

EXHIBIT G

Community Correspondence (HOA + Homeowners)

Lone Mountain Community Association
c/o FirstService Residential Arizona
9000 N Pima Center Pkwy, #300
Scottsdale, AZ 85258



The Keiling Living Trust & Evelyn Keiling TTE
6041 E Pebbles Ct
Cave Creek AZ 85331

January 14, 2026

RE: A Courtesy Reminder
6041 E Pebbles Ct / Account #: 399001049901

Dear The Keiling Living Trust & Evelyn Keiling TTE:

As part of our management responsibility, we are required to inspect the property to ensure Lone Mountain Community Association looks its best!

Today's inspection found the following item is not in compliance with the Covenants, Conditions and Restrictions and/or the Rules and Regulations of your Association. In an effort to avoid any further action, please bring this matter into compliance within 75 days of this notice. As directed by the Board of Directors, it is our responsibility to inform you that the next occurrence of or continuation of this violation may result in a fine being assessed to your account according to the Association's fine policy. If there are special circumstances that prevent you from correcting this issue, please call Lone Mountain Community Association office at (480) 551-4300.

If this violation has been resolved, please notify the office so that we can close out the violation.



Violation Type:

First Inspection Date: January 14, 2026

Reported by:

Compliance Date:

Comments: Please complete the painting of your walls on or before March 31st, 2026, using Behr Pepper Spice.

Please reference CC&Rs Section 3.1 Architectural Control and Design Guidelines 5.8 Fences and Walls. The only stucco and/or paint color permitted for the front yard side and/or return block walls of the Owner's Lot ("Front Return Walls") is Behr Pepper Spice or its equivalent.

Let's work together to keep our community beautiful! Thank you on behalf of the association's Board of Directors. We appreciate your cooperation in maintaining the value of your property and the Lone Mountain Community Association community.

Should you have any questions regarding the above, please contact our office. We are available to assist you Monday through Friday between the hours of 8:00am - 5:00pm.

You have the right to appeal this notice in accordance with ARS 33-1242 and 33-1803 by sending a written response by certified mail within 21 calendar days after the date of the notice. You may also file a petition for an administrative hearing on the matter in the state real estate department pursuant to ARS 32-2199.01.

Sincerely,

Emily Ottens
Ph: (480) 551-4300

FORMAL APPEAL & REQUEST FOR VARIANCE - EXTERIOR WALL COLOR

15 messages

Evelyn Keiling <elkeiling@gmail.com>

Mon, Feb 2, 2026 at 5:58 PM

To: Emily Ottens <Emily.Ottens@fsresidential.com>

Cc: "Evelyn Keiling (HempMamaEvelyn)" <elkeiling@gmail.com>, Bobby Keiling <rwkeilingphotography@gmail.com>

Subject: Formal Appeal & Request for Variance – Exterior Wall Color (Section 5.1 / 5.8)

Dear Emily,

I am writing to formally appeal the requirement that my exterior walls be repainted Behr Pepper Spice under the recently *amended* Design Guidelines.

I want to be very clear that **we are fully willing to repaint all applicable exterior walls promptly and professionally**, as the walls are due for maintenance. However, we respectfully request approval to repaint them **in the original builder-applied color**, which visually integrates with our home's trim, edges, and overall color palette.

The Design Guidelines repeatedly emphasize consistency with the original construction. Specifically:

- Section 5.1.1 and 5.1.3 require that exterior alterations and maintenance conform to the original Residential Unit in **style, materials, and color**, and that materials used match those of the initial construction.
- Section 5.1.4 states that repainting the exterior in the same original builder color **does not require ARC approval**.
- Section 1.2 states that the purpose of the Design Guidelines is to ensure architectural improvements exist **"in harmony"** with surrounding structures.

In our case, the Pepper Spice color introduces a visual conflict with the home's existing architectural elements rather than enhancing harmony. We have also observed that this color has already proven to be visually disruptive for nearby homes that have complied with the new instruction.

We respectfully request a variance allowing us to repaint the walls to the original color used by the builder, which would:

- Fully satisfy maintenance requirements
- Preserve architectural consistency
- Align with the Design Guidelines' stated purpose

We believe this request represents a reasonable, good-faith solution that supports both community standards and visual cohesion.

Thank you for your time and consideration. We look forward to your written response.

Sincerely,
Evelyn Keiling
6041 East Pebbles Court
Account #399001049901

--

Evelyn Keiling
623-687-5762

Evelyn Keiling <elkeiling@gmail.com>
To: Faith Keiling <faithk1991@gmail.com>

Mon, Feb 2, 2026 at 6:07 PM

FYI 📌

Sent from my iPhone ❤️

Begin forwarded message:

From: Evelyn Keiling <elkeiling@gmail.com>
Date: February 2, 2026 at 5:58:07 PM MST
To: Emily Ottens <Emily.Ottens@fsresidential.com>
Cc: "Evelyn Keiling (HempMamaEvelyn)" <elkeiling@gmail.com>, Bobby Keiling <rwkeilingphotography@gmail.com>
Subject: FORMAL APPEAL & REQUEST FOR VARIANCE - EXTERIOR WALL COLOR

[Quoted text hidden]

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Tue, Feb 3, 2026 at 9:27 AM

Good morning, Evelyn,

Thank you for reaching out to appeal the notice you received. This email is to acknowledge receipt of your email to appeal the notice you received. Can you please complete and return the attached appeal form? The form can be completed and returned to me directly via email as a more convenient means to communicate. It does not need to be sent via certified mail. Please also let me know if you would like to attend the meeting to present your appeal directly with the Board of Directors. Note that attendance is not required to appeal, it's your choice whether you want to attend the meeting. Your appeal can be heard in Executive Session which is tentatively scheduled for February 24th at 6:00 p.m. or Open Session which is tentatively scheduled for February 25th at 6:00 p.m. Both meetings will be held at 6:00 p.m. using MS Teams. Note that if you are electing to have your appeal heard in Open Session, you would be waiving your right to privacy and confidentiality.

Please advise when you return the attached appeal form so we can further assist you.

Warm regards,



EMILY OTTENS
Community Manager

9000 E. Pima Center Pkwy Ste 300 | Scottsdale, AZ 85258
Direct 4805514376

24/7 Customer Care 855.333.5149



HODA

Residents get instant answers with HODA

From: Evelyn Keiling <elkeiling@gmail.com>

Sent: Monday, February 2, 2026 5:58 PM

To: Emily Ottens <Emily.Ottens@fsresidential.com>

Cc: Evelyn Keiling (HempMamaEvelyn) <elkeiling@gmail.com>; Bobby Keiling <rwkeilingphotography@gmail.com>

Subject: FORMAL APPEAL & REQUEST FOR VARIANCE - EXTERIOR WALL COLOR

Subject: Formal Appeal & Request for Variance – Exterior Wall Color (Section 5.1 / 5.8)

[Quoted text hidden]

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Evelyn Keiling

623-687-5762

Violation Appeals Form.pdf
214K

Evelyn Keiling <elkeiling@gmail.com>
To: Emily Ottens <Emily.Ottens@fsresidential.com>

Tue, Feb 3, 2026 at 9:40 AM

Cc: Bobby Keiling <rwkeilingphotography@gmail.com>, "Evelyn Keiling (HempMamaEvelyn)" <elkeiling@gmail.com>

Good morning, Emily.

Thank you for the clarification and for providing the appeal form.

I will complete and return the form via email. For clarity, my appeal is limited solely to the wall color request / variance and is not an appeal of any fine or violation at this time.

I am requesting that the appeal be heard in Executive Session. Attendance is not required, and I do not plan to attend unless the Board requests additional information.

Thank you for your time and consideration.

Kind regards,
Evelyn

Evelyn Keiling
623-687-5762

[Quoted text hidden]

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Tue, Feb 3, 2026 at 9:45 AM

Thank you, Evelyn,

I will be on the lookout for your appeal form and will add this to the Executive Session agenda. The meeting is scheduled for February 24th, 2026. We will follow up with you in writing on the Board of Directors decision within a few days of the meeting. The appeal process allows fourteen days for a response through I try to expedite that process and follow through with all homeowners as quickly as possible.

Many thanks,

[Quoted text hidden]

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Wed, Feb 11, 2026 at 2:18 PM

Good afternoon, Evelyn,

We hope this message finds you well. Can you please provide us with the appeal form that was sent to you last week? I am currently working on finalizing the agenda and packet for the upcoming Executive Session meeting scheduled for February 24th. We prepare the agendas and packets a minimum of one week in advance of each meeting.

Please advise on the status of the appeal form.

Thank you,



EMILY OTTENS
Community Manager

9000 E. Pima Center Pkwy Ste 300 | Scottsdale, AZ 85258
Direct 4805514376

24/7 Customer Care 855.333.5149



HODA

Residents get instant answers with HODA

From: Evelyn Keiling <elkeiling@gmail.com>

Sent: Tuesday, February 3, 2026 9:40 AM

To: Emily Ottens <Emily.Ottens@fsresidential.com>

Cc: Bobby Keiling <wkeilingphotography@gmail.com>; Evelyn Keiling (HempMamaEvelyn) <elkeiling@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

Evelyn Keiling <elkeiling@gmail.com>
To: Emily Ottens <Emily.Ottens@fsresidential.com>

Tue, Feb 17, 2026 at 1:05 PM

Working on this today. Thanks for your patience.

Evelyn~

[Quoted text hidden]

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Evelyn Keiling
623-687-5762

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>

Tue, Feb 17, 2026 at 1:11 PM

Thank you, Evelyn,

Please send the appeal form directly to me via email before 5:00 pm today. The final agenda and packet must be completed and submitted to the board one week prior to the meeting which is scheduled for next Tuesday. If the form is not received by end of day today I will need to add your appeal to the March meeting.

Thank you,

EMILY OTTENS

Community Manager

9000 E. Pima Center Pkwy

Ste 300 | Scottsdale, AZ

85258

Direct 4805514376

From: Evelyn Keiling <elkeiling@gmail.com>

Sent: Tuesday, February 17, 2026 1:05:29 PM

To: Emily Ottens <Emily.Ottens@fsresidential.com>

[Quoted text hidden]

[Quoted text hidden]

Evelyn Keiling <elkeiling@gmail.com>
To: Emily Ottens <Emily.Ottens@fsresidential.com>

Tue, Feb 17, 2026 at 2:33 PM

Cc: "Evelyn Keiling (HempMamaEvelyn)" <elkeiling@gmail.com>, Bobby Keiling
<rwkeilingphotography@gmail.com>

Please see attached Appeal Form and Executive Summary for review and consideration. THANK YOU for your patience and consideration in this regard.

Evelyn Keiling, TTE - The Keiling Living Trust~

[Quoted text hidden]

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Evelyn Keiling
623-687-5762

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Tue, Feb 17, 2026 at 2:39 PM

Thank you, Evelyn,

We appreciate your efforts to complete form before end of day today so we can complete the packet.

Many thanks,

[Quoted text hidden]

Evelyn Keiling <elkeiling@gmail.com>
To: Emily Ottens <Emily.Ottens@fsresidential.com>
Cc: "Evelyn Keiling (HempMamaEvelyn)" <elkeiling@gmail.com>, Bobby Keiling
<rwkeilingphotography@gmail.com>

Thu, Feb 19, 2026 at 9:40 AM

Just wanted to make sure you received this email.
Please reply to confirm.
Thanks so much.
Evelyn~

----- Forwarded message -----

From: **Evelyn Keiling** <elkeiling@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

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Evelyn Keiling
623-687-5762

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Thu, Feb 19, 2026 at 10:07 AM

Good morning, Evelyn,

Thank you for reaching out. I responded to the initial email to confirm that we received your appeal form.

Sincerely,

[Quoted text hidden]

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

~~Wed, Mar 4, 2026 at 2:48 PM~~

Good afternoon, Evelyn,

We hope this email finds you doing well. We appreciate the time and effort you put into preparing your appeal/variance request for Board of Director review at the February 24th, 2026, Executive Session meeting. After careful consideration, The Board of Directors voted to deny the appeal and variance request. The front return walls must be painted in the community standard color, as outlined in the Association Design Guidelines. ✓

Thank you in advance for your understanding and for your adherence to the Association Guidelines.

[Quoted text hidden]

Evelyn Keiling <elkeiling@gmail.com>
To: Emily Ottens <Emily.Ottens@fsresidential.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>, "Evelyn Keiling (HempMamaEvelyn)" <elkeiling@gmail.com>

Thu, Mar 5, 2026 at 7:54 AM

Dear Ms. Ottens and Members of the Board,

Thank you for your response regarding our appeal and for providing the February 17, 2026 memorandum outlining the background of Design Guideline 5.8.1 and the requirement that front-facing return walls be painted Behr Pepper Spice. After reviewing the memorandum together with the Association's governing documents, including the Declaration of Covenants, Conditions and Restrictions (CC&Rs), we respectfully request reconsideration of our variance request *and* clarification regarding the governing authority relied upon to deny that request.

Our request is limited and straightforward. We are fully willing to repaint and maintain the property as required. We are simply requesting approval to repaint the front return walls of our home in the original builder-applied color that has existed since the home was constructed. Maintaining the original builder-applied color preserves the architectural palette that was approved when the home was built and maintains the aesthetic design of the structure.

Section 5.3 of the CC&Rs authorizes the Board to adopt rules establishing minimum standards for the maintenance of lots and improvements, provided such rules are not inconsistent with the Declaration. Repainting a home in its original builder-applied color satisfies maintenance obligations while preserving the architectural design originally approved for the home. Requiring replacement of that color with a different community-designated color appears to extend beyond maintenance standards and instead alters the original architectural palette established by the builder.

Importantly, Section 5.3 further provides that Association Rules must not be inconsistent with the provisions of the Declaration and that, in the event of a conflict, the Declaration prevails. For this reason, we respectfully request that the Association identify the specific provision(s) within the CC&Rs that authorize the Board to require replacement of an original builder-applied exterior color with a different color designated through a subsequently adopted guideline.

The memorandum indicates that the Pepper Spice requirement was adopted through a modification to the Design Guidelines in December 2020. However, the CC&Rs themselves were not amended. We therefore respectfully request identification of the specific CC&R provision that authorizes enforcement of Design Guideline 5.8.1 in a manner that overrides the original architectural color palette of homes constructed by the developer.

The memorandum also notes that repainting a home in the same color did not require ARC approval and that the ARC or management therefore may not have been aware whether homeowners had repainted their front-facing walls in compliance with the guideline. As a result, enforcement of the guideline appears to have been inconsistent for several years following its adoption.

It is therefore notable that the guideline was adopted in 2020 but that homeowners were not advised that compliance would become mandatory until the more recent compliance deadline, which has now been extended to March 31, 2026. This represents approximately five (5) years between the adoption of the guideline and the current enforcement deadline. The memorandum further indicates that approximately eighty (80) homes within the community remain non-compliant with the Pepper Spice requirement.

Given this timeline and the historical lack of ARC review for repainting the same color, many homeowners reasonably believed that maintaining the original builder-applied color of their homes remained acceptable and consistent with the architectural design of the neighborhood.

The Lennar community was originally designed using multiple coordinated architectural color schemes. Maintaining the original builder-applied color preserves architectural harmony with the home's design, whereas requiring a single accent color across all homes imposes a level of uniformity that was not part of the original architectural plan.

The memorandum itself describes the guideline as establishing a "standardized front-facing wall color." However, the original development concept relied upon coordinated architectural palettes rather than a single standardized accent color. Preserving the original builder palette therefore maintains the architectural harmony intended by the developer.

In addition, I have taken the time to personally drive through the neighborhood and observe the existing homes and repainting efforts that have occurred over the years. There is significant variation in both repainting quality and exterior color combinations currently present throughout the community. In some cases, the required Pepper Spice application appears visually inconsistent with the original architectural palette of certain homes and surrounding structures. This further illustrates the challenge of applying a single standardized accent color across homes that were originally designed with multiple coordinated architectural color schemes.

We also recognize that the Board and Architectural Review Committee retain discretion in applying the Design Guidelines in order to preserve architectural harmony within the community. Given that our request maintains the original builder-applied color palette and does not introduce any new or inconsistent color, we respectfully request that the Board exercise that discretion to approve this limited variance.

In light of the above considerations, we respectfully request reconsideration and approval of our variance allowing the front return walls of our home to be repainted in the original builder-applied color.

To ensure clarity regarding the Association's position, we also respectfully request written identification of the following:

- The specific section(s) of the CC&Rs authorizing the Board to mandate replacement of an original builder-applied exterior color.
- The provision(s) of the CC&Rs authorizing enforcement of Design Guideline 5.8.1 in a manner that overrides the original architectural palette of existing homes.
- The date and board action by which the Pepper Spice requirement was adopted, including the meeting minutes reflecting the vote adopting the guideline.
- Any documentation from the developer establishing that Behr Pepper Spice was intended to replace the original architectural color schemes used when the homes were constructed.

For the sake of clarity and transparency, we respectfully request that the Board's response include citation to the specific provisions of the CC&Rs and governing documents relied upon in reaching its decision. We would appreciate a written response addressing the questions outlined above so that we may fully understand the governing authority supporting the Association's position and determine the appropriate next steps regarding maintenance of our home's exterior.

Our goal is not to challenge the authority of the Association but to seek clarity regarding the governing authority supporting this requirement and to preserve the architectural harmony of the home as originally designed.

We appreciate the Board's time and consideration and would welcome the opportunity to discuss this matter further at an open Board meeting.

Sincerely,

Evelyn Keiling, TTE, The Keiling Living Trust
6041 E Pebbles Court
Cave Creek, AZ 85331
623.687.5762

elkeiling@gmail.com

[Quoted text hidden]

--

Evelyn Keiling
623-687-5762

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Mon, Mar 9, 2026 at 2:14 PM

Good afternoon, Evelyn,

Thank you for reaching out, and I appreciate your patience while awaiting my response. My apologies for the delay; I was away from the office for several days last week due to an injury, which caused me to fall behind on my day-to-day managerial duties. Thank you for your understanding. I am sorry to hear that you disagree with the decision made by the Board of Directors. Your appeal and variance request were reviewed in depth and denied. The information authorizing the Board of Directors to make this decision was already shared with the homeowners on February 17th, 2026. A copy of that email is attached in addition to the mid-year update that was mailed to all homeowners at their billing address on file with the management company in May of 2025. You are welcome to attend the Open Session meetings where this has been discussed for several years. We encourage homeowners to attend the meetings to fully understand the decisions being made by the elected decision makers for your Association. This has been reviewed and discussed in detail during the meetings which owners are invited to attend. Please let me know if you are not receiving the email blasts with the link to attend the meetings so I can make necessary updates to your account. ✓

I hope this helps to understand that the Association CCR's were not modified and do not need to be modified for the Board of Directors to establish guidelines. All records we received from the previous management company and all governing documents are available on the Association portal.

We look forward to seeing you at a future meeting,

[Quoted text hidden]

2 attachments

 **Mass Communication Email 2.17.2026.pdf**
338K

 **Lone Mountain Mid Year Mailer May 2025.pdf**
3900K

Emily Ottens

From: Lone Mountain Community Association <Communications@mc.fsresidential.com>
Sent: Tuesday, February 17, 2026 2:40 PM
To: Emily Ottens
Subject: A Message from FirstService Residential

Lone Mountain
c/o FirstService Residential (Scottsdale)
9000 E Pima Center Parkway Suite 300, Scottsdale, AZ 85258
Ph: 480-551-4300

FirstService
RESIDENTIAL



Lone Mountain Community Association Memorandum to Residents February 17, 2026

To address recent questions and comments posed by homeowners, as well as provide context regarding front-facing wall paint requirements and associated appeals that will be heard at the upcoming Open Board Meeting, the following FAQs provides a clear history and explanation of the requirements contained within the Design Guidelines, how the requirements were approved, and how they have been communicated to residents.

Why do HOAs have Design Guidelines?

HOA Design Guidelines are one of the legally binding documents that collectively govern a homeowner's association. The Guidelines are adopted pursuant to the CC&Rs, and contain the rules enacted, and

periodically updated, by a homeowner's association to regulate the exterior appearance, structural modifications and landscaping of properties within the community. Their purpose is to ensure aesthetic harmony, maintain community standards, and protect property values by regulating the appearance, modifications, and maintenance of homes. These rules promote a consistent, cohesive neighborhood look, manage architectural changes and prevent / govern disputes between neighbors regarding improvements like fencing, adjoining walls, landscaping, and general property appearance.

Can I rely on information I read on Lone Mountain or other social media sites?

No. The Lone Mountain Community Association [LMCA] and its representatives do not own, control, maintain, officially monitor or participate in any social media sites. Social media sites with the Lone Mountain name attached to them have been established by individuals, which in some cases are known to be residents, who have done so on their own initiative. Residents are responsible for adhering to the LMCA governing documents. To ensure you have accurate information regarding LMCA and its operations, please visit the First Service Residential Portal. If you require additional assistance, contact the property management company through established communication channels. These channels are published each week in the Lone Mountain Minute distributed to residents.

What is an appeal?

An appeal is a formal process that allows a homeowner to challenge an enforcement action, fine, or denied request imposed by the HOA Board or its committees. For example, challenging a fine or request denial they believe may have been issued in error. Appeals also provide homeowners an opportunity to request temporary relief, including extensions, due to extenuating circumstances that could not be anticipated or avoided, such as illness or undue financial hardship. It is not a forum to challenge a board-approved rule solely based on dislike of the rule or denial of a request carried out in accordance with the requirements contained in the Association's governing documents. Except for CC&R changes, which require homeowner approval, governing document changes are addressed when an item is placed on the agenda. The Board spent considerable meeting time addressing this issue at recent open board meetings and did not pass any measures to reverse or change the decision previously approved by board vote.

Why are appeals on the next Open Board Meeting Agenda?

Pursuant to A.R.S. 33-1804, homeowner appeals are typically discussed in a closed Executive Session of the Board to preserve the privacy of the homeowner since Board members may ask clarifying questions to evaluate the form submitted and ask clarifying questions to evaluate the merits of the appeal. However, homeowners have the right under Arizona law to request their appeal be heard by the Board in Open Session. In doing so, they waive their right to privacy regarding matters that may otherwise be protected under law. The Board will be hearing appeals resulting from courtesy letters issued to homeowners who have not yet complied with the standard paint color established for front-facing walls attached to the Dwelling Unit under Design Guideline 5.8.1. This communication informed homeowners that the deadline was extended to March 31, 2026.

How prevalent is non-compliance?

Most impacted homeowners have already painted their walls or are in the process of painting them. Currently, **roughly 10% [or 80] properties remain non-compliant.**

Is the Board changing the CC&Rs?

The Board is **not** changing the Covenants, Conditions and Requirements [CC&Rs]. The CC&Rs are a separate governing document that, in accordance with Arizona law, cannot be changed without

presenting an initiative to homeowners for vote and receiving at least 66 2/3% approval. The Board modified a **Design Guideline** in accordance with Section 5.3 of the CC&Rs which provides that “The Board may adopt, amend and repeal rules and regulations pertaining to (in 5.3ii) minimum standards for any maintenance of lots.”

When and why did the Design Guideline change?

In October 2020, the HOA Board asked the newly formed ARC [Architectural Review] Committee to review the Design Guidelines and recommend updates that might be needed following the transition of the Lone Mountain Community Association [LMCA] from the builder to an elected homeowner Board. Specifically, and consistent with its responsibilities, the Board asked the ARC Committee to make recommendations regarding requests received at that time from homeowners regarding the paint palette selected by Lennar and adopt color palettes selected by Pulte.

Why was Behr Pepper Spice selected?

Behr Pepper Spice has been used throughout the community from the time the community was established, except for the front-facing walls within the Lennar neighborhood. The ARC Committee recommended this color to the Board because it is pervasive throughout the community, blends with the natural landscape, is compatible with all approved color palettes, and compliments the community walls that divide or delineate private property from NAOS (Natural Area Open Space)/washes as well as residential units in the **Pulte, Richmond American and Taylor Morrison** builder neighborhoods.

When did this updated Design Guideline get approved by the HOA Board?

In December 2020, The Board voted to modify the Design Guidelines, which included stipulating Behr Pepper Spice as the standard color to be used on all front-facing walls. To minimize the near-term financial impact on homeowners, they stipulated that the requirement would be phased-in to align with a reasonable repainting cycle for homes. A deadline for compliance was not established at this time.

How and when was the updated Guideline communicated to residents?

An email blast was sent to all residents when the change was adopted. In addition, this Design Guideline change was published on the Lone Mountain website hosted by AAM, our prior property management company.

Were residents adhering to the updated guideline when they repainted?

Some did and some did not. As has always been the case, homeowners are responsible for confirming Design Guidelines and requesting ARC approvals for changes to the exterior of their homes. Because ARC approval is not required if a home is repainted the same color, neither ARC nor the property manager was aware these homes had been repainted or whether the front-facing wall was brought into compliance with the Design Standard. With increasing questions regarding the requirements regarding front-facing walls, ARC began advising all residents who submitted a request to change their paint color that the approval included a stipulation that the front-facing wall would be painted Behr Pepper Spice.

What happened in April 2025 to cause the Board to impose a deadline?

It became clear that many homeowners were not adhering to the updated Design Guideline and the uniformity expected over a reasonable number of years would not be achieved in a reasonable timeframe without imposing a deadline. As a result, the Board voted in open session to update Design Guideline 5.8.1 to include a due date of October 25, 2025, for compliance with the standardized front-facing wall color of Behr Pepper Spice. This provided homeowners with six months to comply. While the

Behr brand is referenced, it is there to ensure the proper color is purchased by homeowners. Residents are allowed to match the color with a brand other than Behr if they so choose. Please note, we are aware that color-matching is not exact and slight variations will occur.

What type of communication did the HOA issue when the due date of October 25, 2025, was established?

All homeowners were provided notice on April 18, 2025, that an open board meeting would be held on April 22, 2025. An agenda for the meeting, which included this item, accompanied the meeting notice. During that meeting, the Board approved the addition of the deadline to the Design Guidelines. Addition of the deadline was the ONLY change made to Design Guidelines (Section 5.8.1) at that time. The decision was communicated in the Lone Mountain Minute publications issued on April 23, 2025, and again on July 2, 2025. The April 2025 Board minutes and Design Guidelines were posted to the FSR [First Service Residential] Portal and a letter was mailed to each Homeowner in May 2025. To ensure awareness, the Guideline was also posted in both park message boards in May 2025 for 60 days and in the mailbox kiosk signs in May 2025 for 30 days.

What is the purpose of the courtesy letters issued in January 2026?

As a part of their normal duties, FSR performed a compliance review in early January 2026. While the deadline stipulated in the revised Design Guideline was October 25, 2025 [6 months after its passage], it was noted that several homes had not yet complied. As an accommodation to efficiently manage anticipated appeals for extensions, these homeowners were sent courtesy letters by FSR indicating the walls need to be painted Behr Pepper Spice, including an **extension of the deadline to March 31, 2026**.

Were fines assessed for non-compliance? Will they be?

Fines have not been assessed, nor will they be, prior to the March 31, 2026, deadline extension. Fines will be imposed consistent with our governing documents after April 1, 2026. That being said, the Board would rather not issue fines and instead would prefer that all homeowners comply with the Guidelines by April 1, 2026.

Hopefully, these FAQs have clarified the history and intent of the Guidelines and reduce any confusion or misunderstandings resulting from information shared on social media. All residents are encouraged to refer to the Lone Mountain governing documents when questions arise. If clarity is needed, please reach out to the Property Manager.

Sincerely,

Emily Ottens
Community Manager
FirstService Residential
<https://lonemountain.connectresident.com>

Unsubscribe

You are currently subscribed as [emily.ottens@fsresidential.com](#). Please [click here to](#)
no longer wish to receive email notifications, or [click here to](#)

if you
.

LONE MOUNTAIN COMMUNITY ASSOCIATION



Latest in
Lone
Mountain



Dear Lone Mountain Homeowners:

It has been just over six months since the new LMCA Board of Directors began the current term. Board priorities were developed, presented, and voted on during an Open Board Meeting (OBM) in February. The Board would like to provide you with a progress report, so you are fully informed of the projects, decisions and programs to this point in 2025.

Projects Completed

- Annual tree trimming came in under budget by \$23,000.
- Fire abatement behind homes, including pre-emergent weed treatment.
- Message board at large park refurbished.
- New modems installed at each gate, resulting in monthly cost savings for internet expenses with improved access and control when operational issues occur.
- Negotiated with the City of Phoenix to restore quarterly bulk trash pick-up in our community for 2025. Mark your calendar for **June 26, September 25 and December 11.**

Projects in Process

At the April OBM, the following items were discussed and approved with some being finished within a few days of this letter.

- Lighting bollards (15+ years old and difficult to repair) will be replaced throughout the large park, with new LED energy efficient lights.
- Mailbox refinishing on nine stations with sun damage and surface erosion.
- Repainting of metal community assets including split rails by wash areas, mechanical and electrical casings at the Lone Mountain and Dove Valley gates, and message board repainting in the parks.
- Re-staining of all wooden bridges.
- Installation of metal frames at mailbox areas to increase opportunities for easy access to community flyers and/or bulletins.
- Addition of a letter designation at all mailbox kiosks will allow accurate identification if questions or comments arise about a specific mailbox kiosk.
- Metal security fence near 56th St and Lone Mountain installed to protect irrigation control assets from damage caused by off-road bikes.

Contract Review - The largest contracts for LMCA are with Agave for Landscaping, First Service Residential (FSR) for Community Management Services, and Patrol Services (previously Sentinal Security).

- All contracts were reviewed, and a scope of services was added to each for purposes of clarity.
- With respect to patrol services, the contract for Sentinal Security was terminated in March due to several factors.
 - A robust Request for Proposal (RFP) process was conducted for a replacement with twelve companies.
 - In the April OBM, the results of the RFP process were discussed, and Oversii Security was selected.
 - The Oversii contract has been executed and their services for LMCA will begin in late May.
 - Their patrols, together with activities focused on compliance and traffic/road safety, will start shortly.
 - Thank you to the Gates and Roadway Committee for their work on this undertaking.

LMCA Roads and Traffic

- In the April OBM, the Board unanimously approved **closing the Lone Mountain and 60th Street entry gate only in the morning between 6:45am to 7:15am weekdays beginning July 28, 2025.** The first day of class is August 4, however, the routine will start a week in advance to educate the vendors coming into our community. The patrol company will be parked along Lone Mountain Road and will be re-routing traffic to side gates for residents with RFID tags and Dove Valley Road for visitors. **In the afternoon, the same process will take place at the 60th Street and Dove Valley Road entry gate only from 1:45 pm to 2:15pm on weekdays.** Traffic will be re-routed for the 30 minutes to other gates for residents and the Lone Mountain gate for visitors. Only emergency vehicles and school buses will be allowed to come through during the thirty-minute timeframe for both time periods. This is being done to address the

cut-through traffic to and from Cactus Shadows High School which has been the main source of speeding and stop sign running on 60th Street. This behavior is causing wear and tear on our main road, gates, and unsafe conditions by disregarding traffic rules. Please remember homeowners are responsible for their guest(s) driving behavior in our community.

- The bollards installed at the exit gate at Lone Mountain Road have reduced wrong way traffic by 95% and it is expected the gate closure will increase the percentage even more. The aesthetics of the bollards will be addressed in the future after a study of a more permanent solutions is completed.
- A complete review of the RFID tag process was conducted to validate tags issued are being utilized by only current homeowners. During this review, more than 100 tags were no longer relevant and were deactivated to remove unauthorized community traffic.
- A relationship has been established with a City of Phoenix community service officer to assist the Board in strategizing and mitigating the presence of un-plated dirt/motor bikes driving in the community, ignoring traffic rules, and congregating in the parks.
- The Fine Policy has been updated to increase fines for reckless driving and street parking.

Design Guidelines - Painting

- There was an update to Design Guidelines - Front Yard Block Wall Color Standardization in the April OBM. To promote visual consistency and maintain community standards, the Lone Mountain Design Guidelines previously stated: "Walls painted prior to December 16, 2020, do not need to be repainted after said date, when an Owner repaints the front yard block walls; after said date, they must migrate to the Community Standard."
- During the transition from AAM to FSR, some Architectural Review Committee (ARC) requests were not accurately documented. Additionally, several homeowners repainted their homes without transitioning to the Community Standard. To address these inconsistencies, the Board of Directors has revised the Design Guidelines to establish a clear and uniform timeline for compliance as follows:

The only stucco and/or paint color permitted for the front yard block walls of the Owner 's Residential Unit is Behr Pepper Spice, #250F-6, or its equivalent (the "Community Standard"). All exterior walls currently not painted the Community Standard need to be painted prior to October 25, 2025.

- Please note: No approval is necessary for an Owner to stucco and/or paint the interior side of the wall facing such Owner's Residential Unit in the back yard provided the color of paint matches the main color of the Residential Unit.
- Design Guidelines for Lone Mountain are located on the FSR portal at

Other Information - Communication

- Communication to LMCA residents is very important.
- Although we have added the new message boards at each mailbox kiosk, the primary way to provide quick information to residents (Lone Mountain Minute, gate or road work, etc.) is through e-mail.
- Please make sure your email and telephone contact information are on file with FSR, particularly if you have changed any email or telephone numbers since originally provided.
- Email our Community Manager, Emily Ottens at _____, with your information if you are not receiving emails or need to verify your information on file.

Additional Tools to Get Information

- FSR introduced two new tools on April 1 to provide easier access to the services homeowners need: **Resident Support Services (RSS)** and **Homeowner Digital Assistant (HODA)**.
- The RSS team provides you with personalized service for homeowner inquiries in a timely manner. Contact the RSS team at the link: azsupport.fsresidential.com.
- HODA is an AI tool designed to provide immediate, reliable support. To start communication with HODA, simply text "**Hey HODA**" to 866.377.0779.
- The Portal will be updated soon to be more user friendly.

In closing, all Committee Volunteers donate many hours to Lone Mountain, and we appreciate their commitment throughout the year. They help make Lone Mountain a great place to live.

Please note: The **HOA Annual Meeting** will take place on **Tuesday, October 28, 2025**. It is intended to install any new Board members post-election and is anticipated to be available in person as well as online. No business is conducted. Details will be provided closer to the meeting. Have a great summer everyone!



Lone Mountain Community Association 2024-2025 HOA Board

Marcia Hahn, Board President

Ty Yacono, Vice President

Betsy Walker, Treasurer

Marc Paquette, Secretary

Armando Luna, Director-at-Large

APPEAL FORM

Date: 2/17/22026

Owner's Name: The Keiling Living Trust & Evelyn Keiling TTE

Property Address: 6041 East Pebbles Court, Cave Creek, AZ 85331

Mailing Address: 6041 East Pebbles Court, Cave Creek, AZ 85331

Email Address: elkeiling@gmail.com

May we communicate with you by email: **Yes**

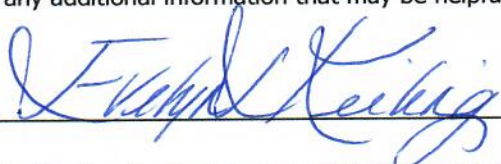
Violation Being Appealed - Architectural paint color requirement as stated in the violation notice – appeal limited to the required wall color selection. See attached for further comment.

Reason for Appeal - This Appeal is limited solely to the paint color requirement referenced in the violation notice (Behr Pepper Spice). I am requesting approval of an alternative wall color (the current paint color that matches our home scheme) and/or a variance regarding the specific color being required.

Property owner is hereby given notice that in no way does the appeal submittal negate the property owners' responsibility to rectify the stated violation before the expiration of the allotted time frame stated in said Associations' Governing Documents.

This form may only be used to appeal one violation (this is not for Fine Waiver Requests).

Please submit any additional information that may be helpful in the review of this Appeal.

Signature: _____

Return by MAIL: FirstService Residential, 9000 E. Pima Center Pkwy Ste. 300 Scottsdale, AZ 85258 **Return by FAX:** 480-551-6000

No Further Action Necessary Below This Line

Board Decision: Approved Disapproved

Date Submitted to the Board of Directors: _____

Management Company / Board Signature: _____

PAINT COLOR APPEAL - EXECUTIVE SUMMARY

I am respectfully submitting this statement in support of my appeal regarding the required exterior wall color specified in the recently *amended* Design Guidelines.

I want to be very clear that we are fully willing and prepared to repaint all applicable exterior walls promptly and professionally, as they are due for maintenance. This Appeal is solely to the specific color being required, not the repainting itself.

I am respectfully requesting that the variance be granted to allow the exterior walls to be repainted in the **original builder-applied color**, which remains integrated with the home's trim, edges, and overall architectural palette.

Given the substantial amount of exterior wall surface involved, the selected color will have significant and highly visible impact on the overall appearance of the residence and its surroundings. Because this is not a limited or accent application, maintaining consistency with the original builder-applied color is especially important to preserve architectural balance and visual cohesion with the community. (Please note that our Lennar home is painted in the lightest paint color scheme available.)

The Design Guidelines emphasize preservation of original architectural intent and visual harmony, including:

- Sections 5.1.1 and 5.1.3, which require exterior maintenance and alteration to conform to the original Residential Unit in style, materials, and color;
- Section 5.1.4, which states that the purpose of the Design Guidelines is to ensure improvements exist in harmony with surrounding structures.

Granting this variance would:

- Fully satisfy all exterior maintenance requirements;
- Preserve the original architectural design of the residence;
- Align with the stated purpose and language of the Design Guidelines.

This request is submitted in good faith and is intended to support both community standards and long-term visual harmony.

Thank you for your time and consideration.

Respectfully,

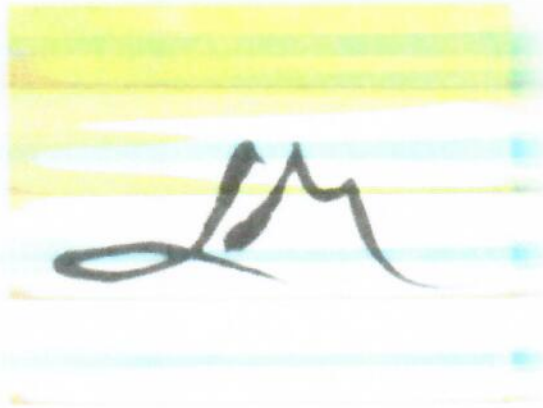


Evelyn Keiling, TTE - The Keiling Living Trust
6041 East Pebbles Court
Cave Creek, AZ 85331
623.687.5762; elkeiling@gmail.com

Emily Ottens

From: Lone Mountain Community Association <Communications@mc.fsresidential.com>
Sent: Tuesday, February 17, 2026 2:40 PM
To: Emily Ottens
Subject: A Message from FirstService Residential

Lone Mountain
c/o FirstService Residential (Scottsdale)
9000 E Pima Center Parkway Suite 300, Scottsdale, AZ 85258
Ph: 480-551-4300



Lone Mountain Community Association Memorandum to Residents February 17, 2026

To address recent questions and comments posed by homeowners, as well as provide context regarding front-facing wall paint requirements and associated appeals that will be heard at the upcoming Open Board Meeting, the following FAQs provides a clear history and explanation of the requirements contained within the Design Guidelines, how the requirements were approved, and how they have been communicated to residents.

Why do HOAs have Design Guidelines?

HOA Design Guidelines are one of the legally binding documents that collectively govern a homeowner's association. The Guidelines are adopted pursuant to the CC&Rs, and contain the rules enacted, and

periodically updated, by a homeowner's association to regulate the exterior appearance, structural modifications and landscaping of properties within the community. Their purpose is to ensure aesthetic harmony, maintain community standards, and protect property values by regulating the appearance, modifications, and maintenance of homes. These rules promote a consistent, cohesive neighborhood look, manage architectural changes and prevent / govern disputes between neighbors regarding improvements like fencing, adjoining walls, landscaping, and general property appearance.

Can I rely on information I read on Lone Mountain or other social media sites?

No. The Lone Mountain Community Association [LMCA] and its representatives do not own, control, maintain, officially monitor or participate in any social media sites. Social media sites with the Lone Mountain name attached to them have been established by individuals, which in some cases are known to be residents, who have done so on their own initiative. Residents are responsible for adhering to the LMCA governing documents. To ensure you have accurate information regarding LMCA and its operations, please visit the First Service Residential Portal. If you require additional assistance, contact the property management company through established communication channels. These channels are published each week in the Lone Mountain Minute distributed to residents.

What is an appeal?

An appeal is a formal process that allows a homeowner to challenge an enforcement action, fine, or denied request imposed by the HOA Board or its committees. For example, challenging a fine or request denial they believe may have been issued in error. Appeals also provide homeowners an opportunity to request temporary relief, including extensions, due to extenuating circumstances that could not be anticipated or avoided, such as illness or undue financial hardship. It is not a forum to challenge a board-approved rule solely based on dislike of the rule or denial of a request carried out in accordance with the requirements contained in the Association's governing documents. Except for CC&R changes, which require homeowner approval, governing document changes are addressed when an item is placed on the agenda. The Board spent considerable meeting time addressing this issue at recent open board meetings and did not pass any measures to reverse or change the decision previously approved by board vote.

Why are appeals on the next Open Board Meeting Agenda?

Pursuant to A.R.S. 33-1804, homeowner appeals are typically discussed in a closed Executive Session of the Board to preserve the privacy of the homeowner since Board members may ask clarifying questions to evaluate the form submitted and ask clarifying questions to evaluate the merits of the appeal. However, homeowners have the right under Arizona law to request their appeal be heard by the Board in Open Session. In doing so, they waive their right to privacy regarding matters that may otherwise be protected under law. The Board will be hearing appeals resulting from courtesy letters issued to homeowners who have not yet complied with the standard paint color established for front-facing walls attached to the Dwelling Unit under Design Guideline 5.8.1. This communication informed homeowners that the deadline was extended to March 31, 2026.

How prevalent is non-compliance?

Most impacted homeowners have already painted their walls or are in the process of painting them. Currently, **roughly 10% [or 80] properties remain non-compliant.**

Is the Board changing the CC&Rs?

The Board is **not** changing the Covenants, Conditions and Requirements [CC&Rs]. The CC&Rs are a separate governing document that, in accordance with Arizona law, cannot be changed without

presenting an initiative to homeowners for vote and receiving at least 66 2/3% approval. The Board modified a **Design Guideline** in accordance with Section 5.3 of the CC&Rs which provides that “The Board may adopt, amend and repeal rules and regulations pertaining to (in 5.3ii) minimum standards for any maintenance of lots.”

When and why did the Design Guideline change?

In October 2020, the HOA Board asked the newly formed ARC [Architectural Review] Committee to review the Design Guidelines and recommend updates that might be needed following the transition of the Lone Mountain Community Association [LMCA] from the builder to an elected homeowner Board. Specifically, and consistent with its responsibilities, the Board asked the ARC Committee to make recommendations regarding requests received at that time from homeowners regarding the paint palette selected by Lennar and adopt color palettes selected by Pulte.

Why was Behr Pepper Spice selected?

Behr Pepper Spice has been used throughout the community from the time the community was established, except for the front-facing walls within the Lennar neighborhood. The ARC Committee recommended this color to the Board because it is pervasive throughout the community, blends with the natural landscape, is compatible with all approved color palettes, and compliments the community walls that divide or delineate private property from NAOS (Natural Area Open Space)/washes as well as residential units in the **Pulte, Richmond American and Taylor Morrison** builder neighborhoods.

When did this updated Design Guideline get approved by the HOA Board?

In December 2020, The Board voted to modify the Design Guidelines, which included stipulating Behr Pepper Spice as the standard color to be used on all front-facing walls. To minimize the near-term financial impact on homeowners, they stipulated that the requirement would be phased-in to align with a reasonable repainting cycle for homes. A deadline for compliance was not established at this time.

How and when was the updated Guideline communicated to residents?

An email blast was sent to all residents when the change was adopted. In addition, this Design Guideline change was published on the Lone Mountain website hosted by AAM, our prior property management company.

Were residents adhering to the updated guideline when they repainted?

Some did and some did not. As has always been the case, homeowners are responsible for confirming Design Guidelines and requesting ARC approvals for changes to the exterior of their homes. Because ARC approval is not required if a home is repainted the same color, neither ARC nor the property manager was aware these homes had been repainted or whether the front-facing wall was brought into compliance with the Design Standard. With increasing questions regarding the requirements regarding front-facing walls, ARC began advising all residents who submitted a request to change their paint color that the approval included a stipulation that the front-facing wall would be painted Behr Pepper Spice.

What happened in April 2025 to cause the Board to impose a deadline?

It became clear that many homeowners were not adhering to the updated Design Guideline and the uniformity expected over a reasonable number of years would not be achieved in a reasonable timeframe without imposing a deadline. As a result, the Board voted in open session to update Design Guideline 5.8.1 to include a due date of October 25, 2025, for compliance with the standardized front-facing wall color of Behr Pepper Spice. This provided homeowners with six months to comply. While the

FORMAL APPEAL & REQUEST FOR VARIANCE - EXTERIOR WALL COLOR

Emily Ottens <Emily.Ottens@fsresidential.com>

To: Evelyn Keiling <elkeiling@gmail.com>

Mon, Mar 9 at 2:14 PM

Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Good afternoon, Evelyn,

Thank you for reaching out, and I appreciate your patience while awaiting my response. My apologies for the delay; I was away from the office for several days last week due to an injury, which caused me to fall behind on my day-to-day managerial duties. Thank you for your understanding. I am sorry to hear that you disagree with the decision made by the Board of Directors. Your appeal and variance request were reviewed in depth and denied. The information authorizing the Board of Directors to make this decision was already shared with the homeowners on February 17th, 2026. A copy of that email is attached in addition to the mid-year update that was mailed to all homeowners at their billing address on file with the management company in May of 2025. You are welcome to attend the Open Session meetings where this has been discussed for several years. We encourage homeowners to attend the meetings to fully understand the decisions being made by the elected decision makers for your Association. This has been reviewed and discussed in detail during the meetings which owners are invited to attend. Please let me know if you are not receiving the email blasts with the link to attend the meetings so I can make necessary updates to your account.

I hope this helps to understand that the Association CCR's were not modified and do not need to be modified for the Board of Directors to establish guidelines. All records we received from the previous management company and all governing documents are available on the Association portal.

We look forward to seeing you at a future meeting,

[Quoted text hidden]

Mass Communication Email 2.17.2026.pdf, Lone Mountain Mid Year Mailer May 2025.pdf

The Keiling Living Trust & Evelyn Keiling, TTE
6041 East Pebbles Court
Cave Creek, AZ 85331
623.687.5762

DATE: March 11, 2026

TO: BOARD OF DIRECTORS
Lone Mountain Community Association
% FirstService Residential
9000 North Pima Parkway, #300
Scottsdale, Arizona 85258

RE: **Formal Request for Governing Authority and Association Records – Design Guideline 5.8.1; Continued APPEAL & REQUEST FOR VARIANCE - EXTERIOR WALL COLOR**

Dear FirstService Residential and LM Board of Directors:

I am copying the Board of Directors on this correspondence so that the Board is fully aware of this formal request for clarification and the association records referenced in the February 17 memorandum regarding the requirement that homeowners paint front-facing walls Behr "Pepper Spice."

After reviewing the memorandum and the Association portal as suggested, my questions regarding the governing authority for this requirement remain unanswered, and the specific documents referenced in the memorandum are not readily identifiable in the portal.

The memorandum indicates that the Board modified Design Guideline 5.8.1 in December 2020 and later adopted a compliance deadline in April 2025. However, the memorandum does not identify the specific provision within the recorded Covenants, Conditions and Restrictions (CC&Rs) that authorizes the Board to mandate a specific exterior paint color through a Design Guideline.

GOVERNING AUTHORITY

The recorded CC&Rs are the controlling governing document for the Association. Design Guidelines and rules adopted by the Board must be authorized by and consistent with the recorded CC&Rs and may not create new restrictions that exceed the authority granted in the recorded covenants.

BOARD OF DIRECTORS - LONE MOUNTAIN

March 11, 2026

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Arizona Revised Statutes §33-1817 provides that association rules must be within the authority granted by the governing documents. The Association's authority to adopt rules does not permit the Board to expand or materially alter the restrictions contained in the recorded CC&Rs.

Arizona courts have also recognized that architectural decisions by homeowners associations must be reasonable and consistent with the governing documents and may not be arbitrary or capricious (see *Tierra Ranchos Homeowners Association v. Kitchukov*, Arizona Court of Appeals).

If the governing documents do not provide the authority for the requirement being enforced, then the adoption and enforcement of such a rule may constitute an action beyond the Board's authority.

ASSOCIATION RECORDS REQUEST

Pursuant to Arizona Revised Statutes §33-1805, homeowners are entitled to inspect and obtain copies of association records. Directing homeowners to search a portal containing numerous links does not provide the specific records referenced in the Association's memorandum.

Accordingly, please identify the specific provision of the recorded CC&Rs that the Board relies upon as authority for mandating a specific exterior paint color and provide the following documents:

- The Design Guideline revision adopted in December 2020 establishing Behr "Pepper Spice" as the standard color for front-facing walls
- The meeting minutes reflecting the Board's vote approving that revision
- The April 2025 meeting minutes reflecting the Board's vote establishing the compliance deadline
- The current text of Design Guideline 5.8.1

The memorandum also indicates that the guideline change occurred in December 2020 but that no compliance deadline was established until April 2025. Clarification regarding how the guideline was applied and communicated to homeowners during the period between 2020 and 2025 would also be appreciated.

ARCHITECTURAL SCHEME OF THE COMMUNITY

The Lennar portion of the community was originally designed using coordinated architectural color palettes that allowed variation while maintaining overall visual harmony. Requiring a single paint color for all front-facing walls appears to alter the architectural scheme originally established by the developer and relied upon by homeowners when purchasing and maintaining their homes.

The February 17 memorandum further states that Behr Pepper Spice was selected because it is "compatible with all approved color palettes" within the community. This statement acknowledges that the neighborhood was designed with multiple coordinated palettes rather than a single uniform color. Requiring all front-facing walls to be painted the same color therefore appears inconsistent with the architectural palette diversity originally established in the Lennar development.

REQUEST FOR BOARD RECONSIDERATION

For these reasons, I respectfully request that the Board reconsider and revise Design Guideline 5.8.1 to allow homeowners to utilize the originally intended builder-approved color palettes for walls adjoining their properties rather than requiring a single designated color.

I recognize that some homeowners have already repainted their walls in reliance on the current guideline. However, the fact that some homeowners have complied does not resolve the underlying question of governing authority or the appropriateness of the guideline itself. Revising the guideline to allow homeowners to select from the originally approved coordinated color palettes would not require any homeowner to repaint again while restoring the architectural diversity originally intended in the Lennar development.

ENFORCEMENT AND OPEN MEETING REQUEST

Because a variance request has been submitted and clarification of the governing authority and records remains pending, I respectfully request that no fines or enforcement action be assessed against my property until the requested documentation has been provided.

Given the number of homeowners impacted by this requirement, including a petition reflecting approximately 174 homeowner signatures, I respectfully request that this matter be placed on the agenda for discussion at an open Board meeting pursuant to Arizona Revised Statutes §33-1803 so that homeowners may hear the Board's explanation and review the governing authority being relied upon.

BOARD OF DIRECTORS - LONE MOUNTAIN

March 11, 2026

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Pursuant to Arizona Revised Statutes §33-1805, please confirm when the requested records will be made available. Because of the approaching compliance deadline, I respectfully request that the requested documentation be provided within five (5) business days.

I appreciate the Board's attention to this matter and look forward to reviewing the requested governing documents and records. Until the governing authority and adoption of this guideline are clarified, I reserve all rights available to homeowners under the Association's governing documents and applicable Arizona law.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Evelyn L. Keiling', with a long, sweeping horizontal line extending to the right.

Evelyn L. Keiling, TTE - The Keiling Living Trust

623.687.5762

elkeiling@gmail.com

FORMAL REQUEST FOR GOVERNING AUTHORITY & ASSOCIATION RECORDS - APPEAL & REQUEST FOR VARIANCE - EXTERIOR WALL COLOR

Emily Ottens <Emily.Ottens@fsresidential.com>
To: Evelyn Keiling <elkeiling@gmail.com>
Cc: Bobby Keiling <rwkeilingphotography@gmail.com>

Tue, Mar 17 at 6:41 PM

Good evening, Evelyn,

Thank you for your patience while I reviewed the prior management company records to locate the documents you requested.

Attached, please find the following:

- Design Guidelines (December 2020)
- Meeting minutes from the December 16, 2020, Open Session
- Meeting minutes from the April 22, 2025, Open Session
- Current text of Design Guidelines Section 5.8.1

At the April 22, 2025, Open Session meeting, the Board adopted a motion clarifying Section 5.8.1 to establish a deadline for completion of required wall painting. Notice of this meeting was distributed on April 18, 2025, along with the agenda. The agenda specifically included "front-facing and common homeowner wall painting – Behr Pepper Spice" as a business item. Homeowners were invited to attend and were given the opportunity to speak prior to the Board's vote. The revision of the Association's Design Guidelines was placed on the agenda for the November 20, 2025, Board of Directors meeting. Notification of this meeting, including the agenda, was sent on November 17, 2025. This has been discussed and reviewed at multiple meetings. We encourage homeowners to attend the meetings.

The Board adopted the guideline in accordance with CCR Section 5.10.2, which grants the Board of Directors the authority to adopt, amend, and repeal architectural guidelines. We understand that you are dissatisfied with the Board's decision. You previously submitted an appeal, which was reviewed and subsequently denied by the Board. The outcome of that appeal was communicated to you following the meeting. Please note that the appeal process does not allow for multiple appeals on the same matter.

You are welcome to attend upcoming Open Session meetings and share your concerns directly with the Board during the homeowner forum portion. Notices, including attendance details, are sent at least 48 hours in advance. Our records indicate that you are successfully receiving these communications, as well as the weekly Lone Mountain Minute and other Association updates. The changes made to the Association Design Guidelines have been communicated with the homeowners for several years including emails sent to owners on record with the management companies, physical mailers such as the mid-year update sent last May and posted in the community bulletin boards and most recently, the mailbox kiosk flyer holders which were installed last year as an additional means of communication.

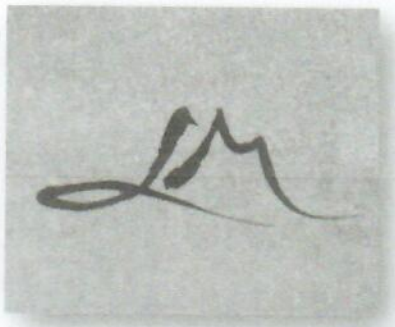
We hope this information helps to clarify your questions and look forward to seeing you at an upcoming meeting.

Warm regards,



EMILY OTTENS
Community Manager

9000 E. Pima Center Pkwy Ste 300 | Scottsdale, AZ 85258



**LONE MOUNTAIN
COMMUNITY ASSOCIATION
(LMCA)**

Design Guidelines

Revised December 16, 2020

by

Board of Directors Motion

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ARTICLE 1**ARCHITECTURAL REVIEW COMMITTEE; GENERAL PROVISIONS**

11 Architectural Review Committee; Requirement for Approval. The Declaration of Covenants, Conditions and Restrictions for Lone Mountain, as it may be amended from time to time (the "Declaration"), provides for an Architectural Review Committee (the "ARC"). So long as any Co-Declarants or their Affiliates own one or more Lots, such Co-Declarants shall have the sole right to jointly appoint and remove the members of the ARC. At such time as no Lots are owned by a Co-Declarant or an Affiliate of a Co-Declarant, the members of the ARC shall be appointed by the Board. The ARC shall review and approve or disapprove, prior to construction or installation, any landscaping, building, fence, wall or other structure or Improvement of whatever type that will be Visible From Neighboring Property unless review and approval of any such Improvement is not required according to the provisions of the Declaration or these Design Guidelines. Any additions or changes to existing Improvements or to the exterior of any Residential Unit also require the approval of the ARC prior to construction or installation.

12 Establishment of Design Guidelines. The Board has established these Design Guidelines to provide for (i) architectural rules and guidelines for all Improvements and additions and changes to existing Improvements so that all Improvements within the Property may exist in harmony to surrounding structures and topography, and (ii) landscaping rules and guidelines that reflect the climate and regional character of the Property. The ARC will focus on minimizing environmental impact and maximizing water and energy conservation principles.

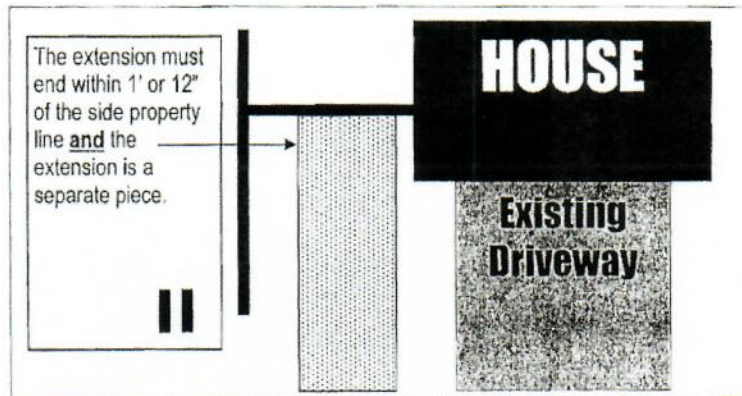
13 Permitted Uses; Defined Terms. Unless specifically excluded from the requirement to obtain the approval of the ARC, any provision in the Declaration or in these Design Guidelines that sets forth a permitted use shall be deemed to permit such use only after approved by the ARC. Capitalized words in this document not otherwise defined shall have the same meaning as described in Article 1 of the Declaration.

14 Use Restrictions. Prior to submitting a request to the ARC for approval of an Improvement or addition or change to an existing Improvement, an Owner should read these Design Guidelines and Article 3 of the Declaration, which contains the permitted uses and restrictions affecting each Lot.

15 Modification; Conflict. These Design Guidelines may be modified from time to time as may be deemed necessary in the sole discretion of the Board. In the event of any conflict between these Design Guidelines and the Declaration, the Declaration shall control.

16 Compliance with Requirements of Governmental Authorities. The ARC approvals required pursuant to the Declaration and these Design Guidelines shall be in addition to, and not in lieu of, any approvals or permits that may be required under any federal, state or local law, statute, ordinance, rule or regulation, including, without limitation, all requirements of the City of Phoenix. An approval by the ARC shall not be construed in any way to be an approval by any applicable federal, state

Option B – Driveway extension is separate from original driveway. This option will be considered on oversized Lots if the materials used are pavers or 1/4" minus Madison Gold decomposed granite.



Any driveway extension approved prior to August 31, 2020 constructed of non-conforming materials (such as concrete or 1/4" minus decompressed granite) shall be permitted to remain until such time when maintenance, repair, or replacement is needed. At that time, Homeowner shall submit driveway extension modifications to the ARC and update any driveway extension to conform to this guideline.

5.7 Driveway Sealers and Stains. ¹³ Driveway sealants or stains must be either clear or natural stone color that enhances the original driveway material color. Driveways may not be painted nor may any epoxy be applied to them. Information regarding the product to be applied must be presented to the ARC for approval prior to application.

5.8 Fences and Walls.

5.8.1 ¹⁸ Additions or alterations to walls and fences installed by a Co-Declarant or a Builder require approval by the ARC and may require approval by the City of Phoenix. Pursuant to Subsection 7.5.7 of the Declaration, any addition or alteration of a boundary wall will also require the written approval of the adjacent Owner(s) sharing the wall, which approval will be deemed a requirement prior to approval by the ARC. No approval is necessary for an Owner to stucco and/or paint the side of the wall facing such Owner's Residential Unit in the back yard provided the color of paint matches the main color of the Residential Unit.

The only stucco and/or paint color permitted for the front yard block walls of the Owner's Residential Unit is Behr Pepper Spice or its equivalent (the "Community Standard"). Walls painted prior to December 16, 2020 do not need to be repainted; after said date, when an Owner repaints the front yard block walls they must migrate to the Community Standard.

Footnotes:

- ¹ Resolution adopted June 6, 2013 (Effective June 6, 2012) – Granite Criteria - Expanded Paragraph 3.6 (ii) to allow more color selections for front yard granite.
- ² Resolution adopted September 18, 2012 (Effective October 1, 2012) – Landscape Structures and Ornamentation - Entire paragraph 3.10.2 replaced to clarify guidelines for decorative yard art and potted planting
- ³ Resolution adopted December 5, 2013 (Effective December 1, 2013) – Sidewalk and Driveway Extensions - Revised Paragraph 5.6.2 (ii) Option B to clarify requirements for driveway extensions for over-sized lots.
- ⁴ Resolution Adopted August 11, 2011 (Effective August 1, 2011) – Flags and Signs, Entire paragraph 5.10 replaced with new flag guidelines to meet Arizona and City of Phoenix laws and ordinances.
- ⁵ Resolution adopted December 5, 2013 (Effective December 1, 2013) – Sidewalk and Driveway Extensions - Revised Paragraph 5.19 (iii) to clarify colors for additional sidewalks
- ⁶ Resolution Adopted August 11, 2011 (Effective August 1, 2011) – Flags and Signs - Entire paragraph 5.21 replaced with new sign guidelines to meet Arizona and City of Phoenix laws and ordinances
- ⁷ Motion adopted May 12, 2020 (Effective May 12, 2020) to increase height limits and setbacks on Accessory Structures and clarify measurement methods.
- ⁸ Motion adopted June 18, 2020 (Effective June 18, 2020) – to clarify voting procedures for ARC.
- ⁹ Motion adopted June 18, 2020 (Effective June 18, 2020) to address solar landscape lighting.
- ¹⁰ Motion adopted July 16, 2020 (Effective July 16, 2020) to address landscape lighting hours of operation.
- ¹¹ Motion adopted May 12, 2020 (Effective May 20, 2020) to define ARC inspection process.
- ¹² Motion adopted August 20, 2020 (Effective August 20, 2020) to specify rules for houses with 4-car garages. Eliminated Paragraph 5.6.3.
- ¹³ Motion adopted July 16, 2020 (Effective July 20, 2020) – Clarify use of permitted and prohibited driveway coatings.
- ¹⁴ Motion adopted July 16, 2020 (Effective July 20, 2020) – Allow wire mesh screens subject to certain restrictions in subsection 5.8.2.
- ¹⁵ Motion adopted October 6, 2020 (Effective October 6, 2020) – Clarify subsection 5.1.4 re: house painting.
- ¹⁶ Motion adopted October 6, 2020 (Effective October 6, 2020) – Expand the language in subsection 5. 4 to include sports equipment other than basketball equipment.
- ¹⁷ Motion adopted November 11, 2020 (Effective November 11, , 2020) – New rule in subsection 5.14.4 to regulate installation of string lights.
- ¹⁸ Motion adopted December 16, 2020 (Effective December 16, 2020) – Clarify subsection 5.8.1 and create new Community Standard color for front yard block walls.
- ¹⁹ Motion adopted December 16, 2020 (Effective October 6, 2020) – New rule in subsection 5.8.5 to regulate installation view fence privacy screens.
- ²⁰ Motion adopted December 16, 2020 (Effective January 1, 2021) – Clarify subsection 5.13 re: Holiday Decorations.



LMCA Open Board meeting

December 16, 2020

1. Meeting called to order at 5:31pm.
2. **Roll call; establish quorum.** Bob Philipps, Steve Reed, Dave Perry, Tim Oestreich, Walt Grochowski, Tania Hendricks and Dave Perry were present; quorum was established. Jered Meyer from AAM was present.
3. **Review and approve prior meeting minutes from December 9, 2020 meeting.** Bob Philipps **motioned to approve the minutes** as drafted. Steve Reed requested to strike the words "This is not 100% accurate" in second paragraph of page 1. Bob amended the motion and **Marcia Hahn Seconded. Motion passed 7-0.**
4. **President's report.**

An overview was provided on the damaged gates at Dove Valley Road. We also had graffiti in the south park and on Friday, December 11, 2020 the north gates failed by falling off of hinges. Two vendors met with several board members the following Monday who agreed the failure was due to deterioration of the gate's steel frame. We were told by one vendor the weight of gates are a problem and the other vendor disagreed. Repairs were authorized to the south gate and were functioning the following day.

We are moving forward replacing the north Dove Valley gates with the same design that what we had previously.

One item needed to be discussed was the president's spending authority of \$1,000 from last year and whether to continue to grant this authority. **Walt Grochowski motioned to give the President a \$1,000. spending limit per incident. Dave Perry seconded. Motion passed 6-0.** Bob abstained.

5. Association Business.

a. Proposed Mission Statement.

Based on homeowner feedback during the last board meeting, we re-drafted a new mission statement. Intent will be to include on our website. Mission statement was reviewed, and **Bob Philipps motioned to adopt. Steve Reed seconded. Motion passed 7-0.**

b. Alignment of Board members to Committees/Projects.

c. Approval of ARC members.

These two topics were combined since they go hand-in-hand. Section 6.1 of the Bylaws state the Board has the right to create one or more committees and appoint members. Per Section 5.10 of the CC&R's, we must have an ARC committee and the members must be approved by the board; and per ARS 33-1817-B-1, the chair of ARC must be a board member. On December 9, 2020, Tania Hendricks was appointed as the chair of ARC. Approval was still needed of the four candidates who had served on prior ARC plus one additional candidate who served on Community Standards Committee. This is a one-year term. **Tania made a motion to approve the five committee members; Bob Philipps second motion. Motion passed 7-0.**

There are five other committees; four of which existed last year and one (technology) that was not officially sanctioned but was more of a project devoted to running the website. They are Finance, Landscape & Grounds, Traffic & Safety, Social & Communications and Technology.

Community Entrance Project is now in homeowner feedback phase and we have 120 surveys so far. Homeowner vote will be required for any special assessment, not the Board. After a decision is made, implementation could take months as there are many issues to deal with.

Board contact on Traffic & Safety committee to deal with issues surrounding problems such as vandalism, speeding, stop sign running, park safety, and parking on sidewalks, etc. will be Tim Oestreich.

Per Section 6.1 of By Laws, **Motion was made by Bob Philipps to approve five committees; Walt Grochowski seconded. Motion passed 7-0.** Primary board contacts were established for each committee. These committee members do not have to be board approved. Note only Board and ARC have decision authority.

d. Proposed Rules Changes.

- i. **Holiday Decorations (Sec 5.13 of the Design Guidelines).** Existing rule for holiday decorations is vague. Proposed wording defines time period of holiday decorations allowed and prevents Christmas lights from being displayed on Veteran's Day or Labor Day or other decorations for period of time well beyond the holiday. Also changed from 30 days before a holiday to display to two weeks but expanded time the lights can be displayed during the month of December. **Bob Philipps motioned to adopt new wording; Tania Hendricks seconded. Motion passed 7-0.** Homeowner debated centered around size limits to decorations.

- ii. **Fences & Wall Colors (Sec 5.8.1 of the Design Guidelines).**

ARC committee asked for guidance on colors for interior block walls facing the home which says it must be the color of the house; yet we are not consistent throughout the community. We have walls painted Behr Pepper Spice regardless of home color, walls painted the color of the adjacent house, walls painted gray, walls painted the color of the trim and walls painted an unidentified tan color. The question is to standardize on one or two colors and allow what we have to continue. **Steve Reed made a motion to standardize on one color (Behr Pepper Spice or its equivalent); Marcia Hahn seconded. Motion passed 5-2.**

- iii. **View Fence Privacy Screens (Sec 5.8.5 of the Design Guidelines).**

Tania presented a review of proposed motion along with rationale and examples. Discussion was to move effective date to October 6, 2020. We need to add a bullet that no messaging, lettering, numbers or symbols will be allowed. All screening attached to view fencing and faux greenery will not be allowed and must be removed. **Tania made a motion to accept based upon above changes; Bob Philipps seconded the amended motion. Motion passed 6-1.** Compliance will be enforced after late January 2021.

e. Code of Conduct Discussion.

Section 2.1 of the Association Rules contain a Code of Conduct which was read. Some residents have been subjected to bad behavior in Common Area spaces. If you experience this, it is best to call 911 and be served by the police since the Board is not an investigative body.

f. Contracts.

A proposed Community management contract with AAM and security contract were presented for approval.

- i. The AAM fees are flat from 2020 and Jered is allocated to us for 30 hours weekly. **Bob Philipps motioned to approve; Dave Perry seconded. Motion passed 7-0.**
- ii. The **A3** contract replaces Urban Tactical who was terminated January 1 for cause. A3 handle security and patrol and their service capabilities go beyond this. Their hours are the same as Urban Tactical but we do not pay for travel or lunch time, so there will be a net savings in fees. We are viewing this long-term as A3 has the ability to bring maintenance and installation of gates, surveillance equipment, lift arms and access management software under one service provider. This is a one-year contract. **Steve Reed made a motion to approve the contract; Bob Philipps seconded. Motion passed 7-0.**

g. Financial Review.

Steve Reed gave an overview of the operating and reserve accounts as of November 30, 2020. We are over budget slightly due to gate monitoring expenses and the payment of the engineering study. We are under budget with security. We are in sound financial condition. In 2021, expenses will be very carefully monitored.

We would like to plan board meetings and alternate the day so that we can have more resident participation. All Board Meetings will begin at 5:30pm and the next three were established:

January 21, 2021 – Thursday; February 24, 2021 – Wednesday; March 25, 2021 – Thursday.

6. Homeowner forum.

Questions regarding road striping were answered. Resident suggested we send out minutes in addition to being on website.

7. Meeting adjourned at 7:51pm.

Minutes recorded by Marcia Hahn, LMCA Secretary

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April 22nd, 2025, Open Session Meeting

April 22, 2025 6:00 PM
Teams Meeting
Cave Creek, AZ

Marcia Hahn - President
Betsy Walker - Treasurer
Armando Luna - Director at Large
Marc Paquette - Secretary
Thomas Yacono - Vice President

None

Emily Ottens Community Manager FirstService Residential

Marcia Hahn called the meeting to order at 6:02 p.m. Roll call was taken to establish a quorum. The quorum was met with five (5) Board members present.

A. MARCH 20TH, 2025 OPEN SESSION MEETING MINUTES

The Board of Directors reviewed the minutes from the March 20th, 2025, Open Session Board meeting. A motion was made by Marcia Hahn to accept the minutes as drafted. The motion was seconded by Marc Paquette and opened for discussion. With no further discussion, the motion carried unanimously.

A. FINANCIAL SUMMARY & FINANCIALS

Board Treasurer Betsy Walker reported a month-over-month increase of \$16,049 in operating funds and \$28,360 in reserve funds for March 2025. She reviewed expenses in key categories including administrative, utilities, landscaping, security, and infrastructure comparing them to year-to-date figures and February 2025 financial. Ms. Walker also outlined the 2025 pending capital improvement projects, which include replacing playground equipment and lighting bollards at the large park, painting ten mailbox kiosks, and repainting four sets of split rails. She confirmed that the Associations financials are on budget, with reserves currently 96% funded.

A. PRESIDENT'S REPORT

Marcia Hahn provided a few brief updates including a thank you to the community manager for donating over twenty-five (25) plants which will be added to the cactus garden and thank you to Infrastructure Committee member Jerry Rupany for his efforts on rebuilding the interior of the two community message boards. Ms. Hahn also informed the homeowners of a recent car accident in the community that happened along 60th Street near Bramble Berry. The resident responsible for the accident came forward to report the damage and will be paying for the minimal landscape damage caused by the accident and for the replacement of the traffic post.

B. LANDSCAPE COMMITTEE REPORT

Armando Luna provided an overview of recent efforts made by the Landscape Committee including summary of the recent projects completed by Agave including the five-foot firebreak abatement, replacement of a water meter at the small park, and the tree trimming. Mr. Luna also informed the homeowners a meeting was held with Agave to negotiate a solution for the replacement of plant material along 60th Street, obtain proposals for decomposed granite along 60th Street, and move forward with the replacement of rotors more efficient nozzles for the irrigation system. Upcoming turf treatments including soil amendments, fertilizer, and aeration, and detaching will begin during the month of May as the turf transitions to Bermuda. Mr. Luna discussed the efforts of the Landscape Committee to obtain proposals for replacement of some of the irrigation components including smart irrigation controllers for Board consideration at a future meeting.

C. INFRASTRUCTURE COMMITTEE REPORT

Ty Yacano provided a brief overview of the recent efforts made by the Infrastructure Committee over the past month including proposals on the meeting agenda for the painting of several components throughout the community, the replacement of multiple signs and original bollard lights at the large park, and the addition of a fence near 56th Street. Mr. Yacano touched on the efforts made to obtain proposals for replacement of the playground equipment at the large park and requested a status update be provided by the Board President. Marcia Hahn informed the homeowners that a focus panel has been created to assist with the playground project and design, three proposals have been received, and additional proposals are forthcoming. Ms. Hahn plans to have the proposals ready to present to the Board of Directors at the June Open Session Board of Directors meeting. Mr. Yacano thanked Infrastructure Committee members Marc Paquette and Jerry Rupany for their efforts in walking the community to identify the components in need of painting, repair and replacement including multiple signs which are faded.

D. ARCHITECTURAL COMMITTEE REPORT

Marc Paquette discussed the ongoing efforts made by the Architectural Committee to ensure community-wide compliance regarding the painting of the block walls with Behr Pepper Spice, the established community standard color. Previously walls painted prior to December 16th, 2020, were not required to be repainted with the community standard color until the exterior of the home was repainted. Mr. Paquette informed the members a further stipulation was added to the Design Guidelines requiring homeowners to paint their front-facing block walls with Behr Pepper Spice when repainting the exterior of the home. Despite the inclusion of the stipulation on the exterior painting approval letters, many homeowners continue to paint the walls using the same color rather than painting the walls using Behr Pepper Spice, as specified in Section 5.8 of the Design Guidelines. In response, Marc Paquette proposed amending the last sentence of the Association Design Guidelines Section 5.8 Fences and Walls

A motion was made by Marc Paquette to replace the last sentence of Association Design Guidelines Section 5.8 Fences and Walls to state the only stucco and/or paint color permitted for the front yard block walls of the Owner's Residential Unit is Behr Pepper Spice or its equivalent (the "Community Standard"). All walls need to be painted prior to October 25, 2025. The motion was seconded by Marcia Hahn and opened for discussion. With further discussion to include notices would be issued during the compliance inspections if the painting has not been completed by the deadline of October 25th, 2025, the motion carried unanimously.

E. SOCIAL COMMITTEE REPORT

Sue Reed reminded the homeowners the large event, Music in the Park is scheduled for this coming Saturday from 3:00 p.m. to 6:00 p.m. and includes a great band, food and drink at no cost to the homeowners. Mrs. Reed outlined the upcoming ice cream social scheduled for May 17th from 1:00 p.m. to 3:00 p.m. and three more service projects for this year including a school supply drive at the end of July, purse donations on October 4th to benefit Purse Impressions, and a fall food drive to benefit the Foothills Foodbank.

F. GATES AND ROADWAYS REPORT

Ty Yacano provided an overview of the recent efforts held by the Gates and Roadways Committee whose main focus was to review proposals from various vendors to replace the security vendor for the Association. The proposals and recommendation from the Gates and Roadway Committee are included on the agenda under new business for Board discussion and decision. Mr. Yacano also provided an update on the efforts made to foster a better working relationship with the Cave Creek Unified School District and recent communication with the bus driver to work towards placement of the bus stops within the community.

A. FIRSTSERVICE RESIDENTIAL RESIDENT SUPPORT SERVICES OVERVIEW

The community manager provided a brief overview of the administrative services offered by FirstService Residential's Resident Support Services and discussed the benefits of this recent implementation, which aims to streamline the support services available to the homeowners.

B. FIRSTSERVICE RESIDENTIAL CONTRACT - JUNE 2025 ANNIVERSARY

The Board of Directors discussed the upcoming June 2025 anniversary date for the management contract with FirstService Residential. Marcia Hahn provided historical information on the transition from the previous management company to FirstService Residential in May of 2022 and the upcoming renewal date of June 1st, 2025. Ms. Hahn informed the members she was contacted by the President of FirstService Residential Arizona to discuss the contract renewal during the first week of May and review the scope of services within the current FirstService Residential management contract. Ms. Hahn explained the process for outlining the request for proposal for management services and opened up the discussion for the Board of Directors to request input on obtaining proposals for management services. A motion was made by Ty Yacano to go out for proposal for management services to better understand what options are out there. The motion was seconded by Armando Luna and opened for discussion. With further discussion to include the number of comparable companies to request proposals from, the motion carried four (4) to one (1).

C. FRONT FACING AND COMMON HOMEOWNER WALL PAINTING - BEHR PEPPER SPICE

The discussion and motion for the painting of the front facing walls was made during the Architectural Committee report.

D. GATE DISCUSSION

The Board of Directors discussed concerns with the community gates and number of wrong way drivers attempting to gain access through the gate on White Pines. Discussion included addition of temporary bollards at the White Pines gate similar to what was put in place at the Lone Mountain and 60th Street exit gate.

A motion was made by Ty Yacano to approve an expenditure not to exceed \$1,500 to work with Holbrook Asphalt to identify the location for temporary bollards at the White Pines gate as a trial residence gate and clarified the issue is more prevalent at the White Pines and Lonesome Trail gate due to the traffic on 56th Street in comparison to the Gloria Lane and Sienna Bouquet gates. The motion was seconded by Betsy Walker and opened for discussion. With further discussion to include a review of a 2020 traffic study by Ty Yacano and concept to delineate the lanes at the gates before making structural changes, obtaining clarification on the requirement for a permit from the City of Phoenix, and a stipulation to review the

proposed changes with a licensed professional engineering firm on traffic before proceeding, the motion carried three (3) to two (2).

A motion was made by Ty Yacono to approve an expenditure in the amount of \$295.00 for a one-hour consultation with Green Light Traffic Engineering who completed a 2020 study for the community which would focus on permanent bollard and curbing changes to the Lone Mountain gates as well and discuss the concept for the White Pines gate. After input from the Board Treasurer, the motion was revised to round up the expenditure to a cost not to exceed \$500.00. The motion was seconded by Marc Paquette and opened for discussion. With further discussion to include comments on moving forward in this route to determine what the Association can and cannot do, the legality of the changes and requirements for the Association to proceed, the motion carried unanimously.

A motion was made by Ty Yacono to close the gates weekdays at Lone Mountain from 6:45 to 7:15 in the morning and shutdown of Dove Valley gate in the afternoon from 1:45 and 2:15 in an effort to eliminate tailgating, traffic build up, and abuse of the gate system for traffic cutting through the community in route to the high school. The motion was seconded by Marc Paquette and opened for discussion. With further discussion to include comments on moving forward in this route to determine what the Association can and cannot do, the legality of the changes and requirements for the Association to proceed, the motion carried four (4) to one (1).

The Board discussed options for reducing traffic including the recent disabling of outdated RFID tags and plans on additional discussion with the new security vendor for both the gate at Lone Mountain and 60th Street and at the Dove Valley exit gate. Ty Yacono requested a change to the gates located at Sienna Bouquet and Gloria Lane which open and close at the same time unlike the gates located at White Pines and Lonesome Trail. A request was made for the community manager to contact Signature Gates for information on changing the gate programming for additional review with the Board of Directors.

E. SECURITY BID PROPOSALS

The Board of Directors reviewed the proposals and options recommended by the Chair of the Gates and Roadways Committee for replacement of the Associations security vendor. Ty Yacono presented the request for proposal and extensive scope of work put forth in vetting twelve (12) companies for replacement of the security vendor. An outline of the recommendation to proceed with a contract with Oversii LLC was provided to the Board of Directors. A motion was made by Ty Yacono to select Oversii LLC as the new security company. The motion was seconded by Marcia Hahn and opened for discussion. With further discussion to including a detailed outline of the services provided, options available including a skid for speeding to be added to the July agenda for further consideration, breakdown of costs and the patrol schedule, the Board of Directors selected revised scope #2 with Oversii LLC for ninety-six (96) hours per month. The discussion was opened to the floor for homeowner input and carried unanimously.

The Board of Directors discussed closing the Lone Mountain and Dove Valley gates in the morning hours during the week after the new contract with Oversii LLC is signed and reviewed by legal counsel. A motion was made by Ty Yacono to immediately enact a shutdown with the support of Oversii LLC of the Lone Mountain and 60th Street gate from 6:45 a.m. to 7:15 a.m. in the morning and a time to be defined for the Dove Valley Gate in the afternoon for a 1/2-hour window. The motion was seconded by Marc Paquette and opened for discussion. With further discussion to including refining the exact time for the Dove Valley gate based on the early release day during the school week and thorough communication to be sent to the homeowners in advance, the motion carried four (4) to one (1).

F. COMMON AREA PAINTING, MAILBOX PAINTING, AND BRIDGE SEALING PROPOSAL

The Board of Directors reviewed the proposal from Preferred Coatings, Inc. for multiple painting projects which includes painting of ten mailboxes and sealing of the bridges throughout the community. A motion was made by Marcia Hahn to accept the Preferred Coating bid dated April 12th, 2025, for a total of \$19,180. The motion was seconded by Ty Yacono and opened for discussion. Marcia Hahn outlined the scope of work which includes the painting of eight (8) doggy stations, repair and seal coat of five (5) bridges, painting of both message boards, painting of four (4) split rails and red curbs at the small park, and ten (10) mailboxes clusters. Ms. Hahn further explained the funding for the proposal will be a combination of funds from the

common area maintenance budget, sign maintenance budget, and some reserves funds. With no further discussion or questions from the homeowners, the motion carried unanimously.

G. PARK AND GATE SIGN REPLACEMENT PROPOSAL

The Board of Directors reviewed the proposal Summit West Signs for replacement of multiple faded signs throughout the community. A motion was made by Marcia Hahn to approve the Summit West bid dated April 15th, 2025, for a total of \$4,866.47. The motion was seconded by Ty Yacono and opened for discussion. With further discussion detailing the signs being replaced due to fading include the pet leash signs, pet waste signs, private entry signs at the gates, no trespassing signs, and funding to come out of the budget for sign maintenance, the motion carried unanimously.

H. 54TH STREET FENCE ADDITION PROPOSAL

The Board of Directors reviewed the proposal from AZ Spruce Up for addition of a fence along 56th Street near irrigation components. A motion was made by Marcia Hahn to accept the Arizona Spruce Up bid dated April 1st, 2025, to install security metal fencing in the amount of \$3,782.12 to be paid out of reserves. The motion was seconded by Marc Paquette and opened for discussion. With further discussion to explain the area the fence is to be added is near 56th Street and Lone Mountain Road where motorbikes have been driving and destroying the irrigation equipment, the motion carried unanimously.

I. BOLLARD LIGHT FIXTURE REPLACEMENT PROPOSALS -- SOUTH PARK

The Board of Directors reviewed multiple proposals for replacement the original bollard light fixtures at the large park with LED fixtures which are at the end of their current useful life and in need of significant repair. A motion was made by Marcia Hahn to approve the purchase of ten (10) bollard lights in the approximate amount of \$3,3120.00, not to exceed \$3,500 due to tariffs, color is to be black and includes approval of Mustang Electric's bid of \$1,978.33 for installation of the lights with the funding for the light purchase and installation to come out of the reserves account. The motion was seconded by Ty Yacono and opened for discussion. With discussion to further explain the reason for the purchase of the lights is to replace the original fixtures which are in need of significant repairs for which parts are no longer available, the motion carried unanimously.

MEETING

The Board of Directors discussed and determined the scheduling for the September 2025 meetings including a special meeting to review the budget. The September 2025 Open Session Board of Directors meeting has been scheduled for September 29th, 2025, at 6:00 p.m. The September 2025 Executive Session Board of Directors meeting has been scheduled for September 24th, 2025, at 6:00 p.m. The special meeting to review the Association's operating budget for 2026 has been scheduled for September 17th, 2025, at 6:00 p.m. The 2025 Annual Membership Meeting was tentatively scheduled for October 28th, 2025. The Board briefly discussed options for holding the 2025 Annual Membership Meeting in person.

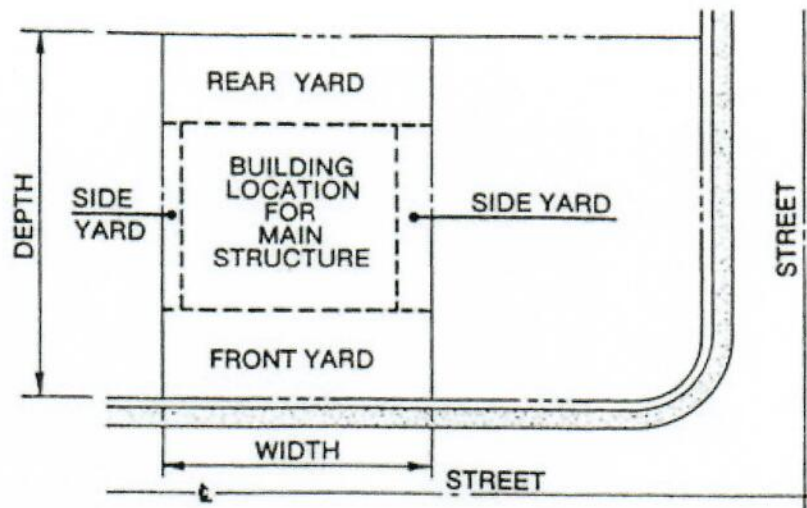
The Board of Directors opened the floor for homeowner comments, questions, and concerns.

A motion was made by Marcia Hahn to adjourn the meeting at 8:47 p.m. The motion was seconded by Marc Paquette and opened for discussion. With no further discussion, the motion carried unanimously, and the meeting was adjourned.

APPROVED _____

DATE _____

5.63 Side Yard Parking. ³² A vehicle or similar equipment (as permitted by Article 3 of the Declaration) may be parked on an approved hardscape parking pad installed in the side yard of a Lot behind a gate of a residential unit no more than twenty (20) feet behind the return wall, or the length of the side yard, whichever is greater, as measured from the gate and must be properly screened, as determined and approved by ARC. Vehicles and similar equipment, inclusive of those listed in Article 3 of the Declaration, are prohibited from parking in the rear yard. Approved side yard parking pads may not be installed below the existing grade of the Lot.



5.7 Driveway Sealers and Stains. ¹³ Driveway sealants or stains must be either clear or natural stone color that enhances the original driveway material color. Driveways may not be painted nor may any epoxy be applied to them. Information regarding the product to be applied must be presented to the ARC for approval prior to application.

5.8 Fences and Walls.

5.8.1 ^{33; 37, 38} Additions or alterations to walls and fences installed by a Co-Declarant or a Builder require approval by the ARC and such requests shall be accompanied by a permit or other documentation issued by the City of Phoenix confirming the construction complies with all applicable guidelines, ordinance and rules. Pursuant to Subsection 7.5.7 of the Declaration, any addition or alteration of a boundary wall will also require the written approval of the adjacent Owner(s) sharing the wall, which approval will be deemed a requirement prior to approval by the ARC. No approval is necessary for an Owner to stucco and/or paint the side of the wall facing towards such Owner's Residential Unit in the back yard provided the color of paint matches the main color of the Residential Unit.

The only stucco and/or paint color permitted for the front yard side and/or return block walls of the Owner's Lot ("Front Return Walls") is Behr Pepper Spice or its equivalent. All Front Return Walls need to be painted Behr Pepper Spice or its equivalent prior to October 25, 2025.

^{34, 38} The only paint color permitted for the rear-view wrought iron fence of the Owner's Residential Unit is Black Fox SW 7020 semi-gloss, Direct to Metal (DTM) exterior paint and must be sprayed on the front and back of the rear-view fence.

5.82 ¹⁴ The ARC will allow welded wire mesh to be attached to the entire length of a wrought iron fence that does not exceed a height of 36" inches from the bottom of the wrought iron, and is not installed in such a way that it damages the fence. Mesh fencing may be installed without ARC approval so long as it is constructed of unpainted galvanized material that is essentially transparent in nature. Such wire mesh fencing must be upkeep as needed to maintain a good appearance.

5.83 Decorative or garden walls installed in the front yard may not exceed 36 inches in height. Materials that will be considered by the ARC include masonry with a stucco finish painted to match the main color of the Residential Unit, slump block or decorative stone that matches any stone trim on the Residential Unit or is compatible therewith.

5.84 Fences and walls constructed of wood, chain link, split rail, PVS piping and chicken wire are prohibited.

5.85 View Fence Privacy Screens. ³³ The Lone Mountain community was specifically designed to have open, sweeping natural desert landscape views throughout. To maintain the natural open desert feel, we strongly recommend homeowners choose approved plants and trees for privacy screening, as their first choice. This option is most compatible with our community's natural desert aesthetics. Also allowed are decorative metal privacy screens that are see-through (partially obscure) in nature, subject to ARC approval.

Decorative metal privacy screens that partially obscure a view, may be installed in the back or side yard of a Residential Unit provided they:

- Are constructed of a metal that withstands weather conditions such as galvanized steel, aluminum, wrought iron or other materials that do not warp, crack, degrade or fade with exposure to the sun. Plastic, fabric or other non-metal materials are prohibited;
- Allow air flow and a partial obscured view through the design;
- Are architecturally consistent with the home design;
- Are placed in a consistent manner in relation to the view fencing;
- Are no higher than the height of the fence;
- Are installed between the view fence and the Owner's Residential Unit.
- Are securely attached to the ground, to the block wall base of the view fence, to the back or side yard block walls, or to the Owner's side of the view fence as approved by ARC;
- Closely match a color palette of the view fence installed by the builder (ex. Black, bronze) to maintain the desert feel;
- Do not contain words, letters, numbers or symbols in their design.

Any damage caused to the view fence by the privacy screen is the responsibility of the owner, and must be promptly repaired within 30 days of such damage occurring. The Association holds no liability for any damage to privacy screens affixed to the view fence and reserves the right to require privacy screens be