meeting and interpreting the Board-approved Guidelines. If in doubt, please consult with the ALC BEFORE any landscaping or architectural work is started, either in writing or by attending a scheduled meeting.

Nothing contained herein shall be construed as altering, amending or changing the CC&Rs, or the Articles of Incorporation and Bylaws of the HOA. The Guidelines shall have the same force and effect as if they were set forth in and were a part of the CC&Rs, except that in the event of any inconsistency between the Community Rules and the Guidelines, the Community Rules shall control, and in the event of any inconsistency between the Guidelines and any of the provisions of the CC&Rs or of the Articles or Bylaws, the provisions of the CC&Rs, the Articles and the Bylaws shall govern and control. In addition to complying with these Guidelines and the CC&Rs, any construction, installation, addition, alteration or other work pursuant to these Guidelines must comply with any and all applicable federal, state, municipal and local laws, statutes, rules, regulations, ordinances and building codes.

a. Approval by the ALC of any construction, installation, addition, alteration or other work pursuant to these Guidelines shall not be deemed a waiver of the ALC's right to withhold approval of any similar construction, installation, addition, alteration or other work subsequently submitted for approval by the same or a different homeowner.
b. The ALC shall have the right to disapprove plans and specifications submitted if, in its opinion, (a) the plans and specifications are not in accordance with all of the provisions of the CC&Rs, these Guidelines and any applicable Tract Declaration; (b) the plans and specifications are not complete with appropriate dimensions; or (c) the design, color scheme, materials or location of the proposed structure or Improvement is not in harmony with the general surroundings and topography of the Lot or with other buildings and structures in the vicinity.
c. However, compliance with each stated criteria in the CC&Rs, these Guidelines and any applicable Tract Declaration shall not require approval of any plans or specifications, and it is expressly acknowledged that the ALC will exercise aesthetic judgment, which cannot be

reduced to objective criteria, in reaching its decisions. These Guidelines cannot be prescriptive and black and white in all instances.

d. While every effort has been made to make them clear and definitive, there are areas where interpretation is necessary.
e. The judgment of the ALC, in a particular situation on what is permissible and what is not, is the determining factor. **Moreover, the ALC may determine for aesthetic or other reasons not to approve an ALC Permit Application that is otherwise in compliance with these Guidelines.** The ALC will determine the appropriateness of any construction, installation, addition, alteration or other work, when the homeowner presents his/her plans to the ALC for review. Also, one or more members of the ALC may visit the actual site in conjunction with the ALC's review of plans.

***ALL HOMEOWNERS UNDERSTAND THAT BY A MAJORITY VOTE OF THE BOARD OF THE HOA, THE HOA MAY, FROM TIME TO TIME, SUBJECT TO THE PROVISIONS OF THE CC&RS, ADOPT, AMEND AND REPEAL THESE GUIDELINES AND THAT ALL HOMEOWNERS WILL BE REQUIRED TO COMPLY WITH ANY AND ALL SUCH AMENDMENTS TO THESE GUIDELINES. IT IS THE RESPONSIBILITY OF EACH HOMEOWNER TO MAKE SURE THEY HAVE A COMPLETE COPY OF THE MOST RECENT BOARD APPROVED VERSION OF THE SADDLEBROOKE RANCH ARCHITECTURAL & LANDSCAPING REQUIREMENTS AND GUIDELINES. IF YOU ARE UNSURE IF YOU HAVE THE MOST RECENT VERSION OF THE GUIDELINES (INCLUDING ANY APPENDICES OR FORMS), PLEASE CALL OR STOP BY THE ASSOCIATION OFFICE AT THE RANCH HOUSE, 31143 S AMENITY DR, ORACLE, AZ 85623, PHONE 520-818-6010 FOR VERIFICATION OR TO OBTAIN ADDITIONAL COPIES OR CHECK ON THE HOA WEBSITE.***

## 2. ALC Permit Requirements

A. It is the responsibility of the homeowner to obtain permits from the ALC prior to making any exterior alterations or installing any landscaping. ALC Permit Applications must be completed and signed by the homeowner and must include all applicable additional documentation submittals required by these Guidelines. ALL AREAS NOTED IN YELLOW ARE MANDATORY AN MUST BE FILLED IN. ALC Permit Applications may be considered for review prior to the closing date on your SaddleBrooke Ranch home. However, no work may begin until the later of: (a) ALC approval and (b) the actual closing on your SaddleBrooke Ranch home. In addition to other rights and remedies that may be available at law or in equity to the ALC, the Developer or third parties, ALC Permit Applications submitted after work has begun may be subject to a fine.

B. The ALC currently intends to meet at 8:00 AM on each Tuesday with Contractor/Homeowner meetings for submitted plans at 9:00am unless written notice to the contrary is posted. ALC Permit Applications are to be turned into the SaddleBrooke Ranch HOA Office before 3:00 PM on the prior Friday in order to be reviewed on Monday for consideration at the ALC General Meeting on Tuesday morning. The day and time of the ALC meeting may be changed from time to time by written notice posted on the HOA website. All supporting documents, wall letters, scale drawings, as well as any applicable fees as stated in the Guidelines must accompany the ALC Permit Application. The ALC may ask a homeowner to provide additional information or documentation in connection with the review of a particular ALC Permit Application. The permit process is described in more detail in Article IV of these Guidelines below.

C. It is the responsibility of the homeowner and succeeding homeowners to maintain landscaping and construction records, including, without limitation, any ALC Permit submittals and approvals as well as any applicable permit submittals and approvals to Pinal County or any other applicable governmental authority. The ALC and the HOA will maintain, solely for their own benefit, any records that they deem appropriate.

**3. Completion of Landscaping**

As set forth in Section 5.2.4 of the CC&Rs, all homeowners are required to landscape their Lot within ninety (90) days after the initial close of escrow. If the work cannot be completed within the stated time, due to reasons beyond the homeowners' control, a written request with justification for an extension must be submitted to the ALC for approval prior to the end of the ninety (90) day period. In addition, all such landscaping must otherwise comply with these Guidelines.

If initial landscaping is not completed within the above ninety (90) day period and no extension has been granted by the ALC, in addition to any other applicable remedies (including without limitation those set forth in Section 5.2.4 of the CC&Rs), the homeowner will be billed the following fines by the HOA, which are immediately due and payable:

A. A fine of $100.00 will be assessed for initial landscaping that is completed between the 91st and 105th day.
B. An additional fine of $250.00 (i.e., $350.00 total) will be assessed for initial landscaping completed between the 106th and 130th day.
C. Initial landscaping that is not completed within 131 days will be subject to the above cumulative fines and additional penalties as determined by the Board.

NON-Initial Landscape Permit Applications: All work for approved ALC permit applications that are not Initial Landscapes must be completed within sixty (60) days of approval. Homeowners who do not complete work within this time frame will be subject to fines and other applicable remedies. If an extension of time is needed, the homeowner must submit in writing, a request that includes a justification for the extension and a new proposed completion date.

In all cases, it is the homeowner's responsibility to ensure that all approved landscaping is constructed within the homeowner's Lot boundary lines (or on the Lot boundary line in the case of a party wall). The HOA highly recommends that each homeowner hire a licensed surveyor to measure and stake your Lot boundary lines prior to construction. Any inspection, whether before or after installation, by the HOA or the ALC, is not intended and should not be interpreted in any way as a verification that any landscaping (including any wall) was installed within a homeowner's Lot boundary line.

**4. Pinal County or Other Governmental Agency Permits**

In addition to any applicable ALC Permit, it is the responsibility of the homeowner to determine the need for, and to obtain if necessary, any and all applicable permits required by Pinal County or any other applicable governmental agency. Among other permits that may be required by Pinal County or other applicable governmental agencies, County permits are likely required for any electric or gas line extensions. A Lot may have to comply with the building and development requirements of a particular city or town in the event that SaddleBrooke Ranch is annexed into such city or town. Regardless of any reference herein to (or the absence of any reference herein to) any Pinal County or other governmental agency permits, homeowners should contact Pinal County, before any construction, to find out permit requirements and information. An ALC Permit may be required where there is no requirement for a permit from Pinal County or any other applicable governmental agency and vice versa. The Pinal County Building and Safety Department may be contacted in Florence at (520) 866-6442. Issuance of a government permit does not guarantee that the ALC will approve an ALC Permit Application for the same work. Moreover, issuance of an ALC Permit does not guarantee that a homeowner has obtained all necessary Pinal County or other applicable governmental agency permits.

**5. Contractor Selection**

For their own protection, homeowners should exercise due diligence in selecting a contractor for all landscaping and construction needs. The final responsibility for selecting a contractor is up to each homeowner. Neither the Developer, nor the HOA, nor the ALC endorses the selection of or warrants the work of any contractors performing work for homeowners, and the Developer, the HOA and the ALC have no involvement with respect to the licensing of any contractors performing work for homeowners in SaddleBrooke Ranch. In addition, neither the HOA, nor the Board, nor the ALC has any authority over any contractor conducting business for homeowners in SaddleBrooke Ranch. Licensing of contractors is the responsibility of the Arizona Registrar of Contractors. Prior to selecting a contractor, homeowners are urged to check the licensing status and records of any complaints against specific contractors by calling the Arizona Registrar of Contractors at (602) 542-1525 in Phoenix or by going online to www.roc.az.gov as well as checking with the Better Business Bureau. Licensed contractors are recommended. In any event, the ALC will not intervene on behalf of the homeowner if a problem arises between the homeowner and the contractor.

**6. Views**

Homeowners cannot expect views that exist at the time of purchase to remain unchanged over time. Property may eventually be improved upon and landscaping will mature both on residential Lots and Common Areas. Tree location, number and species are key considerations in the ALC landscape plan approval process. Neither the ALC nor the HOA are under a duty to homeowners for the protection or enforcement of views or view expectations. However, maintaining views may be considered by the ALC in approving or disapproving any ALC Permit Application. Maintaining views in the community is a courtesy to your neighbors and should be considered by homeowners in their planning.

**7. Maintenance of Property**

A. All homeowners, including those not in full-time residence, are responsible for maintaining the appearance of their home and related landscaping so that it positively contributes to the overall appearance and aesthetic value of the neighborhood and the community. All Lots must be kept free of weeds and trash, and plants and trees must be neatly trimmed.

B. Garbage and trash shall be kept in approved covered containers, with trash containers stored so they are not Visible From Neighboring Property (as defined in the CC&Rs). Garbage containers should not be placed at the curb prior to sunset the day before pickup and should be removed from the curb the same day as pickup (see Article III, Section 33 for more information).

C. If it is brought to the attention of the ALC that a Lot does not meet the standards set forth in these Guidelines, the ALC will first determine if the Lot is in compliance. If the Lot is not in compliance, a letter will be sent to the homeowner by the ALC specifying a deadline for bringing the Lot into compliance. If the work is not completed by the specified date, the ALC may take any actions provided for in the CC&Rs and Article IV, Section 10 of these Guidelines. In addition, if the Lot remains non-compliant, the Board has the authority, at its option (but without obligation), to instruct a third party to complete the work necessary to bring the Lot into compliance with these Guidelines and to bill the homeowner for any expenses incurred, which the homeowner shall promptly pay or be subject to additional penalties.

## ARTICLE II GENERAL ARCHITECTURAL AND LANDSCAPING STANDARDS AND REQUIREMENTS

**Except as otherwise expressly provided in the CC&Rs, these Guidelines or in any applicable Tract Declaration, no temporary or permanent Improvements, alterations, repairs, excavation, grading,**

**lighting, painting, landscaping or other work that in any way alters the exterior appearance of any property within SaddleBrooke Ranch may be commenced, erected, placed, altered, maintained, or performed on any Lot until the required plans and specifications have been approved in writing by the ALC. Any subsequent addition, change or alteration that affects the exterior appearance of any property within SaddleBrooke Ranch shall require the prior written approval of the ALC.**

**1. Architectural Standards and Requirements**

A. The design, style, detailing, materials and color of any structural addition or exterior renovation shall conform to that of the original home.

B. All structural additions to the original home require an ALC Permit and shall be built within the setback lines originally established for SaddleBrooke Ranch, regardless of more lenient requirements of any local governmental authority. These setbacks are shown on the original plot plan provided by the Developer at the time of the original purchase of your SaddleBrooke Ranch Lot.

C. The height of any structural addition to an existing home shall not exceed that of the original roof or parapet line.

D. All materials used in structural additions and alterations shall conform to those set forth in these Guidelines. The ALC may allow substitute materials that are considered compatible with the theme of the community. Substitutions are approved based on the judgment of the members of the ALC.

E. When any structural additions, alterations or renovations are made to an existing home, the Lot drainage to the street, as established by the Developer, must be maintained and the drainage shall comply with the requirements set forth in subparagraph 2(K) and (L) below. All roofs or gutter installations shall drain to the ground solely within the deeded Lot line. Drainage to Common Areas, except as provided for in the final plat and drainage plans for SaddleBrooke Ranch, is prohibited. No homeowner shall alter, interfere with or obstruct the drainage pattern over the Lot or over any other portions of SaddleBrooke Ranch, since that pattern may only be established or altered in accordance with the Master Drainage Report.

F. No sewers, electrical lines, water lines, or other utility or service lines, facilities or equipment may be installed or relocated within a Lot without the approval of the ALC. All such lines and equipment must comply with the requirements set forth in Section 5.2.17 of the CC&Rs.

G. Pinal County permits are required for most structural additions and modifications-homeowner should contact Pinal County to confirm requirements.

**2. Landscaping Standards and Requirements**

A. In planning landscaping and construction, consideration must be given to allow access for the maintenance of areas that have TV cable, electrical boxes, water meters, etc. No plants will be allowed that will hinder utility maintenance personnel or meter readers. Plants so placed may be removed by the utility companies and shall be the responsibility of the homeowner for replacement. The use of native and/or drought tolerant species is strongly recommended for all landscaping. High water consuming plants should be confined to small areas as recommended in xeriscape landscape planning. (See the *Recommended Plants for SaddleBrooke Ranch* and the *List of Prohibited and Not Recommended Plants*. There are links to these lists on the SaddleBrooke Ranch HOA website or the lists are available in the HOA office). Compatible community groupings of plants should be taken into consideration to allow for appropriate irrigation system planning. Underground irrigation is recommended but not required.

B. Sufficient landscape materials shall be used to maintain harmony with surrounding areas. The number of plants per lot may vary based on the house selection and the lot size and location. The ALC suggests the following: 1) Front and side yard – non-corner ten (10) to fifteen (15), 2) Rear yard ten (10) to fifteen (15) and 3) Side yards facing side streets that require planting in the common

area an additional ten (10) plants. The actual number of plants per lot will be determined during the initial landscape plan review by the ALC and will be based on the house selection and the lot size and location. See Article III. – Trees for a description of focal trees. The ALC, in its judgment, may require additional plantings to the number of living plant materials, predicated on the size and shape of the applicable Lot, and front patio or entry walk installation. The ALC, in its judgment, may also require minimum plant materials for other portions of a particular Lot that are Visible from Neighboring Property. There are no per se minimum planting requirements for areas on the Lot that are not Visible from Neighboring Property.

C. The ALC reserves the right to limit planting and may require tree or plant removal, if the ALC**,** in the judgment of its members**,** determines that the landscape contains too many plants and/or trees.
D. All ground (including front, side and rear yards) not covered by plantings (including, without limitation, grass or other ground covers) shall be covered with inert material, which includes crushed native colored rock minimum half (1/2) inch to a maximum of one (1) inch screened (with the fines/dust removed). Native river rock and boulders may be used for accent purposes. White rock, artificially colored rock or crushed man-made material is not permitted. Decomposed granite (DG) is permitted for walkways. Lava rock may be used as an accent color only. Rock colors used for accent and decorative purposes are limited to two color choices, with no more than a 90/10% ratio of base color to accent color of landscaping area available. All Lots must have a two (2) foot border between the front curb of the Lot and any living plant materials (i.e., where there is only gravel) in order to minimize water flow from the Lot onto the street.
E. Road base or foundation base materials (gravel or ABC) are prohibited for ground cover. Decomposed granite may be used for pathways or a defined seating area.
F. Mounds in front and rear yards shall not exceed eighteen (18) inches in height from original finish grade level at the time of completion of the home and shall be constructed of natural materials (See Appendix A).
G. The majority (more than 50%) of each air conditioning unit installed on a Lot must be screened so as not to be visible from all street views. Screening may include a return wall, or plantings of sufficient size, density and placement to accomplish the same effect at the time of planting. See Article III, Section 1 for more information.
H. Weed growth or other nuisance plant materials shall be controlled with herbicides and/or manual weeding (See Article I, Section 7). Plastic sheeting shall not be placed under crushed rock for weed control since it is ineffective and causes the covering crushed rock to wash away. No landscaping or construction materials owned or contracted for by the homeowner may be left on any street for more than 48 hours. All materials encroaching on the street must be clearly marked with at least five (5) orange twenty-eight (28) inch traffic cones with reflective tape and cannot block more than 33% of the street width. NO vehicle shall park within fifteen (15) feet of the furthest arc of the materials so that traffic flow is not impeded.
I. Care must be used when landscaping along roads or corners to avoid creating visual obstructions that may compromise the safety of pedestrians, bicycles or other vehicles.
J. All materials used in landscaping shall conform to these Guidelines. The ALC may allow substitute materials, including those that are considered compatible with the theme of the community. Substitutions are approved based on the judgment of the members of the ALC.
K. No homeowner shall alter, interfere with or obstruct the drainage pattern over the Lot or over any other portions of SaddleBrooke Ranch, as that pattern may be established or altered in accordance with the Master Drainage Report. The Developer has graded your Lot to drain away from the building in all directions and toward the street. This is called “positive drainage”. Any alteration of the grades from that at completion of the original home construction must maintain the original drainage design. Prior to issuing an ALC Permit, The ALC may require that drawings and other related data be submitted that will demonstrate proper drainage. This may require the services of

an engineer. Once the homeowner begins landscaping, the Developer no longer has responsibility for positive drainage on the Lot; it becomes the Homeowner's responsibility. The issuance of an ALC Permit and/or the completion of landscaping in accordance with an ALC Permit shall not be deemed a representation, warranty, guaranty or other approval that the grading after completion of such landscaping will be consistent with the original drainage by the Developer or is otherwise acceptable. Each homeowner is responsible for ensuring that the landscaping installed on the homeowner's Lot provides for appropriate drainage away from the foundation of the residence and other structures and that it complies with the Master Drainage Report. No Lot shall drain onto a neighboring Lot or parcel, unless specifically provided for in the Master Drainage Report.

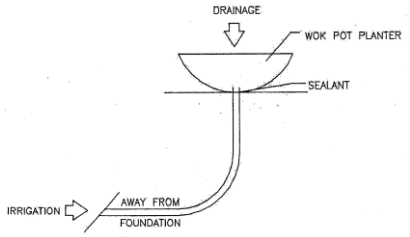
L. For both safety and aesthetic purposes always consider the SVT (Sight Visibility Triangle) restrictions when designing both plants/trees and hard scape on corner lots and driveways. SVT is the diagonal line of sight on those corners.

M. Upon completion of landscaping and at all times, each homeowner is responsible for ensuring that the drainage on the homeowner's Lot complies with the following criteria:
   1. The grading shall maintain a properly compacted slope of not less than 5%, for a distance of not less than 3'-0", or to the surface drainage swale (whichever is greater). Water must be directed away from the home's foundation in all directions to a defined drainage swale.
   2. All surface water drainage shall be directed away from the property line to the established drainage swales (so as not to run onto the adjacent property).
   3. No sidewalks or other obstacles shall be added next to the home (except those provided by the Developer) that create a trapped planter area which impedes the flow of water away from the home's foundation to the designated drainage swale.
   4. All added patio or sidewalk surfaces have a minimum 1/8" per foot fall (pitch) away from the home's foundation.
   5. Each Lot shall have a pronounced surface drainage system that consist of swales and/or drains to provide continuous positive fall to appropriate discharge points off of the lot (i.e. low back of curb at the street).
   6. If a roof gutter and downspout system is installed on any portion of the home, one of the following criteria must be met:
      a. All downspouts are to be connected to a solid pipe collection system below grade that carries all roof water to the back of the curb and ensures that all water will be expelled over the curb into the street via one of two methods: splash block or pop-up (see the *Gutter Application,* which is available in the HOA office or on the website for details).
      b. Below grade extensions added to each downspout to carry the roof water to the center of the closest drainage swale used for surface water drainage. See Article II, Section 2, Letter P.
   7. No plants or other landscape features shall be permitted to exist in the pronounced drainage swale. No plants shall be located closer than two (2) feet to the home's foundation for low water usage plants and shrubs or those that do not require irrigation and three (3) feet for other higher water-use types of plants and shrubs. Plant material used with trellises attached to the home should be in a pot. The intent of this subsection is to control the amount of water induced close to the homes foundation by irrigation systems. The amount of water needed by any plant will vary based upon exposure to the sun (i.e., northern exposure), climatic seasons and changes within the seasons, location of the plant based upon the direction of the home (i.e., how much sun reaches that location) and soil types. However, when the plant, shrub, or tree has established itself, then watering can be reduced, in some cases by 70%. In an effort to provide options to Landscapers and Homeowners, the following items will assist in the types of plants permitted by this subsection.

a. No uncontained* irrigation system mainlines, emitter line, or emitter is to be located closer than two (2) feet to the homes foundation.
b. Plants that require no water source are acceptable within the area of two (2) feet from the home's foundation. The most common examples of these types of plants used in the Phoenix and Tucson markets are: All low watering native cacti and certain succulents. For example, golden barrels are a great choice. Established cacti and succulents only require one watering every thirty (30) days. This is best with hand watering and NOT providing a drip system to this area.
c. Plants that require no more than one to two gallons of water per day are generally acceptable within the area of three (3) feet to two (2) feet of the home's foundation provided that the emitter for that plant is no closer than two (2) feet from the foundation. The most common examples of these types of plants used in the Phoenix & Tucson Markets are: Trailing Gazania, Blue Euphorbia, Bush Morning Glory, Flame Honeysuckle, Yellow or Red Bird of Paradise, Baja or Pink Fairy Duster, or Cape Honeysuckles.
d. Trees, other than indigenous trees to the desert, require a larger volume of water based upon the type of tree, but generally in the range of twenty (20) gallons every three (3) days. For this reason, most trees, and the water source for them, should be located no closer than eight (8) feet from the home's foundation. Further consideration should be given to the canopy of the tree when it matures so that the tree is far enough away from the home so as not to cause damage by the branches or root system when mature. A recommendation for watering trees would be a feeder line with emitter located two (2) feet below grade as opposed to surface emitters. This is best accomplished by installing a feed or water tube. This method will meet the trees water needs with less water. Indigenous trees that require less than ten gallons of water per week that would be acceptable within eight (8) to four (4) feet of the homes foundation (provided the canopy or root system will not create damage) are: Leather-Leaf Acacia, Sweet Acacia, Anacacho Orchid Tree, Palo Brea, Fruitless Olive, or Indian Rosewood.

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* Contained irrigation systems are systems that are designed to ensure that no water can escape the containment closer than four (4) feet to the homes foundation. An example would be: a contained planter or pot that is connected to an underground solid pipe whose end is four (4) feet or further from the foundation, the water line enters the planter or pot by running through the solid pipe and all excess water leaves the planter or pot by the same pipe.




As referenced in the first paragraph of this subsection 7, each plant has a recommended amount of water. However, this amount of water will vary based upon multiple different conditions. It is very important that the landscape company determine the correct plant and water usage for that plant based upon the specific orientation of the home on the lot and soil types. Simple percolation tests should be taken to ensure that the correct plant is selected for the locations listed in this Exhibit. Additional sources for watering and lists of plants would be www.wateruseitwisely.com, a Guide for the Arizona Desert, or http://www.amwua.org/landscape_plants_online.html, provided by Arizona Municipal Water Users Association.

It is each Homeowner's responsibility to monitor their irrigation system on a regular basis to ensure that it is operating as designed and to make seasonal adjustments to the watering cycles based upon climatic seasons and changes within those seasons.

e. Homeowner shall maintain proper management/control of the irrigation time intervals whether it is manually or by time clock. Homeowner shall adjust irrigation controls as needed throughout the year to avoid oversaturation of the soils on the homeowner's and/or neighbor's lot.
f. All irrigation valves and pressure regulators are to be installed on the opposite side of the drainage swale away from the house. These devices shall not be installed between the house and the drainage swale.

N. In addition, pursuant to Section 5.2.18 of the CC&Rs, no homeowner shall allow any tree, shrub or planting of any kind on the homeowner's Lot to overhang or otherwise encroach upon any sidewalk, street, bike path, golf cart path, trail, pedestrian way, the Golf Course or other Lot, Parcel or area from the ground level to a height of eight (8) feet without the prior written consent of Developer (so long as Developer or any of its affiliates owns any property in SaddleBrooke Ranch in fee or beneficially) or the ALC, and the consent of the homeowner of the Lot or other area encroached upon. See the *Recommended Plants for SaddleBrooke Ranch* for a list of common plants and their average height and width at maturity and recommended distance from property line based on such maturity size. There is a link to this list on the SaddleBrooke Ranch HOA website or the list is available in the HOA office. Please be advised that this is only the recommended distance and the actual mature size of a particular plant may be larger and result in a prohibited encroachment that needs to be corrected.
O. No sewers, electrical lines, water lines, or other utility or service lines, facilities or equipment may be installed or relocated within a Lot after closing without the approval of the ALC. All such lines and equipment must comply with the requirements set forth in Section 5.2.17 of the CC&Rs.
P. Additional hardscape (brick pavers, flagstone, etc.) must maintain positive fall away from the home's foundation, and not create any planter areas directly next to the home.
Q. Should gutters be installed on the home, water cannot be allowed to collect in planter and courtyard areas. The downspouts in these areas must connect to an underground piping system to remove the water.
R. No fountains or water features are permitted to be attached to the home at any time.
S. The time clock for the irrigation system must be set to provide adequate water to all plants, but not allow for any unnecessary watering. The ALC may require that the water times required for each system should be listed on the plans for both the winter and summer seasons.

## ARTICLE III SPECIFIC GUIDELINES AND REQUIREMENTS

The following is not an exhaustive list of all the items requiring an ALC Permit. It is only intended to illustrate items commonly requested and to provide you with guidance on criteria for approval of those items. In addition, the ALC may, in its discretion, request additional information or materials or place additional restrictions on a Lot in connection with the review or approval of a particular ALC Permit Application. In any event, if you plan to make any exterior change to your Lot, you should contact the ALC to determine if an ALC Permit is required.

**1. Air Conditioners/Evaporative Coolers/Generators – <u>ALC Permit Required</u>**

A. All air conditioning units, mini-splits, heating units, evaporative coolers, generators or other mechanical apparatus, structure or objects installed at the exterior of the home after closing shall be ground mounted on a concrete base. The top of the unit shall be no higher than forty-eight (48) inches above grade level. All units must be screened from all street views (including side streets on corners) by return walls or plantings of sufficient size to provide immediate visual screening of the majority (more than 50%) of the unit, as determined by the ALC. If using plant material, it must shield more than 50% at planting. Portable window-type units are prohibited for use in any structure, including without limitation installation in a window or through a wall.

B. All generators must be installed in accordance with the latest Pinal County ordinances and any other applicable laws. Only permanent generators are permitted, preferably natural gas. No portable generators are permitted. Generators should be used for emergency situations or testing purposes only. Every attempt must be made to minimize noise transmission to neighboring properties stemming from generators. These generators must be located as far as possible from neighboring buildings so as to reduce noise to adjoining properties and cannot be attached to a party wall.

C. Replacement of any of the units listed above does not require an application or fee.

**2. Antennas (Satellite Dish) or Over-the-Air Reception Devices**
(Wireless Internet Broadband Antennas) – **<u>ALC Notification Required</u>**

A. Pursuant to FCC Regulations, the ALC charges no fee for the installation of satellite dish or OTARDs, as more specifically defined in subsection B below. Also, according to these regulations, homeowners have the right to install such satellite dish or OTARDs without prior approval or contact with the ALC. However, if the homeowner chooses to install such satellite dish or OTARDs without first contacting the ALC, <u>the homeowner must submit written notification to the ALC within 72 hours of such installation</u>**.** The Satellite Dish & OTARD Installation Notification Form may be found on the SBR HOA website or at the HOA office. After receiving the written notification, the ALC has the right to inspect the installation. The ALC has the right to require the dish be moved at homeowner's expense to a location specified by the ALC under D below as long as:
   a) the movement to the preferred location does not cause "unreasonable cost;" and
   b) the preferred location provides reception or transmission of an acceptable quality signal within the meaning of the FCC Regulations.

B. Over-the-Air Reception Devices (OTARD) are defined by the FCC as any device used for the reception of video or audio television broadcast signals, Direct Broadcast Satellite Services (DBS), or Multi-Channel Multi-Point Distribution Services (MDS), television broadcast stations (TVBS) and reception or transmission of fixed wireless communications signals. Any mast, cabling, supports, guidewire, conduits, wiring, fasteners or other accessories for the proper installation, maintenance and use of an antenna shall be considered part of the antenna. The FCC requires that subscriber antennas must be labeled to give notice of potential radio frequency safety hazards of these antennas. For two-way fixed Wireless Internet Broadband antennas mounted on a mast, the ALC requires subscriber equipment installation by professional personnel. Homeowners are cautioned to make sure that antennas attached to a mast are properly grounded. Homeowners should investigate the possible dangers of lightning strikes inherent to this area and are encouraged to check with their Insurance Agents to verify coverage for lightning strikes to antennas mounted on masts.

C. Satellite dishes must be one meter (39.37 inches) in diameter or less, and shall be installed solely on the homeowner's Lot, not encroaching on adjacent common areas or another homeowner's Lot. Satellite Dishes or other OTARD devices, whenever possible, shall be installed in the most unobtrusive manner and shall be shielded so as not to be Visible From Neighboring Property to the

maximum extent possible, while still allowing for acceptable quality signal reception. **Satellite dishes and their mounting equipment must be painted the color of the party/return wall or house (with the exception of the plastic receiver parts)**, if they are Visible From Neighboring Property. The order of preferred installation locations is listed below and is set forth on the Satellite Dish & OTARD Installation Notification Form.

D. Preferred Order of Placement for Satellite Dishes & OTARD Installation Notification Form
Placement shall be determined in the order of priority set forth as follows. The ALC reserves the right to require removal, as set forth in Section 2A above, of any device which is not installed in the highest priority location, and such homeowner shall be subject to all fines, fees and/or penalties as described in Article IV, Section 10 of these Guidelines (as long as such fines, fees and/or penalties are not an unreasonable cost under the FCC rules). Locations other than the applicable preferred location set forth below will be considered only after it has been determined that an acceptable quality signal is not possible from any of the below referenced preferred locations.

1. Satellite Dish Preferred Locations
The following options are listed in decreasing order of preference:
   a. Freestanding, mounted in the ground in the back yard, and screened from neighboring Lot, the street, common area or golf course by being behind property line masonry walls and return walls.
   b. Freestanding, mounted in the ground in the back yard, and screened from neighboring Lot, the street, common area or golf course by the use of landscape shrubbery materials.
   c. Attached to a mast in the back yard, with the top of the Satellite Dish no higher than four (4) feet measured from ground level, and screened from neighboring Lot, the street, common area or golf course by being behind property line masonry walls and return walls.
   d. Attached to a mast in the back yard, with the top of the Satellite Dish no higher than four (4) feet measured from ground level, and screened from neighboring Lot, the street, common area or golf course by the use of landscape shrubbery materials.
   e. Same as line a & b above, except in the side yard.
   f. Same as line c & d above, except in the side yard.
   g. Freestanding, mounted at ground level in the back yard under the patio cover, and screened from neighboring Lot, the street, common area or golf course by masonry walls or landscape shrubbery materials.
   h. Attached to either side or the rear of the home, no higher than four (4) feet measured from ground level to the top of the dish, and screened from Lot, the street, common area or golf course by masonry walls or landscape shrubbery materials.
   i. Locations that are not preferred include on top of the patio roof, on top of a tile roof, or attached to the home higher than four (4) feet from ground level to the top of the dish. These locations may be acceptable if it has been determined that locations a. through h. do not allow for an acceptable quality signal reception.
   j. If mounting on a concrete slab, the slab must be covered with the same material used to cover the yard. Use of visible cinder blocks as a base is prohibited.
2. Wireless Internet Broadband or OTARD Devices Preferred Locations
   a. First Preference: Subscribe to alternative Broadband Internet services, such as DSL (Telephone Co.), cable or satellite, which have no outside antennas or an antenna that is less intrusive to the aesthetics of the community.
   b. Attached to the side or back of the house with the top of the antenna at or below the roofline and otherwise no higher than is required to receive and send an acceptable quality signal.
   c. Attached to the side of the house at the peak of the tile roof with the shortest mast necessary, not to exceed twelve (12) feet in height, to receive and send an acceptable quality signal.

d. Attached to the peak of the tile roof at locations other than indicated in d. above, with the shortest mast necessary, not to exceed twelve (12) feet in height, to receive and send an acceptable quality signal.
e. Attached to the back side of the tile roof other than the peak by a mast no taller than twelve (12) feet in height, to receive and send an acceptable quality signal.
f. Attached to the patio roof by a mast no taller than twelve (12) feet in height, to receive and send an acceptable quality signal.
g. Locations that are not preferred include the front slope of the tile roof, on a tall mast in the front yard, etc. These locations may be acceptable if proof is presented that locations a. through f. above do not allow an acceptable quality reception or transmission, as determined by the ALC.
h. If a mast must be higher than twelve (12) feet, placement preference shall be as indicated in locations a. through g. above and are subject to prior approval by the ALC for purposes of safety pursuant to FCC OTARD regulations.
i. All masts shall be painted to match the color of the house.

E. OTARD Authorized Devices (Antennas) – Limit One Antenna Per Type of Service.
Each residence is limited to one of these devices per type of service, as authorized by the OTARD regulations. Therefore, a second device that is merely duplicative and not necessary for reception is prohibited. Should a homeowner install a second antenna for the same type of service, it must be removed immediately, and the homeowner shall be subject to all applicable fines, fees and penalties set forth in Article IV, Section 10 of these Guidelines and as provided for in the CC&Rs, as well as any other rights and remedies that may be available at law or in equity.

F. Masts Over Twelve (12) feet in Height Supporting an OTARD Device – **ALC Permit Required**
For purposes of safety, any mast exceeding twelve (12) feet in height, as measured from the bottom of the mast to the top of the antenna, that supports an OTARD Device, requires an ALC Permit prior to installation. The ALC Permit Application shall include a diagram of the OTARD Device and the proposed mast, including the following:
1. An explanation of the means to protect neighbors and/or the community from potential safety hazards, i.e., lightning strikes, high winds, etc.
2. The lowest possible mast height required receiving point-to-point reception of an acceptable quality signal.
3. The first two preferences for placement location. Placement requests shall be at a location least Visible From Neighboring Property. Prior to approval, all requests for Permits will be reviewed by the ALC with emphasis on safety as well as the effect to the present and future aesthetic value of the community, including on-site review by the ALC. Homeowners may not install these devices until they have received an ALC Permit and must immediately move or remove such devices upon notice by the ALC, and such homeowners shall be subject to all fines, fees, and/or penalties as described in Article IV, Section 10 of these Guidelines. The ALC may deny placement not in compliance with ALC requirements or other determination under this paragraph, ALC Guidelines, or the CC&Rs.

G. Dish Antennas Exceeding One Meter in Diameter and Other Exterior Antennas – **Not Permitted**
All antennas exceeding one-meter (39.37 inches) in diameter, or any other exterior antennas for Two-Way Fixed Wireless Internet Broadband, AM or FM radio, amateur “HAM” radio, Citizen’s Band (CB) radio, Digital Audio Radio Service (DARS) or other signals, are prohibited.

H. Maintenance
Homeowners are responsible for the maintenance and repair of antennas. Antennas must not be allowed to fall into disrepair or become safety hazards.

Please note that these rules are in full effect until any pending FCC amendments are passed into law at which time this section will be revised accordingly.

**3. Arches – <u>ALC Permit Required</u>**

A. Arches shall be constructed of concrete block and shall be finished in stucco and painted to match the house or veneered with ALC approved stone. The outside contour of an arch may be curved or angular/square, provided the structure is proportionate with the house, blends with neighboring architecture and adds to the overall quality and aesthetics of the neighborhood and community. Under no circumstances shall the design exceed the height, width or area of arches being constructed as standard options to the specific homes being built by the Developer. See Appendix B for examples of acceptable designs. The examples on Appendix B are merely design examples, and the ALC makes no statement as to the structural integrity of the construction of such designs (including without limitation the need for rebar or other reinforcement in any overhead structures). Construction issues are the responsibility of your contractor. Arches may require structural engineering and the ALC may require a sealed drawing to show the completed engineering.

B. The inside width of the arch shall be no greater than five (5) feet [sixty (60) inches]. See Appendix B for examples of acceptable designs.

C. The maximum outside height of arches shall not exceed eight (8) feet from grade level and shall be attached to an adjoining wall on both sides. The maximum width and thickness of arch legs shall not exceed sixteen (16) inches. To provide flexibility, ranges for all design dimensions are shown in Appendix B.

D. Freestanding arches or gates of any type of materials are prohibited.

E. The homeowner must demonstrate that the design is structurally sound and meets all building codes applicable to SaddleBrooke Ranch.

F. Homeowners must provide the ALC with drawings showing the location on the Lot and an elevation (front view) view with full dimensions of the arch. Also, it is necessary to provide a site plan. You can use the plot plan for your Lot that you received in the closing packet for your SaddleBrooke Ranch home purchase. Plot plans are also available in the SaddleBrooke Ranch Sales office. This requirement may include a design done by a licensed professional. Homeowners must have these drawings prepared in advance and submitted to the ALC with the ALC Permit Application.

**4. Barbecues and Grills**

A. Fixed Barbecues/Grills – **<u>ALC Permit Required</u>**
Fixed Barbecues/grills shall not exceed five (5) feet in height, are only permitted in rear yards, and are not allowed under the roofline. They may be constructed of concrete block or such other approved fireproof and weatherproof material with stone finish or stucco finish painted to match the color of the house, stucco trim or wood fascia. They may be of natural gas or propane. Installing natural gas may require a Pinal County Permit. The homeowner should contact Pinal County to confirm requirements.

B. Portable Barbecues/Grills – **<u>No ALC Permit Required</u>**
There are many different types of portable barbecues and grills that may be of natural gas, propane or charcoal type. If natural gas is used, see Item A above. Portable barbecues/grills are prohibited in front yards.

**5. Bird Feeders and Birdhouses – <u>No ALC Permit Required</u>**

Bird feeders and birdhouses may not be more than six (6) feet in height and a minimum of three (3) feet above original grade level unless they are hung directly from the eaves of the roof. They may be located only in the rear yard of the Lot and placement in common areas is prohibited. A maximum of two (2) are permitted in each yard to limit the potential of a nuisance to neighboring properties. (Spilled

seed may attract rodents and snakes.) The ALC recommends hull-less seeds to lessen the probability of attracting wildlife. Hummingbird feeders are not included in this maximum.

**6. Casitas, Guest Houses, Room Additions – <u>ALC Permit Required and Developer Approval</u>**

A. The construction of all casitas, guest houses and room additions not completed prior to closing with the Developer requires review and approval by the ALC. Permit approval will depend on location and the overall effect on the neighborhood. After ALC review, developer/construction review and comments are required for final approval.

B. These structures must appear to have the same architectural characteristics as the house, including building color, roof tile type and color, roof style and slope, stucco, windows, doors and building trim. The structures must be appropriately sized to the available space.

C. Plans will be sent to Sales and Construction for placement and aesthetic review prior to the ALC making their decision.

D. Casitas, guest houses and room additions permitted in front or side yards only. They are not allowed on "Traditional" models. If placed in front of the original dwelling, the casita, guest house or room addition may extend no more than fifteen (15) feet forward, as limited by a line at the front of the home parallel to the Lot line of the original structure. In any event, any casita, guesthouse or building addition must be within the building setback line, as shown on the plot plan from the Developer, and, unless otherwise approved by the ALC in its discretion, must be attached to the original dwelling by either:

1. A continuous roofline between the two buildings.
2. A five (5) foot high wall.
3. An arch with a gate, or
4. A Ramada.

(See Appendices C & D for sample illustrations of the above requirements.)

E. A Pinal County Permit is required for the construction of any casita, guesthouse or building addition-homeowner should contact Pinal County to confirm requirements. Pinal County zoning laws strictly regulate the inclusion of kitchen facilities in casitas or guesthouses.

F. A complete set of construction documents including floor plans, elevations, and site plan, all drawings to scale and dimensioned, must be submitted, with the ALC Permit Application, for approval by the ALC. Color and material schedules are also required to be submitted to the ALC for approval with the ALC Permit Application.

**7. Decks, Pavers and Patios – <u>ALC Permit Required</u>**

Detailed plans, drawn to scale, depicting the patio, platform, deck or other structure must be presented to the ALC for review along with the ALC Permit Application. The height of any elevated patio, platform, and/or deck shall not exceed eight (8) inches above original grade. No observation decks, balconies or sun decks are permitted, except for optional decks offered by Developer on new home construction. Ramadas, gazebos and pergolas must comply with Article III, Section 25. None of the above may be constructed of real wood.

**8. Driveways, Driveway Extensions/Aprons, Walkways, Walkway Extensions and Coatings – <u>ALC Permit Required</u>**

A. Homeowners are cautioned that the utility companies have the right to remove any extensions or construction placed within the setback line of the Lot without reimbursement to the homeowner.

B. Care must be taken that underground utility lines are not disturbed when altering driveways or walkways. In no case shall the Developer, the ALC, the Board or the HOA or their respective affiliates be held liable or responsible for any driveway or walkway design or construction altered after closing. Further, the Developer, the ALC, the Board, the HOA and their respective affiliates

are not liable or obligated for the replacement of improvements resulting from removal by utility construction or maintenance.

C. An ALC Permit is required for any coating or change of color to the driveway or walkway. Color must match or approximate the color of the body of the house or a color otherwise approved by the ALC in the case of white and gray homes. Color choices are limited to those approved by the ALC and included in the color standards. Discontinued colors may be approved at the discretion of the ALC. Approval of nonstandard pavers are subject to ALC judgment.

D. Any driveway extensions or additional parking areas must be approved by the ALC. No driveway shall be widened beyond the width of the garage.

E. Homeowner vehicle(s) may only be parked on the driveway surface and are not permitted on any gravel.

**9. Fences –** (See Section 36 – Walls, Fences, and Gates)

**10. Fireplaces (Exterior), Fire Pits, Kivas – <u>ALC Permit Required</u>**

Exterior fireplaces, beehive fireplaces, kivas, and fire pits shall be constructed of block, brick or stone and shall not exceed six (6) feet in height above grade and may be placed only in rear yards, unless offered by the Developer as an option for that specific home type/model. The entire structure (caps, base, etc.) may not exceed six (6) feet from grade. They must be finished in stucco and painted to match the color of the house or covered with ALC-approved brick or stone. (ALC-approved brick or stone may remain the natural color). To the extent that gas or electric lines are extended, the Homeowner will likely need Pinal County approval. Portable units may be placed only in rear yards and do not require ALC Permits. Burning of brush, leaves, yard waste, trash construction waste, or other debris is prohibited.

**11. Flagpoles (permanent/stand-alone), Flags & Windsocks – <u>ALC Permit Required</u>**

Flags, as defined below, may only be flown from <u>permanent</u> or <u>removable</u> flagpoles.

A. **Permanent (Stand-Alone) Flagpole**

The location of the permanent/stand-alone flagpole must be at least ten (10) feet from all Lot lines unless adjoining common area or golf course, then the flagpole may be as close to the lot line as six (6) feet. If a space of ten (10) feet is not available, then such location will be at the discretion of the ALC. The top of the permanent/stand-alone flagpole may be no higher than the highest point of the house and in no case may it exceed twenty (20) feet in height. Stand-alone flagpoles shall be a silver color, dark bronze, black metal, or white fiberglass. Only one flagpole per Lot is allowed. No flag shall exceed three (3) feet by five (5) feet in size. A maximum of two (2) flags and two (2) windsocks flown may be displayed on any one Lot are at a time.

**B. Removable Flagpole – <u>No ALC Permit Required</u>**

Flags may be flown temporarily from removable flagpoles attached to the house by a bracket. A residence can have no more than 2 removable flagpoles. Flag sizes, number of flags, and description must comply with Section 11 C and D below.

C. **Flags**

Consistent with the current version of Arizona Revised Statute 33-1808 owners may display the American Flag, any historic version of an American Flag, or an official or replica of a flag of the Uniformed Services of the United States, if such American Flag or Uniformed Services Flag is displayed in a manner consistent with the federal flag code (PL 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).

Owners may also display the following flags, subject to the above rules:

- POW/MIA flag
- Arizona state flag
- Arizona Indian nations flag
- The Gadsden flag
- First Responder flag
- A Blue Star service flag or a Gold Star service flag
- A First Responder flag (may incorporate the design of one or two other first responder flags to form a combined flag)

This section shall be automatically amended to conform to any amendment or revision of Arizona State Statute Section 33-1808 or to the extent otherwise required by Arizona law. **The above listed flags are the only flags which may be flown from a permanent/stand-alone flagpole.**

D. **Other Flags**
For flags other than the flags in subsection (C) above the ALC from time to time, may designate other flags that may be flown from removable flagpoles attached to the house. A house may have a maximum of two (2) removable flag poles. For Garden Flags - see Article III, Section 40: Yard and Wall Art.

E. Flags portraying profane images or messages are prohibited. What constitutes a profane flag, image, message, etc. shall be determined at the discretion of the ALC.

**12. Fountains/Water Features – <u>ALC Permit Required</u>**

A. Permanent fountains and water features may only be installed in rear yards and front courtyards and may not exceed five (5) feet in height above original grade level. Pumps must be screened from the street, golf course, common area and neighboring Lot and located to minimize noise transmission to adjacent Lot. A courtyard is defined as a space enclosed by existing structures and courtyard walls.
B. Portable fountains must adhere to the above height and location requirements. These fountains may be located in front courtyards.
C. 110-Volt electrical connections for both types of fountains normally require a Pinal County Permit-homeowner should contact Pinal County to confirm any requirements. Underground wiring is required on permanent fountains.
D. Positive gravity drainage is to be provided for all water features and fountains to permit constant unsupervised drainage during periods that the feature/fountain is not in use and maintained. The homeowner is to provide mosquito and insect control at all times when the home is occupied. When the homeowner is away for more than a month, the feature/fountain is to be kept drained or regularly maintained by a third party.
E. No fountains or water features are permitted to be attached to the home at any time. Water features attached to the home may void the Developer's home warranty on certain claims.

**13. Furniture – Outdoor & Visible from Neighboring Property – <u>No ALC Permit Required</u> Items such as one-piece plastic stackable chairs are prohibited.**

- If Visible From Neighboring Property wood furniture (chairs, tables, benches, etc.) is ~~generally~~ discouraged due to the climate.

**14. Garage Additions and Modifications – <u>ALC Permit Required and Developer Approval</u>**

A. After ALC review, developer/construction review and comments are required for final approval.

B. Garages may not be converted for any use other than that for which they were originally intended. Garages, roofs and doorframes may not be modified to accommodate motor homes or other large vehicles. Driveways and garage floors are not to be lowered.
C. Where space permits, garage additions (golf cart, etc.) may be constructed but must be within setback requirements. An ALC Permit is required. In addition, Pinal County Building Permits are normally required. The homeowner should contact Pinal County to verify. The homeowner is to submit, with the ALC Permit Application, a detailed set of architectural plans of the addition drawn to scale, a copy of the building permit and a copy of the developer's plot plan clearly showing the addition, setback lines, etc.
D. These structures must appear to have the same architectural characteristics as the house, including floor at the same elevation, building color, roof tile type and color, roof style and slope, stucco, windows, doors and building trim. The structure must be appropriately sized to the available space, not overwhelming the space remaining on the lot before its construction.
E. Additions or modifications to garage side doors require an ALC permit.
F. The only window treatment allowed on garage door windows is window tint. It cannot be patterned and the tint cannot be reflective (silver, bronze, etc.). No other material is acceptable.

**15. Gates – (see Section 36 – Walls, Fences and Gates)**

**16. Gazebos – (see Section 25 – Ramadas, Gazebos and Pergolas)**

**17. Golf Ball Nets – <u>ALC Permit Required</u>**

A. Comments from adjacent neighbors (i.e., those on each side of the proposed net) must be submitted with the ALC Permit Application and will be considered by the ALC. The ALC, at its discretion, may request comments from additional neighbors. Posts to support the net may be no taller than twenty (20) feet above the grade level and must be painted a shade of beige approved by the ALC in connection with the specific ALC Permit Application.
B. No guide wires may extend outside the lot lines of the Lot upon which the net is erected.
C. The netting must be of a see-through material. The net must be maintained and kept in good condition. In the event of holes or any kind of disrepair, nets must be replaced or repaired within twenty-one (21) days so as to maintain the aesthetics of the community.

**18. Grass-Natural and Artificial – <u>ALC Permit Required</u>**

A. Natural grass or sod is not permitted in front yards. While natural grass or sod is not recommended due to the high-water usage, the ALC will consider the use of low pollen producing non-allergenic types of grasses in small areas in rear yards in the discretion of the ALC. Any grass that is Visible from Neighboring Property must be overseeded in the fall/winter.
B. Artificial grass/turf is permitted in front, rear or side yards and to the extent Visible from Neighboring Property must be approved by the ALC. No more than 25% of the area to be landscaped in the front may be artificial grass. The ALC will establish specification from time to time regarding minimum artificial grass specifications. Before submitting for a permit for artificial grass, please obtain the current artificial grass specifications from the ALC. Those Homeowners installing artificial grass should pay particular attention to ensuring not to alter, interfere with or obstruct the Lot's drainage pattern (see Section 5.2.24 of CC&Rs). All installations of artificial turf must be secured/pinned to the ground.

**19. Gutters, Downspouts, Roof Tile and Patio Roof Coatings or Sealing – <u>ALC Permit Required</u>**

A. A drawing must be submitted with the ALC Permit Application showing the location of all gutters to be installed and any existing gutters. The color of originally installed gutters and downspouts is pre-

finished. Any repainted gutters, downspouts or exposed drain connections must match the color of the adjoining surfaces. Color choices must be noted on the ALC Permit Application.

B. When gutter installation includes fascia board installation, the fascia board may be aluminum, wood or vinyl material and must match the house or existing wood fascia color.

C. The gutter and downspout system installed on any portion of the home must include a solid pipe collection system below grade. The pipe must be a minimum of three (3) inches in diameter. One of the following criteria must be met:
   1. It must carry all roof water to the back of the curb and ensure that all water will be expelled over the curb into the street via one of two methods: splash block or pop-up. (See the *Gutter Application* for details. The application is available in the HOA Office or on the website.)
   2 It must carry the roof water to the center of the closest drainage swale used for surface water drainage.

D. The application of a coating to the flat roof of a home must be described as an item of work on the ALC Permit Application. Roof coatings must match the color installed by the Developer or as approved by the ALC.

E. White roof coatings are prohibited on any roof, including flat roofs and patio roof covers on any roof if not originally applied by the Developer. Any change in the color of the roof coating or roof tile will require an ALC Permit, and must be consistent with the colors currently used by the Developer. Samples of tile and other materials proposed are to be submitted with the ALC Permit Application.

**20. House Numbers — <u>No ALC Permit Required</u>**

Permanent house numbers affixed to the structure shall remain as installed by the Developer. Alterations, changes or additions are prohibited. Replacements must be the same material, style, color and location as originally installed by the Developer. Numbers displayed on rocks, slabs of concrete/flagstone, and other similar displays of numbers on the ground will be treated as “yard art”. Builder installed house numbers that have faded may be repainted black or dark brown so that they may be clearly seen from the street.

**21. Lighting –**

A. Introduction

**The guiding principle for lighting is to not be obtrusive to your neighbors.** The Developer established SaddleBrooke Ranch as a Low Ambient Lighting Zone #1 in accordance with the current Pinal County Ordinance (AZ Development Services Code and Floodplain Management – Chapter 2.195 – OUTDOOR LIGHTING) which recognizes the intent of the International Dark Sky Association and provides a balance between safety and aesthetics. **<u>This section shall be automatically amended to conform to any revision of The Pinal County Ordinance 2.195 or to the extent otherwise required by Arizona law.</u>** Southern Arizona is the location of multiple astronomical observatories. As part of this approach, SaddleBrooke Ranch does not have street lighting. The purpose of residential lighting in SaddleBrooke Ranch is safety and security; beyond that, all other lighting is intended to be limited and subdued. In general, exterior lighting should be turned off at 10:00 PM. See “Section 21 I” below for exceptions to the 10:00 PM rule.

All fixtures must be shielded and/or located so that the light source is not directly visible from beyond any of the property lines. All exterior lighting must meet SaddleBrooke Ranch Architectural Requirements and Guidelines and are subject to review by the ALC.

Interior fixtures that are intended to illuminate something on the outside are considered exterior lighting for the purpose of this Guideline.

1. Glare: Glare is intense light that results in discomfort or reduction in visual performance and visibility. Lighting must not cause glare in neighboring lots or common areas and must not be directed into the street such as to blind oncoming drivers.

2. Color and Hue: Colored lights are prohibited except as holiday lighting.
3. Flickering or strobe lights are prohibited.

B. Security Lights Exterior: ALC Permit Required

Floodlights are permitted to provide homeowner safety, security, and peace of mind. They are intended for occasional use. They must not be directed into neighboring property, streets or directly toward the dwelling and must not be continuously illuminated. Due to the intensity of the light they produce, all security lighting fixtures should be shielded and be downward directed to conform to Dark Sky requirements, reduce light pollution, and prevent glare in neighboring properties.

1. Security lights are intended to be used primarily to provide security and safety, while maintaining a Low Ambient Lighting Zone #1. Generally, the number of lights should be limited to six (6) in the front and six (6) in the rear when visible from neighboring property.
2. Quartz Halogen lights: The use of Quartz Halogen floodlights is prohibited.
3. Motion Detectors: When used, the ground space illuminated by these lights should be 70 feet or less. When installing motion-activated floodlighting, the motion detectors should be positioned so as not to be activated by passing vehicles or frequently by wind, pedestrians or wildlife during night hours and must be shielded and/or located so that the light source is not directly visible from beyond any of the property lines.
4. Ground lighting for animal deterrence is prohibited.

C. Low Voltage Pathway, Landscape & Accent Lighting No ALC Permit Required

The intention of Pathway and Landscape lighting is not to illuminate the entire area, rather it is to provide safety, security and/or potentially highlight a landscape element.

1. Pathway and Landscape Lighting:
   a. Pathway and landscape lighting must be downward directed.
   b. A maximum of 200 lumens or 18 watts Halogen or 4 Watts LED each. (Equivalent to a 20-watt incandescent bulb) for each fixture.
   c. The majority of solar powered lights have no timer control feature and produce illumination until the battery loses power that has been generated during the sunlight hours. They may be continuously illuminated beyond the 10:00 PM limit, **however there should not be an excessive number of lights.**
   d. Rope lighting is not permitted to be used on the ground, walls or fences. See “Section 21 E” below for how it may be used.
2. Accent/Spotlight lighting:
   a. Accent lighting is where a spotlight is directed at a landscape element for aesthetic purposes (i.e. number sign, rock, tree, or plant). At no time may an accent light be directed towards any roadway or neighboring property.
   b. A maximum of 400 lumens or 35 Watts Halogen or 6 Watts LED (Equivalent to a 40-watt incandescent bulb) for each fixture.
   c. An LED accent light containing multiple LED bulbs within a single light fixture must not have more than 4 (four) LED bulbs.

D. Flagpole (Stand-Alone) lighting No ALC Permit Required

Flagpole lighting is restricted to state and federal flags and must comply with Pinal County Ordinance for Outdoor Lighting. Downward-directed lighting from the top of the flagpole is recommended.

E. Ceiling, Ramada, and Soffit Lights ALC Permit Required

In general, these lights should only be on when the area is occupied.

1. Outdoor fans with ceiling lights are acceptable if they are shielded, are downward directed, and do not produce glare beyond the property lines.

2. Fluorescent Lighting: Compact Fluorescent Light Bulbs (CFL) and LED lights are approved methods of providing lighting under ceilings and patio roofs. Fluorescent strip lighting is not an approved form of lighting in such locations.
3. Rope Lights**:** Rope lighting is acceptable if its intensity is subdued and it does not cause glare.
4. Bistro/String Lights (exposed bulb): String lights are acceptable if their intensity is subdued, they do not cause glare, are not colored and are turned off by 10:00 PM except for occasional special events. Colored and Strings of lights attached to objects in yards are not permitted, except as temporary holiday decorations. For the appropriate periods for holiday lighting, see "Section 21 H". String lights hung from the eaves of the house or a ramada must be shielded and/or located so that the light source is not directly visible from beyond any of the property lines.

F. Carriage, Front Door and Post Lights ALC Permit Required
The Developer installs carriage lights on the front of homes, in courtyards, and in entrance tower structures to provide safety and courtesy lighting for persons entering and leaving homes during hours of darkness. The light sources of these fixtures are shielded from the street and neighboring properties. Their light source must not be directed into neighboring properties or common areas or streets.
1. Carriage Lights**:** Carriage lights are lights attached to outside walls of the residence, generally located to the right and left side of a garage door. The light source of carriage lights must be Dark Sky compliant therefore, shielded and directed downwards.
2. Front Door Lighting: Lights in structures above front doors must be directed downwards.
3. Post Lights: A post light located in the front yard must be a minimum of 18 inches from the edge of the street curb. The maximum allowable height for any such light is 72 inches. The amount of light emitted from the light must not exceed 225 lumens, light source not exposed. The light pole must be painted black or bronze. The light fixture on the top of the pole may be black, bronze, brass or the same color as the house or fascia. Post lights may also be mounted on walls in front yards. For lights mounted on walls, the same rules apply for the color of the light fixture and maximum light output, with a height limitation of 54 inches from grade level to the top of the fixture.
4. Garage Door Service Light: Garage door service lights are lights attached to outside walls of the residence, generally located to the right or left side of the garage service door. The light source of garage door service lights must be Dark Sky compliant therefore, shielded and directed downwards.

G. Bug Light Zappers **–** No ALC Permit Required
No more than one bug zapper per lot is permitted and it is only permitted in the rear yard. It may not be located more than six (6) feet in height above grade level unless it is hung directly from the eaves of the roof. Bug zappers may not be located within ten (10) feet of the property line. In addition, they must not create glare or light that invades neighboring properties.

H. Holiday Lighting No ALC Permit Required
The periods when holiday lighting may be installed on homes and yards are as follows and must follow SBR ALC Requirements and Guidelines:
1. Thanksgiving, 2 weeks before through 7 days after.
2. Winter Holiday Lighting – The day after Thanksgiving through January 7th.
3. Other Holidays – Three (3) weeks before and one (1) week after.
4. For decorations other than lighting, see Article III, Section 40.

I. Lighting after 10:00 PM:
After 10:00 PM it is a violation if any light source causes glare or interferes with the reasonable use and enjoyment of neighboring properties. Homeowners who are hosting a party (or returning home

from an event) after 10:00 PM should be courteous to their neighbors by minimizing the amount of area lighting in use and must not create glare.

After 10:00 PM only the following lighting is allowed:

1. Lighting used only on an occasional basis for security or safety purposes.
2. Flagpole lighting.
3. Carriage lights which illuminate house numbers and recessed porch lights.
4. Solar powered lighting, as described in subsection C 1 c above.
5. Temporary lights used for providing heat to protect vegetation during periods of extreme freezing temperatures.

J. All uplighting is limited to 800 lumens and must be turned off by 10:00 PM.

**22. Mailboxes –** NO INDIVIDUAL MAILBOXES PERMITTED

All mail will be delivered via cluster mailboxes placed throughout the development in compliance with U.S. Postal Service requirements. Residents may not install individual mailboxes on Lots.

**23. Painting and Stone Veneer, Exterior – ALC Permit Required – No fee for repainting same color**

A. Prior to painting the exterior of the house or other structures, trim, doors, garage doors, the interior or exterior of party walls, non-party walls or return walls of a Lot, an ALC Permit is required.

1. All colors, other than the original color, shall be those currently in use by the Developer for private homes.
2. Each model and elevation have designated color schemes that must be followed.
3. Color scheme samples are available at the HOA front desk.
4. If the Homeowner is painting the same as the original color scheme, an ALC Permit Application is still required listing the color scheme number and the structure being painted, but the Homeowner is not required to pay an application fee.
5. The entire color scheme must be used if the Homeowner is changing the color. Different color schemes may not be mixed.
6. Carriage lights and house numbers can also be painted but should complement the color scheme being used (Black or Brown). The color of the originally installed gutters and downspouts is pre-finished. Any repainted gutters, downspouts or exposed drain connections must match the color of the adjoining surfaces.
7. If one (1) or more garage door panels are faded all garage doors are to be repainted.
8. All external conduit for equipment must be painted to match the adjacent surfaces.

B. The addition of stone veneer (can only be added to a model/elevation that already comes with stone accents.) ALC Permit Required.

1. A photograph or detailed drawing of the existing home showing the proposed location and placement of the additional stone veneer, together with a picture or a sample of the stone veneer and the exterior color of the home must be submitted with the application for the ALC Permit.
2. The stone veneer must be similar in color, design and placement as that used by the Developer. The stone veneer placement must be installed below the lowest wall pop-out and up to the bottom of that pop-out. A home with a front entrance portico, which has a flat façade and a pop-out or a roof eave, may be considered for installation of stone veneer on the portico.
3. The stone veneer placement must be installed to the bottom of the lowest pop-out or if the portico does not have a pop-out, to the roofline, including the sides of the portico.
4. When adding veneer to the rear of the house (planters, structure/patio walls, etc.), veneer should match as closely as possible to veneer (if present) on the front/side of the structure.

**24. Planters and Gardens – <u>ALC Permit Required</u>**

A. Planters may be constructed in front, side and rear yards provided the height does not exceed twenty-four (24) inches, and they do not encroach onto utility easements. Planter terracing may not exceed a maximum height of forty-eight (48) inches. Planters should not be longer than ten (10) feet in length. Planters must be waterproofed on all four sides to prevent leakage and peeling paint. Planters must be constructed of (a) concrete block, painted to match the wall or house color; or (b) brick or a natural stone of a color compatible with the rock ground cover being used or of stone being used on the house. Rustic metal planters may be approved by the ALC. Drawings of the proposed planters are to be submitted with the ALC Permit Application for ALC approval. The drawings are to be to scale and dimensioned to show plan, site location and elevations including materials to be used.

B. Gardens must follow the same guidelines as planters; except they may only be located in the rear yard and may not be terraced. Freestanding sunscreens or netting to shade/protect plantings and/or the erection of privacy structures are prohibited (see Article III, Section 31.C.2.c).

C. Greenhouses are not approved if Visible From Neighboring Property.

**25. Ramadas, Gazebos, and Pergolas/Patio Covers – <u>ALC Permit Required</u>**

A. General

1. Ramadas are freestanding structures rectangular or square in shape and can have a solid, slatted or louvered flat roof on top (as opposed to pitched).
2. Pergolas/Patio Covers are flat or angled slatted, louvered or solid on top~~,~~ attached to the house. They are generally used to cover a patio area or window. (Rear or side yard only)
3. Gazebos are freestanding structures, with a solid pitched roof (as opposed to flat), often circular or octagonal in shape.
4. A detailed drawing of the proposed structure, drawn to scale and completely dimensioned, must be submitted with the ALC Permit Application. The drawings are to show site location, plans, elevations, location of all related property lines, setbacks and materials with all dimensions.
5. Ramadas, gazebos or pergolas may be considered in the rear where lots adjoin the golf course or common areas depending on the size, shape and location of the lot or where a wrought iron fence would be required as described in Article III, Section 36.B.3. In these instances, Ramadas, gazebos or pergolas will be considered on a case-by-case basis.
6. The structure must be painted or finished to match the color of the house, stucco trim or wood fascia. Wood materials are not permitted due to the extensive maintenance created by the Arizona climate.
7. Construction of such structures is limited to rear and side yards only, except when a plan includes a casita, in which case a pergola is allowed between the house and the casita.
8. A Pinal County Permit may be required. The Homeowner should contact Pinal County to verify.
9. Swings may only be placed in side or rear yards. The structure height cannot exceed nine (9) feet above grade.
10. Fabric curtains are not allowed on these structures.

B. Ramada

1. Ramadas:
    1. The maximum allowable height of the roof of ramadas is nine (9) feet above original grade level measured to the highest point of the structure.
    2. Umbrella-type ramadas (including without limitation fabric sun sail shades) and palapas (thatch roofs) are prohibited; however, temporary umbrella type ramadas (EZ-Ups) are

permitted only for special events, in which case they can only be put up two (2) days prior and must be taken down within two (2) days after**.**

3. The height of any elevated ramada floor shall not exceed eight (8) inches above original grade.

C. Gazebo
   1. The maximum allowable height of such structures is eleven (11) feet above original grade measured to the highest point of the structure.
   2. The roofs of these structures must be pitched and constructed of tile matching that used on the house; all other roofing materials are prohibited.

D. Pergola/Patio Cover
   1. A Pergola must be appropriately sized to the available space.
   2. The maximum allowable height of such structures shall not exceed the height of the fascia.

**26. Screen Doors, Security Doors and Entry Doors – <u>ALC Permit Required</u>**

A. Screen (including invisible screen doors) and Security doors and their ornamentation may be used on any exterior door and must be limited to one of the following colors, and must include a drawing of the proposed door or enclosure with the ALC Permit Application indicating all finishes and colors used:
   1. Same color as house or wood fascia.
   2. Predominately black or dark bronze.
   3. Non-Developer installed design styles must be approved by the ALC.

B. Security doors and enclosures must be constructed of wrought iron, tubular steel or aluminum provided the design is of square solid or tubular material and has the appearance of a wrought iron door. No wood or lightweight screen doors or security doors are permitted. Perforated metal screening or poly-screening material panels may be used as backing on security/screen doors and porch enclosures and must match the color of the outside frame or such other color as approved by the ALC. Screen material must be black, charcoal, or dark bronze unless it is the screening material described in the previous sentence.

C. Entry door colors must conform to the corresponding homes color scheme. Where glass is installed, it must be clear or frosted.

**27. Signs – <u>No ALC Permit Required, except for letter C (no fee)</u>**

A. Political Signs

According to the current version of Arizona Revised Statute Section 33-1808, political sign means "a sign that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer." Consistent with the current version of Arizona Revised Statute Section 33-1808 and Pinal County Ordinance 2.145.050, a homeowner is permitted to display political signs on their property during the period commencing seventy-one (71) days before the day of an election and ending fifteen (15) days after an election day. The maximum aggregate dimension of all political signs on a member's property shall not exceed nine square feet at any single time. This section shall be automatically amended to conform to any amendment or revision of Arizona Revised Statute Section 33-1808, Pinal County Ordinance 2.145.050 or to the extent otherwise required by Arizona law.

B. "For Sale" Or "For Rent" Signs

A homeowner is permitted to display one "for sale" or "for rent" sign (which sign may have no more than two (2) riders) on the homeowner's lot. In addition, a homeowner is permitted one lead-in/directional "open house" sign at each applicable intersection directing the buyers from the entrance of the community to the house. All such lead-in/directional "open house" signs are to be

displayed only on the day of the open house during the actual open house, which shall be held only during the hours of 8:00 AM to 6:00 PM. No additional lead-in/directional signs are permitted on HOA common area. All such signs must be industry standard size (i.e. not exceeding eighteen (18) by twenty-four (24) inches).

C. All Other Signs
Signs limited to the homeowner's name(s) may be displayed in the front of the Lot, either attached to the house/garage or placed on the ground, upon approval of the ALC. Signs under this provision do not satisfy or replace the requirement for House Numbers found under Article III, Section 20 above. All other signs, including without limitation, signs of a general nature and those containing "quaint" sayings that are Visible From Neighboring Property are not permitted, except for signs in conformance with A and B above or otherwise approved by the ALC in its discretion. One (1) contractor sign may be displayed on the Lot once the homeowner is under contract. Contractors' signs posted on Lots must be posted in accordance with state laws (including the name and registrar of contractor number) and must be removed fourteen (14) days after completion. Signs required for legal proceedings must be posted in accordance with state laws. Signs stating the homeowner's name must meet the following criteria:
   1. Overall size shall be limited to maximum dimension of seventeen (17) inches in height, thirty (30) inches in width or a maximum of five hundred ten (510) square inches.
   2. Materials are limited to stone/slate/flagstone, wrought iron (black) or metal (bronze/black/beige). Wood is not permitted.
   3. Letter size four (4) inches (maximum) in height; font is subject to ALC approval.
   4. Background color should be consistent with house and trim colors. Bright, strong, or gaudy colors are not permitted.
   5. Letters shall be of metal, wrought iron, ceramic, or hard plastic.
   6. Letters can be black, bronze, or match house trim as long as contrast with the sign background and of the house color is clearly evident. When placed on stone/slate, letters may be painted using colors described above.
   7. Other ornamentation on signs stating the homeowner's name, if any, is limited to items consistent with the Sonoran Desert Theme (see Article III, Section 40, Yard Art) (i.e., cacti, flora, fauna, Kokopelli's etc.). Such items must be proportional to the overall size of the sign and generally limited to no more than 20% of the total surface.
   8. Final suitability of all signage is subject to approval by the ALC.

**Note:** Any existing sign, when repaired or replaced, must conform to these guidelines. Without limiting any other rights or remedies, the ALC, the HOA or the Board and the respective agents of any of the foregoing, may enter a Lot or Parcel for the purpose of removing any signs that do not comply with these guidelines and/or the CC&Rs.

**All other signs are prohibited.**

**28. Solar Panels/Collectors – ALC Permit Required**

A. A Pinal County Permit may be required for the installation of solar panels/collectors and ancillary equipment. The Homeowner must contact Pinal County to confirm requirements. The installer must be a licensed solar contractor with the appropriate general and contractor's license.
B. All exterior conduit and plumbing lines shall be painted to match the color of adjacent roof material and walls. Aluminum trim, if used and visible, should be anodized or otherwise color treated to blend into the surroundings as much as possible.
C. An illustrated brochure or drawings of the proposed solar unit, which depicts the materials to be used, and drawings showing the location and number of collectors, the method of attachment to

the roof structure, and the location of exterior system components, shall be submitted with the ALC Permit Application. Ground-mounted solar panels/collectors must be within the setback lines and concealed so as not to be Visible From Neighboring Property. All installations shall meet the applicable fire, safety and building codes and any other applicable laws, including without limitation Arizona Revised Statute Section 44-1762 (as such statute may be amended or modified). Neither the ALC nor the Board is liable to the homeowners for roof damage or for effects to roof or other home warranties.

D. Solar tube skylights do not require an ALC Permit. However, homeowners should be aware that such installations might affect their warranty from the Developer. Homeowners are urged to check the impact on their warranty with the Robson Ranch Mountains, LLC customer service office prior to installation.

**29. Spas and Swimming Pools – ALC Permit Required**

A. Spas (prefabricated) - Prefabricated spas may not exceed three (3) feet six (6) inches (42 inches) in height above surrounding grade level and must have locking covers. Any sides Visible From Neighboring Property must be concealed by a wall or covered with ALC approved stone or stucco. Such walls shall be a minimum height of the spa or up to sixty (60) inches (non-party wall) maximum. Shielding of the service access panel (if applicable) is not required. Every attempt must be made to minimize noise transmission to adjacent Lots stemming from spa pumps.

B. In-Ground Spas and Swimming Pools.
   1. A site plan, drawn to scale and completely dimensioned, must be submitted showing the location of all pools/spas, screen walls, equipment, and related hardscape, setback lines, house location and property lines. The distance to neighboring homes from pool/spa pumps is also required.
   2. All pools and spas must be installed in accordance with the latest Pinal County ordinances, building codes and any other applicable laws. Without limiting the foregoing, pools and spas must comply with Pinal County setback requirements, and a Pinal County Building Permit may be required. If the homeowner is planning an in-ground pool or spa, then he or she should contact Pinal County to confirm requirements and obtain the latest ordinances and other requirements prior to applying for an ALC Permit. Plans submitted with ALC Permit Application must comply with the requirements of any and all applicable laws and permits. The homeowner is responsible for complying with all ordinances and applicable laws.
   3. Pool/spa pumps must be screened so that they are not Visible from Neighboring Property and should be located so as to minimize noise to adjoining properties. The screening should be concrete block walls, with stucco painted to match the home, enclosing the pump and any other equipment for the pool/spa, and should be no higher than the equipment to be screened. If a gate is part of the screening, a solid panel is required on the gate.
   4. Above ground pools are prohibited.

**30. Storage Facilities/Structures – ALC Permit Required**

A. In accordance with Section 5.2.2 of the CC&Rs, any storage facility/structure must not be a temporary structure. Any storage material Visible from Neighboring Property is prohibited.

B. Any and all storage facilities/structures must be no higher than six (6) feet measured from the ground level. Complete specifications as to size, type of material(s) used, color and the proposed location of installation must be submitted to the ALC for approval. A copy of any applicable descriptive brochure and/or a proposed post-construction picture, if available, would be helpful.

C. Any storage facility/structure must be placed on a concrete slab or a base made of pavers or cinder blocks, finished in stucco and painted the color of the house. It can be placed in close proximity to a property line; however, any property line wall (whether a Party Wall, Perimeter or Return Wall)

cannot be used as a wall of the storage facility/structure. If constructed using blocks, it must be finished in stucco and painted the color of the house and the roof must be constructed with the same roof tiles as the house on the Lot.

D. Any storage facility/structure must be in the rear or side yard. If the rear and side yard of the Lot is fully enclosed by a masonry wall, such wall must be at least as high as the storage facility/structure. If the rear and side yard of the Lot are not so enclosed, the storage facility/structure must be concealed in such a manner that it is not Visible From Neighboring Property. The manner of concealment shall be submitted as part of the ALC application.

E. Storage facilities are to be used exclusively for storage of personal property of homeowner. Storage facilities and structures shall not be used to house pets.

**31. Sunscreens, Security Shutters, Fixed Window Screens, Screened Enclosures, Awnings, Sunshades and Replacement Windows – <u>ALC Permit Required</u>**

A. Definitions:
   1. Sunscreens: Designed with screening material, sunscreens are installed within open patio areas and may be raised or lowered as needed. Typically used to block sun rays or for privacy purposes. May also be installed over a window.
   2. Exterior Security Shutter: A type of shutter consisting of many metal horizontal slats or sections hinged together which can be raised or lowered as needed. May be used to provide some security and/or privacy for a patio area or over a window.
   3. Fixed Window Screens: Attached panels, designed with transparent material that fits directly in front of the window. Typically used for sun protection.
   4. Screened Enclosures: Non-moving or permanent panels, designed with screening material used to enclose the entire open patio area. Typically used to create a protected space from insects or other debris.
   5. Fixed Awning- Only Developer installed fixed awnings are permitted.
   6. Retractable Awning- Location in the rear/side yard only and hardware and fabric must match the color scheme of the house

B. Guidelines:
   1. Sunscreens, Security Shutters, Fixed Window Screens and Screened Enclosures:
      a. Sunscreens, Fixed Window Screens and Screened Enclosures: The frame of any exterior sunscreen must have a metal or composite frame and a solid color approximating the color of the body of the house, stucco trim, or wood fascia. Screen material may be black or bronze or a color approximating the color of the body of the house. Exterior sunscreens made of non-PVC-coated screening material, reed or bamboo are prohibited.
      b. Exterior Security Shutters – Exterior security shutters must be metal or composite materials and a solid color approximating the color of the body of the house.
      c. All of the above are limited to the side and/or rear of the house. If movable, they are to be vertical only and when lowered they must be secured.
   2. Other Sunshades:
      a. No interior or exterior reflective material shall be used as a window covering.
      b. No aluminum foil, cardboard, paper, insulation material or other similar material is allowed inside or outside to cover a window.
      c. Freestanding sunscreens or netting to shade plantings and/or the erection of privacy structures are prohibited.
      d. Umbrellas are permitted if they are solid in color and remain closed when not in use. **No ALC Permit required.**
   3. When replacing windows the style/color must match the existing windows put in by the builder**.**

**32. Tiles, Exterior – ALC Permit Required**

Ceramic tiles on the front of the house and around windows and doors that are visible from the street are prohibited. Ceramic tiles on non-party, trash, return walls, arches and on steps/stairways are permitted, subject to compliance with the other requirements in Article III, Section 40 below.

**33. Trash Containers – No ALC Permit Required**

A. Two rubber or plastic type trash containers are permitted but cannot exceed a height of forty-eight (48) inches each. They must not be Visible From Neighboring Properties (as defined in the CC&R's). Rear view of Trash Container must be shielded by plants, bushes or landscaping to minimize rear view impact.
B. Gates being used to block and/or screen Trash Receptacle(s) must block total front and side view of Trash Receptacle(s). If the Trash Receptacle is hidden from view by a gate, the gate must have a solid back panel.
C. No garbage or trash shall be placed or kept on any Lot, Parcel, or other area in SaddleBrooke Ranch, except in covered containers of a type, size and style trash and garbage containers issued by the trash pickup company contracted for trash pickup in SaddleBrooke Ranch. Such containers shall be maintained and stored so as to not be Visible From Neighboring Property except to make them available briefly for collection. No outdoor incinerators shall be kept or maintained in SaddleBrooke Ranch.
D. See Article I Section 7 B to see when trash may be placed curbside.

**34. Trees – ALC Permit Required**

An ALC Permit is required to add, move or substitute the species of any tree. "Volunteer" trees must be approved by the ALC for type and location, if they are to be retained in the landscaping. The ALC makes notations on the landscape plan to note these changes to keep the landscape plan current. See the *Recommended Plants for SaddleBrooke Ranch* and the *List of Prohibited and Not Recommended Plants*. There are links to these lists on the SaddleBrooke Ranch HOA website or the lists are available in the HOA office.

A focal plant is a tree, columnar cactus (e.g., Saguaro) or other significant plant approved by the ALC. Each front yard shall contain at least one focal plant which, when initially planted, shall be of a height not less than five (5) feet measured from the adjacent grade. If focal plant is planted on top of a mound, it is to be measured from the top of the mound. If focal is a columnar cactus (e.g., Saguaro) it must be a minimum of six (6) feet in height from the adjacent grade or top of the mound. If focal plant is replaced, above guidelines apply.

In addition, pursuant to Section 5.2.18 of the CC&Rs, no homeowner shall allow any tree, shrub or planting of any kind on the homeowner's Lot to overhang or otherwise encroach upon any sidewalk, street, bike path, golf cart path, trail, pedestrian way, the Golf Course or other Lot, Parcel or area from the ground level to a height of eight feet without the prior written consent of Developer (so long as Developer or any of its affiliates owns any property in SaddleBrooke Ranch in fee or beneficially) or the ALC, and the consent of the homeowner of the Lot or other area encroached upon.

See the *Recommended Plants for SaddleBrooke Ranch* for a list of common plants and their average height and width at maturity and recommended distance from property line based on such maturity size. There is a link to this list on the SaddleBrooke Ranch HOA website or the list is available in the HOA office.

Please be advised that this is only the recommended distance and the actual mature size of a particular plant may be larger and result in a prohibited encroachment that needs to be corrected.

**35. Trellises & Lattice Panels – ALC Permit Required – No fee**

Trellises and lattice panels may be used to support plant material. The panels or trellises must be securely attached to the house or wall (not fence) and cannot be free-standing. Trellises must either be painted to match the house or wall color the panel is attached to, or it may be black or bronze. Trellises may not be attached to wrought iron fences. Plant material used with trellises attached to the home shall be in a pot consistent with Article II, Section 2.L.7. Trellises must not exceed the height of the wall to which they are attached. Trellises and lattice panels are to be flat. They may have curved/rounded tops, but shall not extend above the eave or gutter line of the home, or the top of a wall and shall be parallel to the wall they are mounted on or adjacent to. Panels shall not be placed near an exterior corner at the front of the home or project beyond the corner. Wrought iron trellises must be painted black, bronze or the color of the house or wall. Freestanding trellises, lattice panels, archways and arbors are prohibited.

**36. Walls, Fences, and Gates – ALC Permit Required**

A. Walls

1. Wall/Fence General Guidelines
   a. All new walls or alterations to existing walls shall require an ALC Permit Application.
   b. All wall/fence applications must include a scaled dimensional drawing and show the property line and all related set-backs.
   c. Combination walls must have 2 courses of block with stucco as a base (must be eighteen (18) inches above grade) and the remaining fencing of wrought iron must be constructed so that the distance between the tops of the horizontal members are no closer that forty-five (45) inches. Overall height cannot exceed seventy-two (72) inches. **NOTE: See Pinal County Building Code for walls/fences if you are building or plan to build a pool.**
   d. When completing scaled dimensional drawings if there are any existing walls/fences they must be included and so noted on the drawings.
   e. Walls/fences backing up to golf course or common area must be “Combination Walls” or wrought iron and must be constructed with the footing one (1) inch inside the property line and comply with Article III Section 36 B in these guidelines governing Fences (i.e., must be wrought iron or combination masonry and iron and not solid masonry).
   f. Wood, screen, metal screen, chain link fencing, temporary fencing or any other material besides wrought iron and concrete block is prohibited (except for animal deterrent fence - see B.6 below).
   g. Columns are not permitted on party walls/fences or return walls/fences.
   h. Murals – see Article III, Section 40.
   i. Ornamentation and artwork are prohibited on fences and on top of Party Walls

2. Definitions:
   a. Party Wall – shall mean a wall/fence, including the footer, constructed on any property line separating Lots. If abutted to a Common Area, Golf Course or other areas within SaddleBrooke Ranch the footer must be one (1) inch inside the property line. A Wall Permission Letter must be completed and signed from each lot when the wall is being erected between two (2) residences. If the adjacent lot is not closed, the letter must be signed by the SaddleBrooke Ranch Sales Manager.
   b. Return Wall – A wall that connects any of the above walls to a residence. A “weep” block or appropriate underground drains are required at the bottom of or under any solid return wall

to allow for proper drainage. When attaching to a Party Wall a Wall Permission Letter must be completed and signed by both homeowners. If the wall is not being attached to a party wall but is adjacent (not to exceed a half (1/2) inch gap), no Wall Permission Letter is required.

c. Retaining Wall – A wall constructed along a slope to hold back or support the earth on a slope.
d. Trash Wall - A wall erected to screen trash receptacles from neighboring property.
e. Courtyard Wall – A wall erected to enclose an area adjacent to the house.
f. Stacked Wall – A wall put together without mortar, used for decorative purposes or to define a mound. It must be made of natural material.
g. Non-Party Wall – A wall that is located completely within Property Lines and may be decorative, screening or functional in purpose. Some examples are:
    1) Decorative Wall – wall which has an aesthetic purpose of adding to the landscape.
    2) Screening Wall – wall which provides privacy in a limited area.
    3) Seating Wall – wall which provides for seating.
    4) BBQ Screening Wall – a wall erected to screen a BBQ (Portable or built-in) from neighboring property.
    5) Pool/Spa Screening Wall – to screen pool equipment or a prefabricated spa. See Article III Section 29.
h. Perimeter Wall --is referenced in Section 5.2.16 and 4.7 of the CC&Rs and is a wall or fence or other similar structure at the perimeter of SaddleBrooke Ranch, a subdivision within SaddleBrooke Ranch, or other similar locations erected by the builder.

3. Guidelines
    a. Party Wall – Party Walls shall be masonry finished in stucco and painted according to the guidelines.
        1) The wall must match Dunn Edwards High Noon (#DEC743) if it faces common areas, public areas or a vacant Lot. An exception may be made at the ALC's discretion if the house color is not complementary to the common community color, Dunn Edwards High Noon. I.e. homes with a gray or white paint scheme placed on a corner lot or have no adjoining walls. The wall may be painted either High Noon or the house color on the interior of the wall.
        2) Regardless of the height of the wall being constructed, all footers must be sufficient to support a six (6) foot high wall.
        3) Except as set forth in Section 5.2.15 of the CC&Rs, it is the responsibility of the homeowner constructing the wall to paint both sides of the wall. A Party Wall Permission form must be submitted with the ALC Permit Application for walls adjoining another lot.
        4) Any construction relating to Party Walls must also comply with Section 5.2.15 of the CC&Rs.
        5) Masonry used to raise Party Walls shall match the type and size of existing masonry.
        6) Granting of an ALC Permit by the ALC to construct, raise or modify a Party Wall will require the written agreement of all homeowners sharing the Party Wall. The ALC must be provided a copy of the original letter of authorization in order to grant the ALC Permit.
        7) Party Walls shall be constructed of eight (8) inch by eight (8) inch standard block; and must be a minimum of five (5) feet high and a maximum of six (6) feet high. The height of the masonry party wall must parallel any change in ground elevation such that the height of the wall may not exceed six (6) feet from the ground level at each point along the wall.
        8) Party, trash and courtyard walls may not extend more than five (5) feet in front of the front most part of the structure or be within the front setback from the curb.

b. Return Wall.
   1) Return Walls shall be constructed of eight (8) inch by eight (8) inch standard block and must be a minimum of five (5) feet high and a maximum of six (6) feet high.
   2) A "weep" block or appropriate underground drains are required at the bottom of or under any solid return wall to allow for proper drainage.
   3) When attaching to a Party Wall, a Wall Permission Letter must be completed and signed by both homeowners. If the wall is not being attached to a party wall but is adjacent (not to exceed a 1/2" gap) no Wall Permission Letter is required.

c. Retaining Wall – County to confirm requirements.
   1) Retaining Walls must match the stucco finish and painted the base color of the house. Due to the complexities involved in building Retaining Walls, a detailed separate drawing must be furnished to the ALC showing site location of the wall, detailed sections of the slope and wall for each condition, materials, construction details, drainage, etc.
   2) Some Retaining Walls may require structural engineering and the ALC may require a sealed drawing to show the completed engineering. The ALC will consider each request based upon its own merits and may require additional information.

d. Trash Wall –
   1) Trash Walls shall be constructed of eight (8) inch by eight (8) inch standard block.
   2) The wall is a minimum height of five (5) feet not to exceed six (6) feet without ALC approval.
   3) Trash walls may not extend more than five (5) feet in front of the garage or be within eighteen (18) feet of the inside of the curb.
   4) The wall is architecturally styled, surfaced, and painted to match the base color of the house. The enclosure must have a gate or stub wall such that the trash receptacles are not Visible from a Neighboring Property or street.
   5) If a gate is being used to "shield", the gate must have a solid metal (i.e., not perforated) back.
   6) If a stub wall is being used it must be a minimum of three (3) feet long.

e. Courtyard Walls -
   1) The wall cannot be more than seven (7) feet from the front of the house/garage, whichever is closest to the street, and may not be located in the easement.
   2) Courtyard walls must enclose an area adjacent to the house.
   3) They may or may not have a gate. If they do not have a gate, the one opening must be no wider than four (4) feet.
   4) Wall must be between thirty-six (36) and forty-two (42) inches high.

f. Stacked Walls –
   1) May not exceed eighteen (18) inches in height.

g. Non-Party Walls –
   1) May not exceed six (6) feet high in the rear yard or forty-two (42) inches in the front yard.
   2) They shall be constructed of eight (8) inches by eight (8) inches or six (6) inches by six (6) inches standard block.
   3) The height of the masonry wall must parallel any change in ground elevation such that the height of the wall may not exceed six (6) feet from the ground level at each point along the wall.
   4) There may be a cap on the wall of stucco, flagstone, or of natural stone which matches the stone on the house.

B. Fences:

1. Fences on Lots shall match the style (i.e., same design) installed by the Developer. All such fences shall be black or in Unit 46A they must match Dunn Edwards Chocolate Chunk # DE6070. They must be made of wrought iron or tubular steel (aluminum fencing is also an acceptable alternative provided the style/design is not changed (i.e., it is designed to look like wrought iron).
2. Wrought iron or tubular steel fences that are between a homeowner Lot, on the one side, and golf course or common area property, on the other side, must be party fences complying with this Section, constructed within one (1) inch of the Lot property line so that maintenance of wall/fence on both sides remains the responsibility of the Homeowner; no solid masonry walls are permitted, except for those limited sections of solid masonry walls reasonably necessary to shield neighboring properties and/or common areas from viewing or hearing pool or spa equipment. In addition, such fencing (for lots backing up to the golf course or common area lots) must also extend from each corner of the rear property line towards the front of the house no less than sixteen (16) feet (i.e. no solid masonry within such sixteen (16) feet); however, beyond such sixteen (16) feet the remaining portion of the wall/fence extending to the front of the Lot may be masonry wall (complying with Section 36 A above) or fencing (complying with this Section). Two courses of block wall "Combination Wall" (allowing for changes in ground elevation) may be used as a base, and such block is part of the above height calculations. Such block wall base must be finished in stucco and painted to match Dunn Edwards High Noon #DEC743 on the side facing the common area or golf course. An exception may be made at the ALC's discretion if the house color is not complementary to the common community color, Dunn Edwards High Noon. I.e. homes with a gray or white paint scheme placed on a corner lot or have no adjoining walls. The wall may be painted either Dunn Edwards High Noon or the base color of the house on the side facing the inside of the Lot.
3. Any fences that were part of the Developer's construction on golf course and/or common area may not be removed or altered by anyone other than the Developer without the prior written consent of Developer, which may be withheld or conditioned in Developer's sole and absolute discretion. If the fence is on the property line you must have written permission from the adjoining Lots.
4. The height of the fence must parallel any change in ground elevation such that the height of the fence must be between five (5) feet and six (6) feet from the ground level at each point along the fence line. Regardless of the height of the fence being constructed, all footers must be sufficient to support a six (6) foot high fence.
5. Animal Deterrent Fence: With the permission of the ALC, a homeowner may attach mesh to the inside of the fence to discourage wildlife. The specifications for such fencing are found in the document *Standards for Animal Deterrent Fence.* The document is available in the HOA Office or on the website. These specifications must be followed exactly.
6. Vines, plants and trees planted against or near fences are to be trimmed so as not to allow the plant material to encroach onto neighboring residential property.
7. Homeowners are not to attach items to fences where they are Visible From neighboring Property. This excludes Weather Devises see Section 38.

C. Gates

1. Gates must match Developer's style and be constructed of wrought iron, tubular steel, or aluminum and may contain metal screening panels on the rear of the gate (fabric is prohibited). Wrought iron, tubular steel, or aluminum gates may be predominately black or bronze in color or match the house or adjoining wall color. Ornamentation on gates must match Developer's style, must be approved and be permanently affixed. If materials other than wrought iron are used for maintenance reasons, then the design shall give the appearance of a wrought iron gate. Gates must be the same height as adjoining fence and/or wall, unless arched. Arches

are allowed on gates, but the maximum height of the arch on the gate shall not exceed one (1) foot above the adjoining wall unless such gate is rounded to match any approved arch enclosure. See Article III, Section 3 regarding arch requirements.
2. If a gate is being used to "shield", then it must have a solid metal (i.e., not perforated) back.
3. Wood gates are not permitted due to the extensive maintenance created by the Arizona climate.
4. The design of the gate is to be approved by the ALC.
5. Gate openings shall not exceed forty-eight (48) inches except in courtyards and arches where they must fill the opening up to sixty (60) inches maximum.

**37. Water Containment Systems – ALC Permit Required**

A. Water containment and water storage systems (including rain barrels shall be located immediately adjacent to either the side or rear wall of the residential structure. No freestanding systems (more than six (6) inches from a side or rear wall) are permitted at any location.
B. No component of a system shall be made of wood: only plastic, fiberglass, steel or other materials submitted to and approved by the ALC may be used. All components (including pipes and shielded electrical lines) shall be painted the same color as the principal structure.
C. Any and all systems and all components thereof shall not be higher than six (6) feet measured from grade level. Each system shall be entirely enclosed by a solid wall so that it is reasonably shielded, and no part of the system may be visible from a neighboring property or from the street or other common areas. The wall shall not exceed six (6) feet in height. Access doors are limited to number necessary to maintain the system. The wall shall be painted the same color as the house and, if constructed of blocks, shall be finished in stucco prior to painting. If the property is already walled in a manner deemed compliant by the ALC, the ALC may waive the above enclosure requirement.
D. If the system is not enclosed at its top, the top shall be screened with metal screening sufficient to prevent access to the water by mosquitoes.
E. All systems, and each part thereof including pumps and valves, must be placed on a concrete slab engineered to support the weight of the maximum amount of water the system is capable of retaining. Incorporated in the slab there shall be a positive enclosed drainage system that will transport any water escaping or released from the system to one or more pop-ups at the front curb of the property. In addition, if the top of the system is not enclosed, the storage tank shall contain an overflow valve or port that will direct water from the tank directly to the drainage system.
F. Prior to approval, complete specifications as to the size, type of material(s), color and location of the proposed installation must be submitted to the ALC in addition to a copy of the parcel plat or landscape plan containing sufficient information to permit the ALC to reasonably evaluate the proposed project. Such submissions must include one or more depictions of the installed system as seen from the neighboring property or adjacent common area. The submission of materials supplied by the system vendor will facilitate the ALC approval process.
G. Water stored in the system shall be for the use of the homeowner only and may not be sold, leased or otherwise commercially utilized. Use of these systems for the storage of water or the use of water is subject to such controls and/or conditions as from time to time may be imposed by the SBR HOA, the Developer or State, local or Federal agencies.

**38. Weather Recording Equipment – ALC Permit Required**

Weather recording equipment and/or weathervanes shall not be placed on the roof or chimney of any residence. A drawing is required showing the placement of the equipment and dimensions. Maximum height is six (6) feet from original grade. Weather recording equipment must be placed in the rear yard.

**39. Wind Chimes** – **No ALC Permit Required**

Wind chimes should not be so loud as to cause unpleasant noise to neighboring properties.

**40. Yard and Wall Art – ALC Permit Required - No Fee for Yard Art Permits**

Yard art and wall art must be Sonoran Desert Theme. Sonoran Desert art shall include those items, which are complimentary to classic and traditional Western art, including but not limited to replications of cacti, desert flora and fauna, Kokopelli's, and small Sonoran Desert birds, reptiles, and mammals. Colors must blend with the house, rock and community. Modernistic, impressionistic, or contemporary interpretations of Sonoran Desert Art are not considered complimentary to SaddleBrooke Ranch and are therefore not permitted.

- Art is to be limited to prevent clutter. The number of ungrouped pieces should not exceed six (6) without prior ALC approval. Size of objects should not be excessive with respect to the dimension of the Lot as determined by the ALC.
- Themed groupings are limited to a maximum of two (2) on a Lot, with a maximum of five (5) pieces in any one grouping. A themed grouping such as quail or coyotes is considered a single piece of art. The size of a themed grouping will be limited to the dimensions as stated in paragraph A under Yard Art (below).
- A limited selection of examples of conforming and non-conforming Sonoran Desert art motifs are detailed in Appendix E. Statues, depictions, artifacts, and other man-made objects that do not meet these requirements are prohibited.
- Yard and Wall Art if Visible From Neighboring Property made out of wood is generally discouraged due to the climate.
- Art that is judged by the ALC to be non-conforming must be removed from the yard within twenty-one (21) days of notification by the ALC. The non-compliant art may be placed in the rear yard, provided these items are not Visible from Neighboring Property. Such art is still subject to the height and other limitations covered elsewhere in these guidelines.
- The periods when holiday decorations may be displayed on homes and in yards are as follows and must follow SBR ALC Requirements and Guidelines:
  1. Thanksgiving, 2 weeks before through 7 days after.
  2. Winter Holiday Lighting – The day after Thanksgiving through January 7th.
  3. Other Holidays – Three (3) weeks before and one (1) week after.
  4. For decorations other than lighting see, Article III, Section 40.

**Yard art** is any object placed in/on the Lot as a decorative accent in an area Visible From Neighboring Property. Other than artificial turf in compliance with these guidelines, no artificial (except metal) flowers or plants shall be Visible From Neighboring Property.

A. The size of any single piece of yard art shall be limited to a maximum width not to exceed four (4) feet and a maximum height not to exceed three (3) feet in the front and side yard or five (5) feet in the backyard. When in doubt as to the themes of a selection, photos or accurate color drawings are to be submitted to the ALC for prior approval.
B. Decorative pots in front of the property may be no taller than forty-two (42) inches (this does not include the metal or live plant material) if these pots are placed directly against the dwelling (house, garage, trash wall, etc.). Limitation of total height will be at the discretion of the ALC. The ALC generally suggests limiting the number of pots (per front and side yards) to a maximum of six (6).
C. Garden flags (small decorative flags on a stake in the ground), at the discretion of the ALC and must be maintained and in good condition are considered yard art.
   1. Limited to one garden flag per property.

2. Size may not exceed eighteen (18) inches by eighteen (18) inches.
3. Profane flags are prohibited and what constitutes a profane flag, image. Message, etc. shall be determined at the sole discretion of the ALC.

D. Thin mesh placed around plants for the purpose of deterring animals is only permitted if it is not noticeable from the street or neighboring property and is at the discretion of the ALC.
E. In the winter months homeowners are allowed to cover plants (with appropriate frost deterrent material) to prevent freeze. For more information on suitable material, see the Frost/Freeze Reminder on the SaddleBrooke Ranch HOA website.
F. Lights are not considered yard art - refer to Article III, Section 21.
G. Birdbaths are permitted in the backyard only and may not exceed five (5) feet in height.
H. For homeowner name signs see Article III, Section 27.
I. Cactus skeletons are limited to three (3) or four (4) including the front and side yards. No limits in rear yards where not Visible From Neighboring Property. They are however limited to the respective front and rear yard height requirements.

**Wall Art** is any object attached to the exterior walls of a house or the surrounding walls of a dwelling that is Visible from Neighboring Property.

A. Wall art should be in proportion to the wall area. Wall art should be generally limited to no more than 20% of the wall area upon which it is placed and cannot project beyond any portion of the wall. If wall art is attached to a party wall, the homeowner attaching the wall art is responsible for repairing any damage to both sides of the wall.
B. Murals painted on walls are allowed in the rear yard only and must be of a Sonoran Desert theme. If Visible from Neighboring Properties, streets or golf course, they should be limited to no more than 20% of the wall area upon which it is painted, subject to ALC discretion.

## ARTICLE IV ALC PROCEDURES

**1. Overview**

The ALC monitors and guides the environmental development of SaddleBrooke Ranch through a formal review of homeowners' landscaping and architectural plans and inspection rights after completion of work. This process assures continuation of the standards of excellence established by the Developer and subsequently by individual homeowners and helps to protect property values within SaddleBrooke Ranch.

**2. ALC Permit Application Submission**

In order to ensure timely ALC review, the following procedures must be followed:

A. ALC Permit Applications are to be turned in to the HOA Office (Ranch House, 31143 S Amenity Drive, Oracle, AZ 85623) before 3:00 PM of the prior Friday in order to be considered at the ALC meeting on Tuesday. All supporting documents, wall letters, scale drawings, as well as any applicable fees as stated in the Guidelines should accompany the ALC Permit Application. The ALC currently intends to meet at 9:00 AM on each Tuesday. The day and time of the ALC meeting may be changed from time to time by written notice posted on the HOA website.
B. The homeowner must submit an ALC Permit Application that is completed in full, signed and dated and present it for review, along with any supporting documents. ALC Permit Application forms are

available at the HOA Office or on the SBR HOA website. The forms in these Guidelines may be revised from time to time; therefore, please check the HOA website or the HOA Office to be sure you have the most recent version. The ALC has the absolute right to return any application it judges as incomplete or should the application not be accompanied by the required supporting documents.

C. A copy of the Developer's plot plan shall be included for all construction projects and clearly note any changes to the hardscape or fixed items, such as ramadas and gazebos, plus dimensioned placement of the structure on the site plan. The plan is to show all the proposed additions or revisions, items to be removed, and existing construction with locations dimensioned. No structure is permitted to encroach on the setback lines as shown on the plot plan. All drawings are to be drawn to scale and fully dimensioned. If a homeowner changes contractors, the homeowner must appear before the ALC to report and record the change in contractors as soon as it is known. The new contractor must be recorded prior to the start of, or continuation of construction work.
D. Where items are to be installed and color is involved, such as yard art, ramadas, patio covers, sunscreens, stone, etc., color catalogs or samples must be provided by the homeowner to the ALC with the ALC Permit Application. This information may be retained by the ALC until completion of your permit items.
E. In addition to other rights and remedies that may be available at law or in equity to the ALC, the HOA, the Developer or third parties, ALC Permit Applications submitted after work has begun will be subject to the following Fine: (a) $100.00, if submitted no later than twenty-one (21) days after work has started and (b) $200.00 if submitted more than twenty-one (21) days after work has started (or if not submitted).

**3. Plans**

Homeowners must submit two (2) copies of plans to the ALC, drawn to scale and fully dimensioned, along with a completed ALC Permit Application prior to making any exterior additions, alterations or modifications to their Lot requiring ALC Permits as set forth above in these Guidelines, including landscaping. All homeowners are responsible for adherence to all standards listed in these Guidelines, as well as all requirements of the CC&Rs, as well as any and all applicable state, federal or local statutes, rules, regulations and ordinances.

If it is later determined that an ALC Permit was approved based on incorrect or incomplete information, the ALC Permit may be revoked by the ALC; and the homeowner shall be so notified.

All plans should have a title block located in the lower right-hand corner with the homeowner's name, address, telephone number, unit and Lot number, the name of the preparer and phone number, plan title, initial date and if applicable, revision date(s). In the title block, show the particular scale used for the plan.

A. Landscape plans must be submitted in duplicate and must contain a detailed and complete description of all landscape elements, including the following:
    1. A site landscape plan with complete description of all landscape elements. The ALC would prefer the landscape plan be drawn on an eleven (11) inch by seventeen (17) inch sheet at a scale that fills the sheet, to a scale that is noted, and fully dimensioned. Minimum scale is 1:10. That is one (1) inch equals ten (10) feet.
    2. All plant materials and trees are to be depicted on the plan at <u>mature</u> size. They should always be planted the appropriate distance from the property line as defined by the Master Gardener Plant List when abutted to other residences.
    3. All plant materials and trees shall be labeled with the common name and the botanical name, as well as container size, such as 5 gal., 15 gal., 24-inch box, etc.

4. The plan must identify whether any Party Walls are to be raised. Attach letters of approval from all homeowners or Developer sharing any such Party Walls. All hardscape, including such things as walkways, Non-Party walls, patios, BBQ's, fireplaces, planters, etc. must be shown on the plan along with the type and color of materials to be used, including all dimensions**.**
5. The location of all mechanical equipment, proposed and existing, must be shown, including the required screening (such as a return wall or the type and size of plants).
6. The color and size of the rock used for ground cover must be indicated. River rock/riprap location must also be indicated, together with the location and size of any mounds to be built.
7. The direction of surface drainage must be indicated on the plan by arrows.
8. Identify North direction on the plan.
9. Indicate any existing walls or fences on the plan.
10. Indicate the lot number(s) of adjoining lots on the plan.
11. All irrigation valves and pressure regulators are to be installed on the opposite side of the drainage swale away from the house. These devices shall not be installed between the house and the drainage swale.
12. Once the landscaping plan has been approved by the ALC, no changes (including without limitation, adding, moving, or substituting the species of any tree) may be made except for the addition or change of small (1-5 gallon) shrubs or plants. If any other changes (either hardscape or trees) are to be made, the homeowner must appear before the ALC for approval. "Volunteer" trees that sprout from seeds must be approved if they are to be retained in the landscaping.
13. Any acronyms used must be defined on the plans.

B. Building/Residence modification plans must be submitted in duplicate and must contain a detailed drawing, including the following:
   1. A site plan, drawn to scale as noted above, and showing the location of all structures on the Lot, easements, setback and property lines, underground utilities, sidewalks, driveways, patios, retaining walls, utilities and related grades, both new and existing mechanical equipment with screening, grade modifications, proposed and existing drainage and existing and proposed Walls. The plan must be complete with all dimensions. Exterior construction over thirty (30) inches above original grade must have elevations with dimensions.
   2. A complete set of construction documents must be submitted including floor plans, elevations, roof plans and details. The plans are to be drawn to scale, dimensioned, and include notes for all materials and colors.
   3. The roof plan, the pitch, color and type of materials proposed and parapet heights, when appropriate, must be shown on the plans submitted.

C. In connection with its review of a particular ALC Permit Application, the ALC may, in its discretion, request additional information, documentation or materials.

D. Upon completion of the review by the ALC, the original set of plans will be kept by the ALC and one set of plans shall be returned to the homeowner along with a copy of the ALC Permit Application form indicating the decision of the ALC as described in more detail in Subsection 4 below.

E. An ALC Permit Application may be approved on the same day it is submitted if the ALC determines that the application is complete and acceptable; or the ALC may continue its decision to a future ALC meeting for further consideration or in order to obtain additional information that it deems necessary in order to render its decision. Therefore, no assurance can be given that any ALC Permit Application will be approved or denied at the first ALC meeting at which it is initially presented.

**4. ALC Approval Process**

The decision of the ALC when reviewing plans shall be rendered in one of the following three forms:

A. "Approved" - The entire plan, as submitted, is approved.

B. "Approved as noted" - The plan, as submitted, is approved with conditions as noted. The homeowner may proceed with the work to be performed and agrees to comply with any and all conditions noted on the ALC Permit Application within the time frame specified therein.
C. "Not approved" - The entire plan, as submitted, is not approved and no work may commence.
D. "Pending" – The application is being held up pending receipt and review of additional information from the homeowner or contractor.
E. Applications containing multiple items/projects may have a combination of "Approved", "Approved as Noted" and/or "Not Approved".
F. Homeowners that proceed with projects after having their ALC Permit Application "Not Approved" will be required to remove any work that has been done at their own expense. If the work is not removed within the time specified by the ALC in writing to the homeowner, such homeowners shall be subject to all fines, fees, and/or penalties as described in Article IV, Section 10 of these Guidelines, as well as any other rights or remedies that may be available at law or in equity.

**5. ALC Inspection Rights**

A. The ALC has the right (but not the obligation), in its discretion, to inspect any work for which a Permit is issued to verify that the original plans approved by the ALC have been followed. Inspections may also be conducted if a complaint is received. When necessary, inspections may be conducted in the homeowners' absence.
B. If it is determined by the ALC that work completed or in progress is not in compliance with the ALC Permit, these Guidelines or the CC&Rs, the ALC will give notice to the offending homeowner that, unless corrective action is taken within twenty-one (21) days, the ALC or the HOA may cause corrective action to be taken at the homeowner's cost. If the required corrective action has not been taken at the expiration of the twenty-one (21) day period of time, in addition to any other remedies available, the Board of the HOA or the ALC may, at its discretion, cause the action to be taken and the cost thereof shall be added to and become a part of the Assessment against the offending Lot, secured (to the extent permitted by applicable law) by the Assessment Lien. Violating homeowners shall be subject to fines, fees, and/or penalties as described in Article IV, Section 10 below in these Guidelines.
C. Please note that under the current version of Arizona Revised Statute Section 33-1806, upon notification of the resale of a home in SaddleBrooke Ranch, the HOA is required to deliver a disclosure statement to the potential buyer, which statement, among other items, requires a statement of any alterations or improvements in violation of the CC&Rs.

**6. Fees and Clean Up Bonds**

A. A twenty-five-dollar ($25.00) application fee must be submitted with each ALC Permit Application. However, the initial application fee for pools, in-ground spas, additions and initial landscaping shall be fifty dollars ($50.00). Most applications require a fee, however there are some exceptions. See specific guideline sections for details. All fees are non-refundable. Fees for modifications of completed work may be waived at the discretion of the ALC.
B. Homeowners are fully responsible for all cleanup of work conducted on their Lot by either contractors or by or on behalf of the homeowner himself.

Upon completion of the work or the expiration date of the ALC Permit (whichever comes first), failure to fully cleanup the Lot on which the work is constructed (and any surrounding areas such as Common Areas, streets or adjacent Lots), will result in penalties that are immediately due and payable by the homeowner to the HOA in the following amounts:

| | |
|---|---|
| Full Landscaping | $500.00 |
| Add-on Landscaping | $500.00 |
| Construction | $500.00 |
| Pools/Spas | $1,000.00 |

After thirty (30) days delinquency, any unpaid fine and/or incomplete cleanup of construction debris will result in an increase of imposed penalties, by 50%. Fines not paid within a further thirty (30) days and/or any Lot construction still lacking cleanup will be increased by an additional 50% of the current fine and referred to the Board. In addition, to the fullest extent permitted by law, the HOA may exercise its lien rights with respect to such fines. The rights and remedies referenced in this paragraph are in addition to any other rights and remedies that may be available at law or in equity.

**7. Storage of Construction Materials and Debris on Lots**

The homeowner shall be responsible for all on-site and construction trash and debris occasioned by the homeowner's contractors, subcontractors and other employees and agents, and shall remove all such trash and debris within a reasonable period of time. In addition, any construction equipment and building supplies of brick, block, lumber and other building materials will be kept only in such areas as may be approved by the ALC.

Rubbish, debris or materials from homeowner landscaping or construction projects may not be stored or left on any vacant Lot. The Board and the ALC have the authority to have the rubbish, debris or materials removed and bill the homeowner for any expenses incurred, which the homeowner shall promptly pay or be subject to additional penalties. Homeowner or Landscaper is responsible for any material migration into street lot or common area. Storm water prevention must be in place until lot is stabilized and landscaped. Any damage to a neighboring Lot or common area by a contractor or any third party retained by a homeowner is the responsibility of the homeowner who retained that contractor or third party. In addition, neither homeowner nor its contractors, agents or consultants shall park or drive on any neighboring Lot or on common area and in the event of any violation of this provision, homeowner shall be responsible for any resulting dust control law fines.

**8. Appeals**

**Any homeowner may appeal a decision made by the ALC. Appeals shall be in writing and addressed to the Board. The appeal must be delivered to the Board within thirty (30) days of the ALC's decision. The Board shall, within a reasonable period of time, respond in writing to the homeowner.**

**9. Severability**

If any provision of these Guidelines is ruled invalid, the remainder of these Guidelines shall remain in full force and effect.

**10. Violations**

A. Homeowners should be aware that violations of these Guidelines, in addition to any other rights and remedies available at law or in equity, may subject the homeowner to fines, fees and/or penalties. After notice and an opportunity to be heard, in accordance with Arizona Revised Statute Section 33-1803 (as such statute may be hereafter amended or revised), the Board of the HOA may impose reasonable monetary penalties on member for violations of these Guidelines or the Declaration, bylaws or other rules.

- The schedule of fines for failure to complete landscaping within ninety (90) days are set forth in Article I, Section 3. The schedule of fines for failure to obtain an ALC Permit prior to the start of any work are described in Article IV, Section 2.
- The schedule of fines for failure to clean up after construction are described in Article IV, Section six 6.
- For all other violations of these Guidelines, a written warning notice (Friendly Reminder or Letter) will be sent to the homeowner via first class mail and e-mail. If the violation is not corrected within the initial date set forth in the warning notice (typically twenty-one (21) calendar days or less depending on the severity of the violation), the ALC will typically impose a $50 fine in the case of violations other than those set forth above. In the case of garbage containers left so as to be Visible from Neighboring Property, and/or weeds, a $10 fine will typically be assessed with each recurring violation.
- If the violation is not corrected within the prescribed calendar days from the date of the initial warning notice the ALC may, in its discretion, impose an additional fine not to exceed $100.
- If the violation is still not corrected within forty-five (45) calendar days of the date of the warning letter, the ALC may refer the violation to the Board for appropriate action.
- In addition to the above fines, if the requisite corrective action has not been taken at the expiration of the prescribed period of time, in addition to any other remedies available to the ALC or the HOA, the Board of the HOA may cause the corrective action (which may include the removal of all non-compliant improvements) to be taken and the cost thereof shall be added to and become a part of the Assessment against the offending Member and the Member's Lot, secured (to the extent permitted by applicable law) by the Assessment Lien.

B. In addition to the foregoing and as set forth in Section 3.1 of the CC&Rs, the HOA has the right to suspend the voting rights of any Member, and to suspend the right of any Member, and any Resident claiming through the Member, to use the Common Area recreational facilities or to use particular entrance gates or particular paths of ingress and egress.
C. The above fines and remedies are not intended to and shall not be deemed to limit any other rights and remedies available at law or in equity to the ALC, the HOA, the Developer or any other person.
D. All notices of violations and enforcement of these rules will be in accordance with Arizona Revised Statute Section 33-1803 (as such statute may be hereafter amended or revised).

**11. Complaints**

Consistent with the current version of Arizona State Statue 33-1803, The ALC only responds to written, signed complaints about possible violations of the Guidelines. Written, signed complaints will be investigated by the ALC as it deems appropriate. If a Homeowner believes that a violation has occurred, the Homeowner should complete the *ALC Complaint Form* (which is available from the HOA Office and website) and return it to the receptionist. To assist the ALC, please attach photos of the situation to provide a clear and definitive depiction of the complaint. Complaints will be dealt with in a confidential manner between the homeowners involved. The name of the person making the complaint will be available to the homeowner against whom the complaint is made.

If the ALC determines that a Lot is not in compliance, the ALC may take any actions provided for in the CC&Rs and Article IV, Section 10 of these Guidelines, which, among other things, may include removing all non-compliant improvements.

Among other complaints that it may receive from time to time, the ALC anticipates that it will receive complaints when there are obvious violations such as:

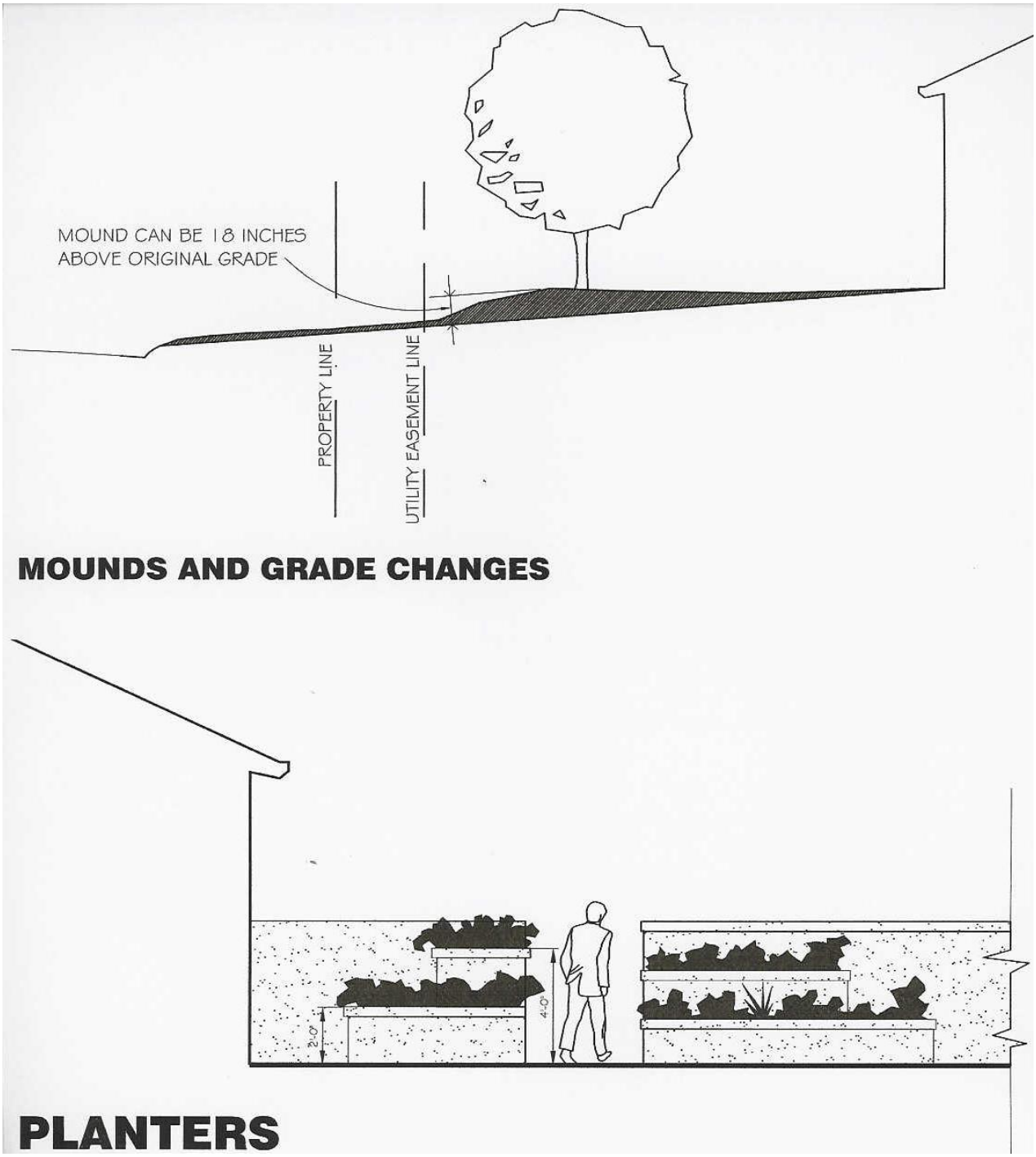
A. Homeowner/contractor does not clean up the street when a project is completed;
B. Non-compliant wall/yard art is Visible From Neighboring Property; and/or

C. Yards are not maintained as described in the Guidelines.

**12. Limits of Liability**

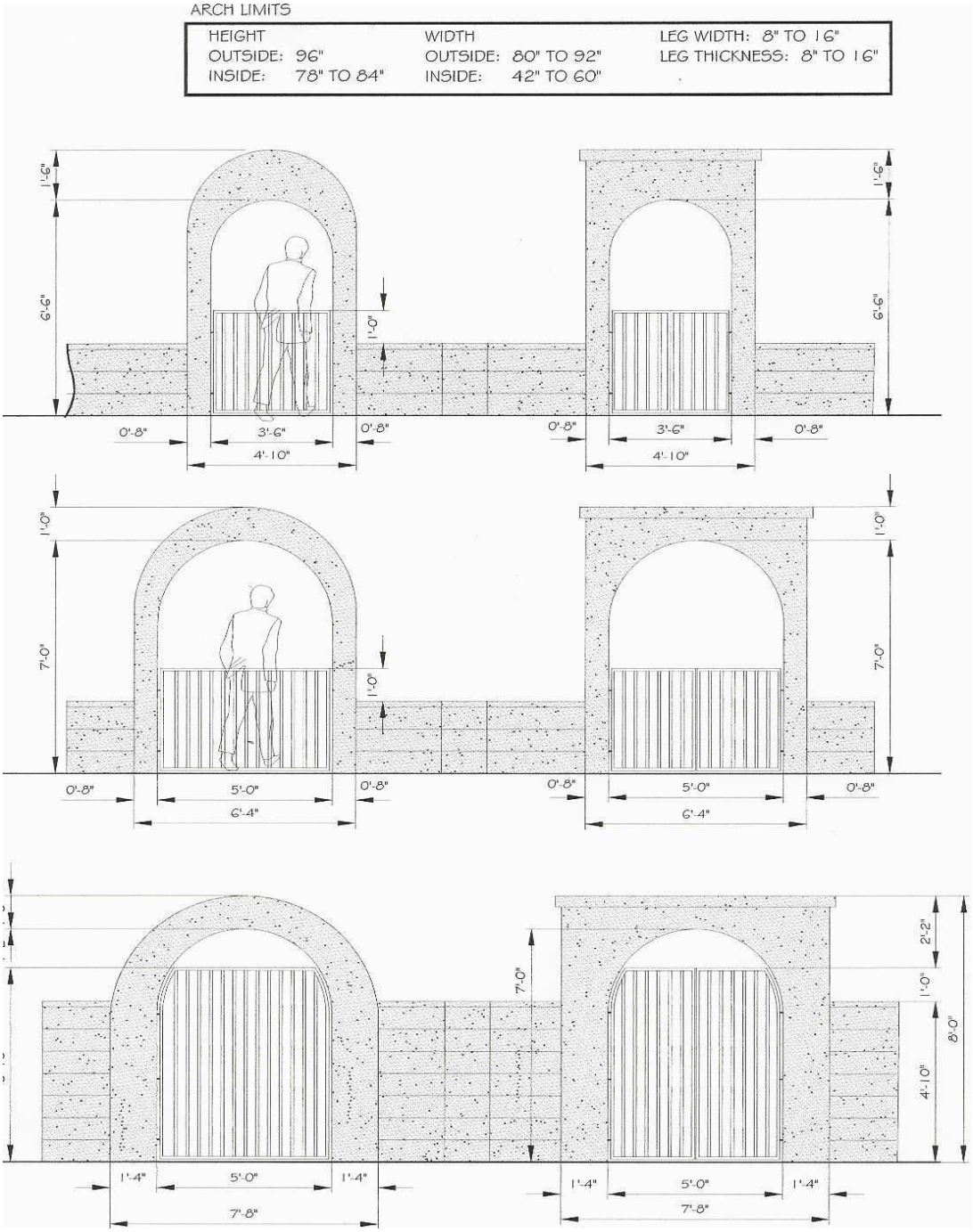
ALC approval of plans shall not constitute a representation, warranty or guarantee that such plans and specifications comply with architectural or engineering design practices or with zoning or building ordinances, or other governmental regulations or restrictions. By approving such plans and specifications, neither the ALC, the HOA, the Board, the Developer, their respective affiliates, nor any of the foregoing parties' respective members, employees or agents, assumes any liability or responsibility for any defect in the structure constructed from such plans or specifications. None of the aforementioned shall be liable to any member, homeowner, occupant or other person or entity for any damage, loss or prejudice suffered or claimed due to (a) the approval or disapproval of any plans, drawings and specifications, whether or not defective, or (b) the construction or performance of any work, whether or not pursuant to the approved plans, drawings or specifications. All parts of the CC&Rs regarding this subject remain in full force and effect.

# Appendix A – Mounds, Grade Changes and Planters



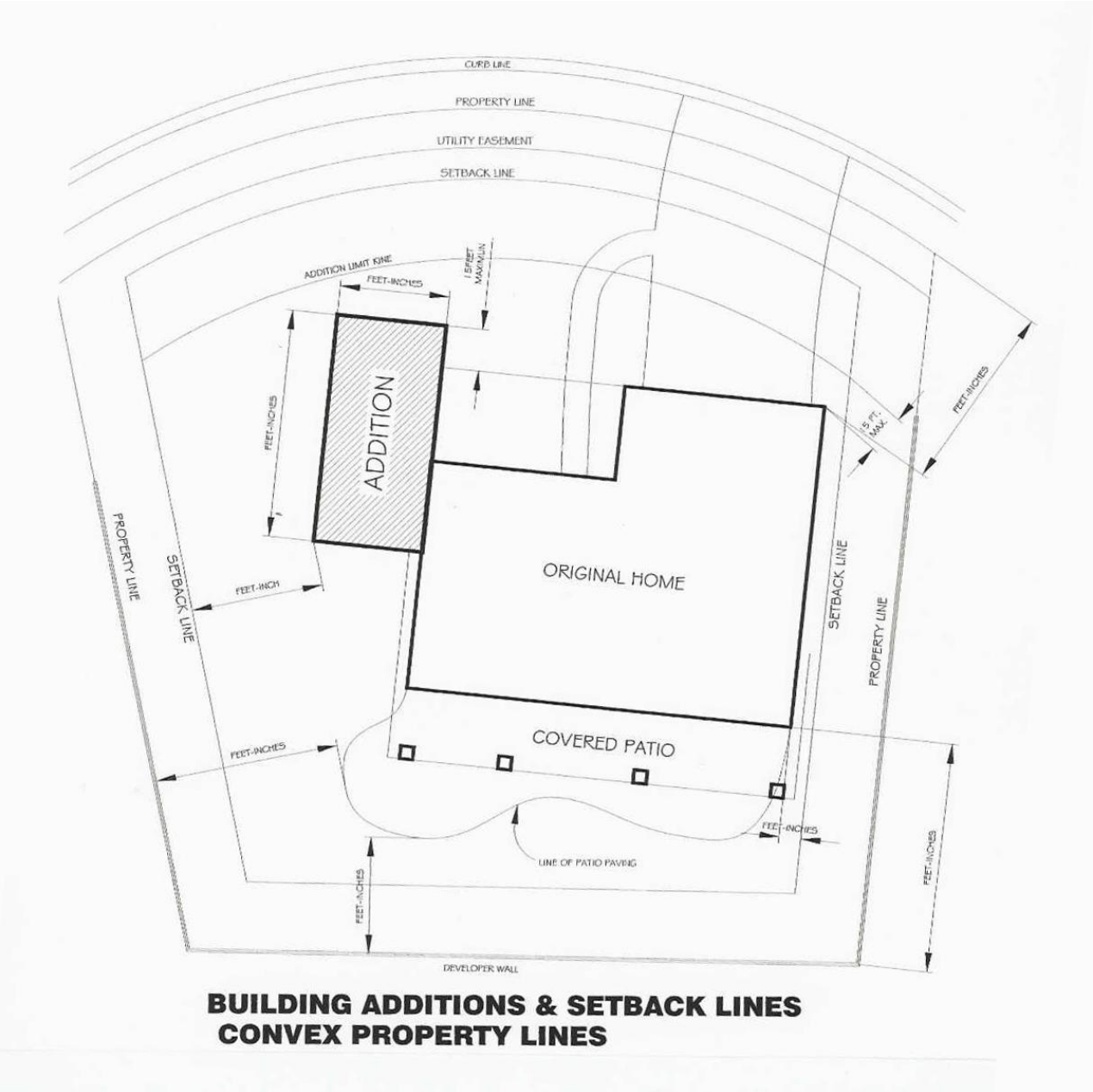
# Appendix B - Arches

The examples on this Appendix are merely design examples, and the ALC makes no statement as to the structural integrity of the construction of such designs (including without limitation the need for rebar or other reinforcement in any overhead structures). Construction issues are the responsibility of your contractor.

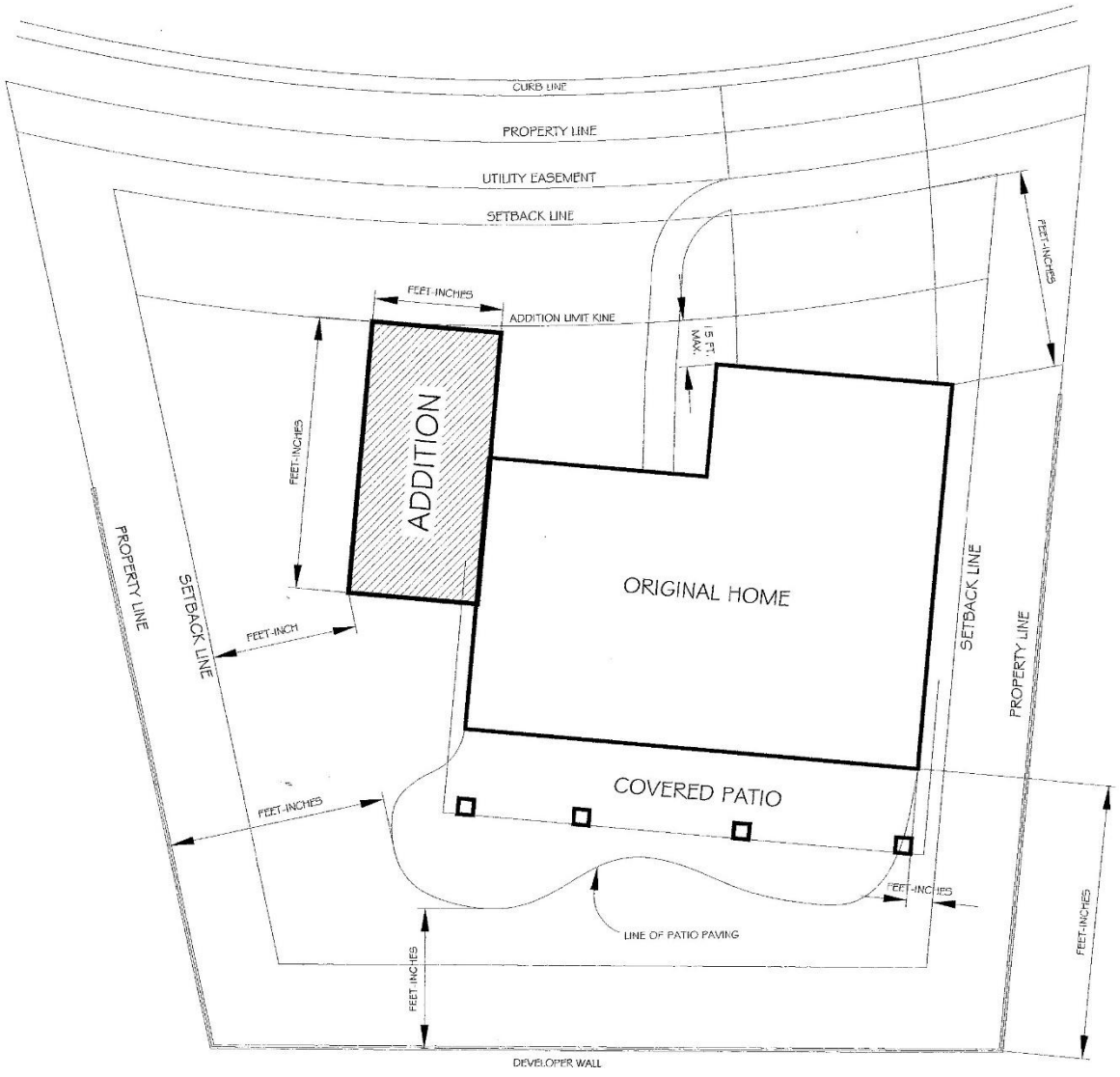


# SaddleBrooke Ranch
# Architectural & Landscaping Requirements and Guidelines

## Appendix C – Building Additions and Setback Lines 1



# Appendix D – Building Additions and Setback Lines 2




**BUILDING ADDITIONS & SETBACK LINES**
**CONCAVE PROPERTY LINE**

# SaddleBrooke Ranch
# Architectural & Landscaping Requirements and Guidelines

## Appendix E – Acceptable/Unacceptable Yard/Wall Art

| **ACCEPTABLE**<br>**Generally – Sonoran Desert Motif** | **UNACCEPTABLE**<br>**Not Sonoran Desert Motif**<br>**(Some Examples)** |
|---|---|
| Cactus Items<br>Cowboys<br>Coyotes<br>Bird Baths<br>Indian Artifacts<br>Traditional Kokopellis (unadorned)<br>Pottery (pots)<br>Quail<br>Roadrunners<br>Sun/Moon<br>Wall Fountains (should not be attached to the house)<br>Wall Triptychs in Iron or Copper<br>Wagon Wheels | Bicycles/wagons (wooden or metal)<br>Bowling Balls<br>Cherubs<br>Flamingoes<br>Gargoyles<br>Gazing Balls<br>Geese<br>Japanese Pagoda Lanterns<br>Sports balls/equipment<br>Statues – Other than Southwest Motif (if visible from neighboring property)<br>Wood Barrels/Wine Barrels<br>Windmills<br>Yard Signs with “quaint sayings” |

# SaddleBrooke Ranch
# Architectural & Landscaping Requirements and Guidelines

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