

LONE MOUNTAIN COMMUNITY ASSOCIATION

DESIGN GUIDELINES

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(Adopted July 22, 2009)

ARTICLE 1

ARCHITECTURAL REVIEW COMMITTEE; GENERAL PROVISIONS

1.1 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.

1.2 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.

1.3 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.

1.4 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.

1.5 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.

1.6 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 or local governmental authority. In the event of conflict between these Design Guidelines and any governmental ordinance, building code or regulation, the more restrictive standard shall prevail.

1.7 Warranty Disclaimer. Owners are advised that the construction of or modifications to certain Improvements may void all or a portion of the warranty given to Owners by a Co-Declarant or a Builder upon acquiring a Lot. Prior to commencing construction or modifying an Improvement, an Owner should investigate any effect such construction or modification will have on the warranty. The ARC will not be responsible for any warranty that is deemed void as a result of the ARC approving any such construction or modification.

1.8 Right of Waiver. The ARC reserves the right at its sole discretion to waive or vary any of the procedures, guidelines or standards set forth herein.

ARTICLE 2

SUBMITTAL AND APPROVAL PROCESS; COMPLETION OF WORK

2.1 Required Materials. An Owner shall submit the following, along with a completed Lone Mountain Architectural Review Form attached to these Design Guidelines (the "Review Form"), to the Association's managing agent. An Owner must receive written approval of the submittal from the ARC prior to construction or installation of any Improvement that requires the approval of the ARC.

2.1.1 For landscaping plan approval, or amendments to an approved landscaping plan, the Owner shall submit a landscaping plan for the Lot (no smaller than 8-1/2 inches by 11 inches or larger than 11 inches by 17 inches), including a description of all varieties and sizes of trees and shrubs, with the location of each tree and shrub clearly delineated on the plan. To the extent that the Owner can color code the trees and shrubs and provide a legend, it will facilitate review. If the Owner desires to install any hardscape, including but not limited to brick, masonry, concrete, rocks or other inert material, such items shall be clearly marked on the landscape plan and a legend shall be provided so that the ARC can easily determine the location and type of material. Lots have been designed and graded to provide positive drainage from the Lot and to protect environmental resources. In the event the Owner's plan proposes to alter the grade of the Lot, the location of all drainage structures and direction and slope of flow must be indicated on the plan. The ARC's approval of any plan shall not be deemed to constitute an assurance that the grading or drainage change is properly engineered to avoid any undesirable impact.

2.1.2 For changes or additions to the Residential Unit, the Owner shall submit a copy of the plot plan and floor plan for the model and elevation. On such plans, the Owner shall draw the proposed changes or additions to the exterior elevation. If the Owner has a photograph of another house or picture out of a magazine that will assist the ARC, such photo should be submitted. The submittal must contain a description of the materials and samples of the colors the Owner plans to use in such changes or additions. If the change or addition affects the roof or

roofline, a roof plan must also be submitted. A building section may be requested by the ARC depending on the complexity of the change or addition.

2.1.3 For all other Improvements requiring ARC approval, the Owner shall submit a copy of the plot plan showing the location of the proposed Improvement, a description of the Improvement on the Review Form, samples, pictures and any other descriptive materials demonstrating the intent of the submittal.

2.1.4 Each submittal shall be accompanied by the ARC review fee, which amount shall be determined from time to time by the Board. The amount of the fee may be obtained by contacting the managing agent for the Association. Notwithstanding the foregoing, if the ARC deems it necessary to have plans and specifications for major Improvements reviewed by professional consultants (including, but not limited to, architects and engineers), the ARC may require an Owner to pay an additional review fee to reimburse the Association for the cost of hiring such consultants.

2.2 Approval Process. Owners may not rely on verbal approvals or indications from any person that Improvements will be approved by the ARC. The ARC shall either approve or disapprove in writing each request within 45 days after receipt of the request. If no notice is sent by the ARC within the 45 days, then the proposed Improvement is deemed disapproved. If a request is denied within such 45-day period, then written denial shall be forwarded to the Owner stating the reason for denial. If the ARC requests additional information, then the 45-day period will not commence until all required information has been submitted. It is an Owner's responsibility to make sure that a request and all additional information required by the ARC is received by the Association's managing agent.

2.3 Commencement and Completion of Work. Unless otherwise stipulated in the written approval by the ARC, construction or installation of an approved Change (as defined in Subsection 3.1.3 of the Declaration) must be commenced within 6 months after the date the ARC has approved the Change or the approval shall be deemed withdrawn and an Owner must re-submit the application and plans. Unless otherwise stipulated in the written approval by the ARC, once commenced, construction or installation of an approved Change must be completed within 90 days after commencement. An Owner may request an extension of the construction completion date by written notice to the ARC, showing reasonable cause for the delay; however, the ARC shall have no obligation to grant such request and may recommend to the Board imposition of a fine for failure of an Owner to comply with the required completion date.

ARTICLE 3 LANDSCAPING

3.1 Initial Installation. Pursuant to Section 7.7 of the Declaration, the front and side yards of a Lot that are not completely enclosed by a wall or fence must be adequately landscaped no later than 90 days following the date on which the Lot is first conveyed to an Owner. This means that an Owner of a new Residential Unit must be ready to submit a landscaping request for ARC approval prior to or immediately after closing to be able to obtain an approval and install the landscaping within the required time period.

3.2 Landscape Concept. Landscaping should be designed with emphasis on specie variety for a blending of texture, color and flower mix. Careful consideration should be given to creating a landscape design that uses indigenous materials and is sensitive to the water conservation efforts used in the desert southwest.

3.3 Recommended Plant Materials. The ARC recommends that all plant materials used be those named in Exhibit A attached hereto. The ARC will consider requests for plant materials not listed, provided that such plant materials are not on the list of prohibited plant materials attached hereto as Exhibit B. The ARC reserves the right to refuse any plant materials it believes will not be beneficial to the environment of the Property. Owners should review the use and placement of all plants with a knowledgeable professional or consult appropriate reference material.

3.4 Prohibited Plant Materials. The plant materials set forth on Exhibit B attached hereto are prohibited and may not be planted in landscapes or within pots or containers under any circumstances. Plants listed on Exhibit B are NOT ACCEPTABLE due to aesthetic reasons, their mature height or growth habit, their invasive characteristics or adverse effects on the native environment.

3.5 Irrigation Systems. All landscape plantings shall be maintained by a fully automatic underground irrigation system. Irrigation systems that use drip emitters instead of spray heads or bubblers, are highly encouraged. When it is necessary to use sprinklers, care should be taken to avoid overspray on hardscape, structures, walls, fences and windows.

3.6 Ground Coverage. The ground surfaces of all yards shall be covered with approved inert or living materials or a combination of both. Suggested inert materials include:

- (i) River rock (3" - 6" in diameter) - not to exceed 10% of yard;
- (ii) Decomposed granite (1/2" minus to 1" minus material permitted). No color other than "Madison Gold" will be permitted in front yards.
- (iii) Boulders (must be from the metropolitan Phoenix or surrounding area and buried at least 1/3 of their depth)

Additions or variances to the suggested materials must be approved by the ARC. For the purpose of these Design Guidelines, top soil or decomposed granite smaller than 1/2" minus will not be considered for inert material (except for driveway extensions—see Section 5.6 below). No artificially colored rock will be permitted as ground cover. Ground cover, inert material and any other landscaping, softscape or hardscape, shall not be used to spell out or form names, nicknames, initials, names of states or cities, athletic teams, slogans, states, emblems, geometric patterns or any other word, image, symbol or communication.

3.7 Concrete. Excessive use of concrete (as determined by the ARC) in front and street side yards will not be allowed. Requests for concrete installation in addition to the

concrete that was installed by a Co-Declarant or a Builder will be considered on a case-by-case basis.

3.8 Foundation Planting and Lawns. Foundation planting shall visually conceal the visible portion of a Residential Unit's base and screen all backflow prevention devices, gas meters and air conditioning units Visible From Neighboring Property within 2 years after installation. **No shrubs or groundcovers shall be placed and no irrigation shall occur within the area that is 18 inches from the Residential Unit. Turf and associated irrigation shall be kept at least 3 feet from a building face, wall or fence, including any fence constructed in part or in whole with wrought iron.** Termites and other insects are attracted to moisture. Excessive watering and landscaping around the foundation of the Residential Unit may void the warranty on the Residential Unit and also may void any termite treatment warranty. High-quality artificial turf will be considered by the ARC. All turf areas must be bordered by stone, brick or concrete curbing or other "encircling," non-corroding material. Plastic or metal edging is not permitted for this purpose.

3.9 Plastic Sheeting. The use of solid plastic sheeting or polyethylene over ground areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil. Comparable materials may be used only with prior approval of the ARC.

3.10 Landscape Structures and Ornamentation.

3.10.1 Fountains shall be limited in height to 5 feet above the finished grade of the Lot. Any fountain shall be constructed of natural material, color and design, each of which is compatible with the overall architectural theme of the Property, as determined by the ARC. It is recommended that water features be chlorinated.

3.10.2 No other landscape feature shall be in excess of 4 feet in height. Statues, topiary and artifacts will not be allowed in the front or street side yard with the exception of temporary statues, artifacts and other holiday decorative landscaping items that may be allowed within a reasonable period of time prior to, during and after a holiday season as set forth in Section 5.13 below. Artificial plants are strictly prohibited in locations that will be Visible From Neighboring Property.

3.11 Landscape Lighting. Exterior ground-mounted lights (i.e., 12 inches in total height or less) used for driveways, walkways or landscaping shall be low voltage, indirect and controlled with an electric clock or photo-cell device. Exterior ground-mounted lights shall have a decorative metal housing colored an earth tone, copper or black, and all wiring must be buried below grade in accordance with the manufacturer's requirements. Colored bulbs and bulbs greater than 10 watts are prohibited. The ARC will consider some uplighting for key trees and plants only. Lighting sources should not be visible and should be aimed away from roads, sidewalks and other Residential Units. Minimal lighting within yards is recommended by the ARC. Low-pressure sodium bulbs and neon lighting are prohibited.

3.12 Minimum Standards for Front Yard Landscape Installation. Front yards should be designed to include appropriate quantities and sizes of plant materials depending on

the size of the Lot and based on the approximate width of the Lot. The following minimum plant material sizes and plant quantities are strongly recommended; however, the ARC will consider variations of these requirements:

LOTS 60 FEET WIDE

Plant Type and Size	Quantity
Trees (24" Box)	1
Trees (15 gallon)	1
Shrubs (5 gallon)	5
Shrubs (1 gallon)	5
Accent Plants (1 gallon)*	6

LOTS 75 FEET WIDE

Plant Type and Size	Quantity
Trees (24" Box)	2
Trees (15 gallon)	1
Shrubs (5 gallon)	6
Shrubs (1 gallon)	8
Accent Plants (1 gallon)*	8

LOTS 90 FEET WIDE

Plant Type and Size	Quantity
Trees (24" Box)	2
Trees (15 gallon)	2
Shrubs (5 gallon)	8
Shrubs (1 gallon)	10
Accent Plants (1 gallon)*	10

LOTS 120 FEET WIDE

Plant Type and Size	Quantity
Trees (24" Box)	2
Trees (15 gallon)	2
Shrubs (5 gallon)	8
Shrubs (1 gallon)	12
Accent Plants (1 gallon)*	12

*Turf may replace accent plants but shall not replace trees or shrubs.

The minimum plant material sizes and quantities set forth above are a general guideline for minimum standards. For example, a cul-de-sac Lot that has less than 60 feet in width at the front of the Lot but is in an area where Lots are generally 60 feet wide will be required to comply with the standards for a Lot 60 feet wide. However, the ARC may require additional plants for front yards that are larger than most other front yards in the general area, or the ARC may require fewer plants for front yards that are smaller than most other front yards in the general area as long as the completed landscape plan results in an attractive front yard. Cacti may be substituted for shrubs and accent plants but shall not be substituted for trees.

3.13 Removal of Debris. Upon completion of any landscaping Improvements, all landscape material debris must be removed from the Lot and any soil or other residue remaining on the street must be cleaned.

ARTICLE 4 ANTENNAS/SATELLITE DISHES

4.1 Communication Services. If an Owner desires to install an antenna for the purpose of receiving television or other communications services, the rules in this Article 4 apply.

4.2 Approved Devices. An antenna one meter or less in diameter or diagonal measurement which is designed to receive signals from direct broadcast satellites (DBS) or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MMDS) or an antenna that is designed to receive television broadcast signals (TVBS) may be placed, installed, or kept on a Lot without approval by the ARC if the antenna and installation thereof complies with the following restrictions:

4.2.1 The antenna must be placed on the Lot in such a manner as to not be Visible From Neighboring Property unless it is impossible to do so without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

4.2.2 If the antenna cannot be placed on the Lot in such a manner as to not be Visible From Neighboring Property without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS, then the antenna must be screened by landscaping or by some other means so that it is not Visible From Neighboring Property, unless such screening would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS, in which event the antenna must be screened by landscaping or by some other means to reduce to the greatest extent possible its Visibility From Neighboring Property without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

4.2.3 If the antenna is mounted on a residence or other structure and is Visible From Neighboring Property, the antenna and all mounting brackets and cables must be painted a color that will blend into the background against which the antenna is mounted, unless the painting of the antenna would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

4.2.4 An antenna that is less than one meter in diameter and is designed to receive video program services from MMDS or an antenna designed to receive TVBS may be mounted on a mast which does not exceed 12 feet in height above the roof line. However, the mast shall be no higher than the height necessary to establish line of sight contact with the transmitter. If the mast or antenna is Visible From Neighboring Property, the mast or antenna must be painted a color that will blend into the background against which the antenna is mounted, so long as the painting of the antenna does not impair the user's ability to receive signals from the MMDS or TVBS provider.

4.3 Impairment of Ability to Receive Signals. A restriction contained in this section shall be deemed to impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS if compliance with the restriction would unreasonably delay or prevent installation, maintenance or use of the antenna, unreasonably increase the cost of installation, maintenance or use of the antenna or preclude reception of an acceptable quality signal.

4.4 Restricted Devices. No antenna that exceeds one meter in diameter or diagonal measurement and no mast that exceeds 12 feet in height above the roof line may be placed, installed, constructed or kept on any Lot without the prior written approval of the ARC.

ARTICLE 5 OTHER IMPROVEMENTS AND ALTERATIONS

5.1 General Architectural and Design Character.

5.1.1 The architectural design of all additions, alterations, and renovations to the exterior of any Residential Unit shall conform to the design of the original Residential Unit in style, detailing, materials, and color. The height of any addition to an existing Residential Unit shall not be higher than the original roof line.

5.1.2 All additions to Residential Units shall be built within the setback lines originally established for the Lot or as changed by the Co-Declarant or Builder with the approval of the City of Phoenix.

5.1.3 All materials used in the maintenance, repair, additions and alterations of any structure or Improvement subject to review hereunder shall match those used in the initial construction of the Improvement as to color, composition, type, and method of attachment. The ARC may allow substitute materials if it deems such materials to be compatible with the theme of the community.

5.1.4 Color chips will be required for any request to paint any portion of the exterior of the Residential Unit if different than the original paint color. Repainting a Residential Unit the same color that was used by a Co-Declarant or a Builder will not require approval of the ARC.

5.2 Accessory Structures. Ramadas, gazebos, pergolas and similar structures may not exceed 10 feet at their highest point. Roof and wall (if applicable) color and material must either (i) match those used by a Co-Declarant or a Builder in the original construction of the

Residential Unit, or (ii) be otherwise approved by the ARC. Location of the structure must comply with local government ordinances and be set back from any property line 5 feet or the distance required by law, whichever is greater.

5.3 Awnings. Canvas awnings or awnings of similar material will be considered by the ARC for windows on the side and/or rear of the Residential Unit. The color of the awning material must match the main color of the Residential Unit or the roof color. Only straight-edge awnings will be approved. Scalloped-edge awnings are prohibited. Submittal requirements include a drawing with the location of the installation, samples of the material and color to be used and pictures showing the design of the proposed awning. Only awnings that are maintained in excellent condition will be permitted to remain on Residential Units.

5.4 Basketball Equipment. Wall-mounted backboards are prohibited. Portable basketball goals or permanent basketball goals or backboards attached to a free-standing pole may be constructed or installed only in the rear yard of a Lot provided the location design, material and color of the pole and the basketball goal and backboard are approved by the ARC. Both portable and permanent basketball goals will be considered if they meet the following requirements:

- (i) Backboards must be of a predominantly neutral color (gray, black or white) or match the main color of the Residential Unit. (Clear backboards are acceptable without painting or decals.)
- (ii) Basketball poles must be black or painted to match the main color of the Residential Unit.
- (iii) All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., should be promptly removed, repaired or replaced.
- (iv) Only nylon or similar cord nets are acceptable. Metal or chain nets are prohibited.
- (v) Lighting of basketball equipment for night play is prohibited.

5.5 Courtyards The ARC will consider new courtyards on a case-by-case basis so long as they do not encroach into any public utility easement area of a Lot.

5.6 Driveway Extensions.

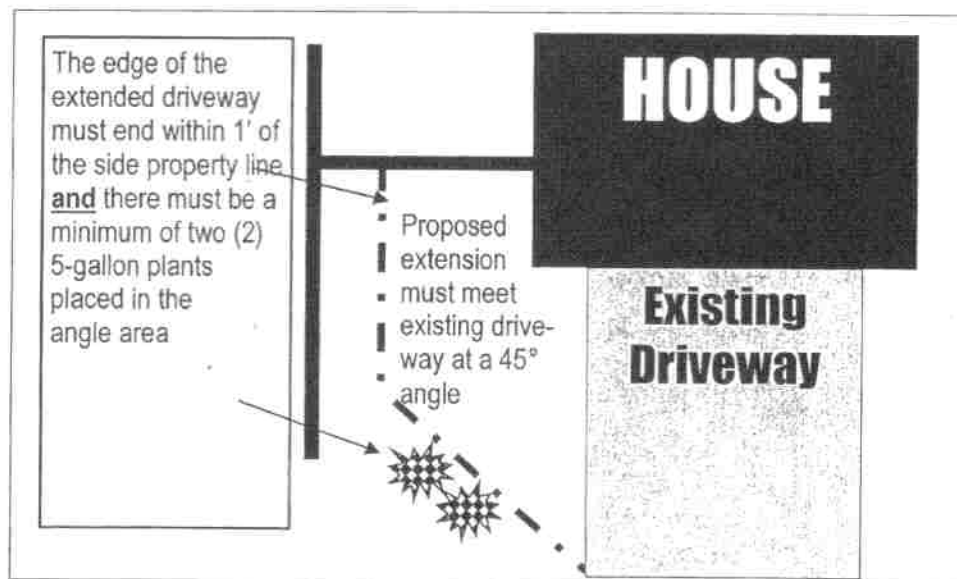
5.6.1 General. Plans for extensions must be submitted for approval and must include a plot plan of the existing Lot with the proposed addition. The exact measurements of the existing and proposed areas must be included on the application and plot plan. Proper drainage away from the Residential Unit and from the rear yard to the street must be maintained within the Lot. Extensions may be used for purposes of approved vehicular parking only. Storage or parking of non-approved vehicles is prohibited. All expansion submittals will be reviewed on

a case-by-case basis with strong consideration of any impact on the architectural feature of the neighborhood.

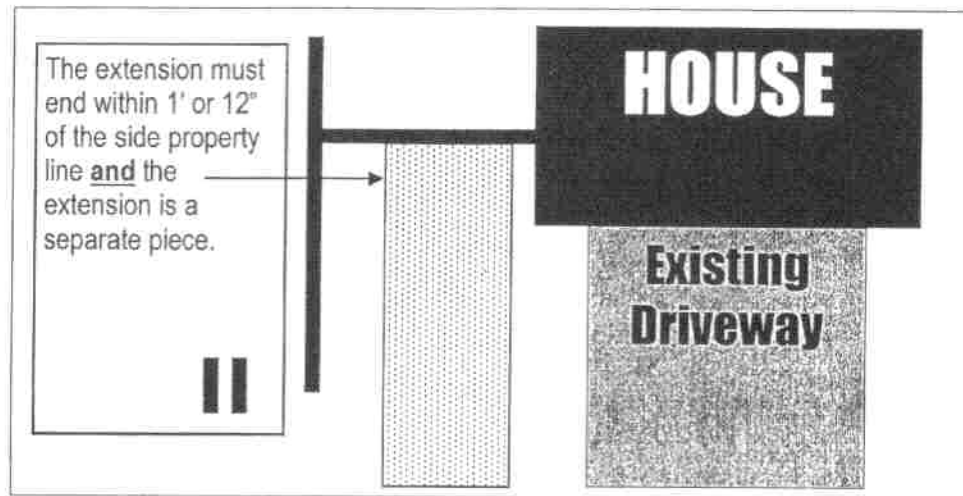
5.6.2 Driveway Extensions for Residential Units Having Two and Three Car Garages. The total of all paved surfaces cannot exceed 50% of the Lot width or 30 feet of linear concrete area, whichever is less. For example, 2-car driveways that are 17 feet wide may request a driveway extension of a maximum width of 13 feet. As another example, 3-car driveways 25 feet wide may request a driveway extension of a maximum width of 5 feet. The following options are preferred by the ARC:

- (i) Option A - The base of the driveway extension shall meet the base of the existing driveway at a 45-degree angle. A minimum of two plants, minimum of five (5) gallon in size at the time of installation are required in the angle portion of the extension. The driveway extension must end within one foot (1') of the side property line. (see diagram option A)
- (ii) Option B – This variation will only be considered for over-sized Lots. The extension shall consist of a separate pad/slab of concrete or pavers which does not connect or otherwise abut the existing driveway. There must be a minimum distance of 3 feet (3') separating the extension from the existing driveways and the extension shall extend to the street in one, continuous straight line. (see diagram Option B)

Option A – Driveway extension is one continuous concrete slab



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.



5.6.3 Driveway Extensions for Residential Units Having Four-Car-Plus Garages. Proposals for concrete extension on Residential Units with 4 or more garages will be reviewed on a case-by-case basis.

5.7 Driveway Sealers and Stains. Driveway sealers and stains will be considered by the ARC if clear or of desert or muted tones. Color samples must be submitted with the application.

5.8 Fences and Walls.

5.8.1 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 provided the color of paint matches the main color of the Residential Unit.

5.8.2 The ARC will consider welded wire mesh to be attached to the entire length of a wrought iron fence for the purpose of fencing pets so long as the mesh is painted to match the fence, does not exceed a height of 18 inches from the bottom of the wrought iron and is installed on the side of the fence facing the Owners Residential Unit.

5.8.3 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.

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

5.9 Fireplaces and Barbecues. Proposals for the installation of permanent outdoor fireplaces, barbecues and fire pits that will be Visible From Neighboring Property must include materials, colors and the location and distance from neighboring Lots. Location of the structure must comply with local government ordinances and be set back from any property line 5 feet or the distance required by law, whichever is greater. The style, color and materials of the proposed Improvement should complement the style, color and materials of the Residential Unit. Each Owner is responsible for assuring that the operation of the facility is in compliance with all applicable ordinances and laws.

5.10 Flags.

5.10.1 The following flags may be displayed:

- (i) The United States flag;
- (ii) the Arizona State flag;
- (iii) an official or replica of a flag of the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps or the United States Coast Guard;
- (iv) the POW/MIA flag; or
- (v) an Arizona Indian Nations flag.

5.10.2 No flagpole may be installed without the prior written consent of the ARC. A request for approval of a flagpole must include the materials and color of the flagpole and the proposed location of installation.

5.10.3 Flagpoles installed on Lots shall be limited in height to 20 feet.

5.10.4 Display of flags also shall be permitted by a bracket mounted on the Residential Unit or by other methods approved by the ARC. Brackets must be painted to match the color of the Residential Unit where the bracket is attached.

5.10.5 All flags displayed shall be of a reasonable size as determined by the ARC.

5.10.6 All displays of the American flag (and, if applicable, any other flag) on Lots must be in a manner consistent with the Federal Flag Code (4 USC Sections 4 through 10). Copies of the Federal Flag Code are available at the Association offices.

5.11 Gates. Alterations to gates installed by a Co-Declarant or a Builder will be considered by the ARC to allow wider access to rear yards. Additional gates will be considered on a case-by-case basis depending on the location and configuration of the Lot. Gates permitting access to Common Area other than private streets (unless originally installed by a Co-Declarant or a Builder) are prohibited. Gates must be substantially the same height as the adjoining wall or fence, and wood inserts should be left the natural wood color, stained a natural wood color or painted to match the adjoining wall or fence. Gate metal frames should be painted black.

5.12 Gutters and Downspouts. Gutters and Downspouts must be painted to match the color of the Residential Unit or trim adjacent to where the installation occurs. The ARC will not approve plastic (including, without limitation, vinyl) gutters and downspouts. Downspouts must be installed to prevent rainwater from draining onto neighboring properties.

5.13 Holiday Decorations. Holiday decorations will not require approval if installed no earlier than 30 days before a holiday and removed no later than 30 days after a holiday. Any variation from these time periods will require approval of the ARC. The ARC reserves the right to request reasonable modifications to holiday decorations if deemed appropriate.

5.14 Lighting.

5.14.1 Exterior lighting on Lots shall be limited to fixtures installed by a Co-Declarant or a Builder, or otherwise approved by the ARC, and with light bulbs having no more than 60 watts each. Colored bulbs are prohibited. All exterior lighting may be used without prohibition from dusk until 10:00 p.m., except for (i) lights installed by a Co-Declarant or a Builder, which may be left on all night, (ii) security lighting that conforms to the specifications set forth in the next paragraph, (iii) lighting used for occasional parties or other special gatherings provided that such lighting is turned off by midnight, and (iv) lights that have been installed on the rear patio of a Residential Unit, which may be left on all night.

5.14.2 Security lighting on Lots that is attached to the exterior of a Residential Unit or other structure shall be limited to lighting that reasonably illuminates the area of a Lot immediately surrounding the Residential Unit. Any security light intended to operate after 10:00 p.m. must be operated by a motion detector. The motion detector shall be programmed to shut off the light(s) no longer than 5 minutes after motion is detected and the light has been illuminated.

5.14.3 The ARC shall reserve the right to require changes to or deletions of continuous or security lighting if the use of such lighting does not comply with the foregoing guidelines and/or results in a disturbance to surrounding Owners.

5.15 Patio Covers. Solid-type patio covers attached to a Residential Unit will be considered on a case-by-case basis. The posts used to support the patio cover roof must be

covered with stucco of the same texture and color as the Residential Unit. Alumawood patio covers will be considered.

5.16 Play Equipment. Play structures and other play equipment, whether approval by the ARC is required or not required pursuant to Subsection 3.1.1 of the Declaration, shall be painted to match the color scheme of the Residential Unit or have a natural wood finish. Any canvas canopy shall be of a neutral color or off-white, beige or light brown, or a single solid primary color such as red, blue, green or yellow. Prints and multi-colored striped canopies are prohibited. All play structures and play equipment shall be maintained so as to present a neat and clean appearance. The ARC will consider play equipment that requires approval pursuant to Subsection 3.1.1 of the Declaration in accordance with the following:

- (i) The maximum height of any play equipment shall be 11 feet from ground level to the highest point of the structure, including any canopy.
- (ii) The play equipment shall be placed at least 10 feet away from any property line.
- (iii) Platforms may be erected no higher than 5 feet above ground level.
- (iv) Screening of play structures and other play equipment with landscaping may be required by the ARC.

5.17 Pools, Spas and Jacuzzis. All pools, spas and jacuzzis must be installed according to City of Phoenix, Maricopa County and any State of Arizona ordinances and laws and will require protective fencing and be subject to certain setbacks. In no instance shall any portion of a perimeter fence be temporarily removed or altered, including but not limited to removal in connection with the installation or construction of a swimming pool, WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ARC. Any Owner in violation of this provision shall be subject to such monetary penalties and suspension of voting rights and Common Area use rights as may be established by the Board. Access may be gained by removing a portion of the front wall on the side of the Residential Unit. Repairs to the wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. Pool equipment, including all valves, pumps, filters, blowers, conduits, backflow prevention devices, piping and controls, must not be Visible from Neighboring Property and must be enclosed by walls and a gate or other suitable screening method to a height of 12 inches minimum above the equipment. Diving boards, slides or decorative enhancements to pools may not be Visible from Neighboring Property. Slides must be located a minimum of 5 feet from all perimeter fencing. Provisions for backwashing of pools must be contained wholly on the Owner's Lot. The use of a dry well to retain backwash water is recommended. Backwashed water shall not be permitted to seep onto an adjoining Lot, Common Area, or street.

5.18 Security Doors. Wrought iron security doors will be considered by the ARC provided that they are painted to match the main color, trim color or door color of the Residential Unit or are a neutral earth tone color. Silver colored aluminum screen/security doors and wire screen mesh doors are prohibited if Visible From Neighboring Property.

5.19 Sidewalks. Sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met:

- (i) The additional sidewalk is 4 feet or less in width, is one foot or more from the property line, and is one foot or more from the Residential Unit.
- (ii) The area between the Residential Unit and the sidewalk addition must have groundcover installed per the landscaping guidelines or to match the existing front yard ground cover (i.e., decomposed granite).
- (iii) The material and colors of the additional sidewalk must match the existing or adjacent driveway.

The Committee reserves the right to review and request changes to sidewalks installed without prior written approval if not in compliance with the foregoing requirements. **Additional sidewalks in any other location must be submitted for approval.**

5.20 Sight Visibility Restrictions. Structures and landscaping installed within any area of a Lot noted on the Plat as "Sight Visibility Restriction" may not exceed 3 feet in height.

5.21 Signs.

5.21.1 One political sign with the maximum dimensions of 24 inches by 24 inches may be displayed on a Lot or inside a Residential Unit no earlier than 45 days before the day of an election and no later than 7 days after the day of election without the approval of the ARC.

5.21.2 One "For Sale" sign with the maximum dimensions of 18 inches by 24 inches and one sign rider with the maximum dimensions of 6 inches by 24 inches may be displayed on a Lot or inside a Residential Unit without the approval of the ARC.

5.21.3 "Open House" signs are prohibited.

5.21.4 One sign that indicates a Lot is protected by a security system is permitted without the approval of the ARC provided that the sign is located no further than 4 feet from the face of the Residential Unit, its size is no larger than 150 square inches and the overall height of the sign from finished grade does not exceed 30 inches. In addition to the foregoing, one security system decal of a size not to exceed 36 square inches may be displayed in a window.

5.21.5 One "Neighborhood Watch" sign that does not exceed 36 square inches may be displayed in a window without the approval of the ARC.

5.21.6 One sign advertising that landscaping or a swimming pool is being constructed may be erected without approval of the ARC provided that the sign is no larger than 432 square inches and it is removed within 48 hours after the work is complete.

5.22 Solar Energy Devices. Roof-mounted solar equipment will be considered for approval if made to look like an integrated part of the roof design and mounted directly to the roof plane. Solar roof panels installed by Owners or their contractors likely will void the roof warranty. Other solar collecting panels and devices may be placed, constructed and maintained upon a Lot so long as such solar collecting panels and devices are placed, constructed and maintained in such locations and with such means of screening or concealment as the ARC may reasonably deem appropriate to limit, to the extent possible, the visual impact of such solar collecting panels and devices when viewed from any street or from any other portion of the Property. Submittals for solar equipment must include precise and accurate descriptions and drawings for the proposed installation along with photographs of previous installations to demonstrate the finished product.

5.23 Sport Courts. Tennis courts and other types of sport courts will be considered by the ARC on a case-by-case basis taking into consideration Lot size, visual appearance and noise generation. Owners should consider proposals for sport courts below grade. The ARC will not approve increased boundary line fence heights in conjunction with a sport court. Sport courts must comply with local government ordinances and be set back from any property line 5 feet or the distance required by law, whichever is greater. Lighting will be considered if Owner agrees to discontinue the use of any lighting after 10:00 p.m. Such agreement shall be set forth on the Review Form when submitting for approval.

5.24 Storage Sheds. Storage sheds will be permitted and need not be submitted for approval to the ARC, provided that the maximum height of the shed does not exceed the height of the immediately surrounding wall(s) or fence(s). Sheds that exceed the height of the immediately surrounding wall(s) or fence(s) will require ARC approval and must be constructed of the same materials used to construct the Residential Unit.

5.25 Sunscreens. Bronze, gray, charcoal or brown sunscreen material may be installed without prior written approval from the ARC provided that the window frame matches the sunscreen material or the existing window frames. Bronze or charcoal non-reflective window tinting may be installed without prior written approval from the ARC.

5.26 Tanks. No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any Lot of an above-ground propane or similar fuel tank with a capacity of 10 gallons or less used in connection with a normal residential gas barbecue, grill or fireplace or a spa or "hot tub," so long as such tank is not Visible From Neighboring Property.

5.27 Trampolines. Trampolines that will be Visible From Neighboring Property will be considered for installation in rear yards, but the maximum height that shall be approved for trampolines and safety netting is 10 feet. Trampolines must be placed at least 10 feet from all surrounding walls. Safety nets and their supports (top and side) must be brown, black or a neutral color. Equipment must be maintained in good condition at all times.

5.28 Trellises. The ARC will consider trellises that are constructed of wrought iron or some other metal with a natural or neutral color. Trellises installed against a boundary wall may

not exceed the height of the wall. The ARC recommends trellises not be installed within 18 inches of the Residential Unit to avoid irrigation in the area of the foundation.

EXHIBIT A
RECOMMENDED PLANT MATERIALS

<u>Botanical Name</u>	<u>Common Name</u>
TREES-FRONT AND REAR YARDS	
Acacia abyssinica	Abyssinian Acacia
Bauhinia congesta	Anacacho Orchid Tree
Prosopis alba	Argentine Mesquite
Fraxinus velutina	Arizona Ash
Platanus wrightii	Arizona Sycamore
Cercidium floridum	Blue Palo Verde
Acacia greggii	Catclaw Acacia
Prosopis chilensis 'Phoenix'	Chilean Mesquite var. 'Phoenix'
Chitalpa x tashkintensis	Chitalpa
Populus fremontii	Cottonless Cottonwood
Lysiloma microphylla V. thornberi	Desert Fern
Celtis pallida	Desert Hackberry
Parkinson aculeate	Desert Museum Palo Verde
Chilopsis linearis	Desert Willow
Ulmus parvifolia v. sempervirens	Evergreen Elm
Lysiloma thorneri	Fern of the Desert
Cercidium microphyllum	Foothills Palo Verde
Acacia occidentalis	Hackberry Acacia
Prosopis juliflora	Honey Mesquite
Cercidium 'Desert Museum'	Hybrid Palo Verde
Olneya tesota	Ironwood
Pithecellobium mexicanum	Mexican Ebony
Pistacia atlantica	Mt. Atlas Pistacia
Acacia aneura	Mulga
Prosopis velutina (juliflora)	Native Mesquite
Quercus species	Oak Trees
Acacia willardiana	Palo Blanco

EXHIBIT A

RECOMMENDED PLANT MATERIALS

Page 2

<u>Botanical Name</u>	<u>Common Name</u>
<i>Cercidium praecox</i>	Palo Brea
<i>Acacia stenophylla</i>	Shoestring Acacia
<i>Dalbergia sissoo</i>	Sissoo Tree
<i>Quercus virginiana</i> 'Heritage Oak'	Southern Live Oak
<i>Olea europaea</i>	Swan Hill Olive
<i>Acacia smallii</i>	Sweet Acacia
<i>Pithecellobium flexicaule</i>	Texas Ebony
<i>Sophora secundiflora</i>	Texas Mountain Laurel
<i>Acacia salicina</i>	Willow-leaf Acacia
<i>Caesalpinia mexicana</i>	Yellow Bird of Paradise

SHRUBS

<i>Cordia boissieri</i>	Anacahuita
<i>Bougainvillea</i> spp.	Bougainville
<i>Encelia farinosa</i>	Brittlebush
<i>Ambrosia deltoidea</i>	Bursage/Triangle Leaf Bursage
<i>Lantana camara</i>	Bush Lantana
<i>Zauschneria californica</i>	California Fuchsia
<i>Tecomaria capensis</i>	Cape Honeysuckle
<i>Plumbago auriculata</i>	Cape Plumbago
<i>Agave</i> species	Century Plant
<i>Justicia californica</i>	Chuparosa
<i>Larrea tridentata</i>	Creosote Bush
<i>Muhlenbergia rigens</i>	Deer Grass
<i>Caesalpinia gilliesii</i>	Desert Bird of Paradise
<i>Gaura lindeimeri</i>	Desert Orchid
<i>Dasyllirion wheeleri</i>	Desert Spoon
<i>Nerium Oleander</i>	Dwarf Oleander
<i>Punica granatum</i> 'Nana'	Dwarf Pomegranate
<i>Portulacaria afra</i>	Elephant's Food
<i>Eremophila</i> spp.	Emu Bush

EXHIBIT A

RECOMMENDED PLANT MATERIALS

Page 3

<u>Botanical Name</u>	<u>Common Name</u>
Dalea pulchra	Feather Dalea
Cassia artemisioides	Feathery Cassia
Pyracantha spp.	Firethorn
Viguiera deltoidea	Goldeneye
Dodonaea viscosa	Hopbush
Dalea pulchra	Indigo Bush
Simmondsia chinensis	Jojoba
Caesalpinia Mexicana	Mexican Bird of Paradisa
Justicia spicigera	Mexican Honeysuckle
Carissa macrocarpa	Natal Plum
Feijoa sellowiana	Pineapple Guava
Calliandra eriophylla	Pink Fairy Duster
Dodonaea viscosa 'Purpurea'	Purple Hopbush
Caesalpinia pulcherrima	Red Bird of Paradise
Calliandra californica	Red Fairy Duster
Rosemarinus officinalis	Rosemary
Ruellia spp.	Ruellia
Salvia spp.	Sage
Dalea frutescens 'Sierra Negra'	Sierra Negra Dalea
Rhus ovata	Sugarbush
Plumbago scandens	Summer Snow
Leucophyllum spp	Texas Sage species
Myrtus spp.	True Myrtle & Compact Myrtle
Ericameria laricifolia	Turpentine Bush
Buddleia marrubifolia	Wooly Butterfly Bush
Tecoma stans	Yellow Bells

ACCENTS

Dimorphotheca sinuate	African Daisy
Agave desmettiana	Agave

EXHIBIT A

RECOMMENDED PLANT MATERIALS

Page 4

<u>Botanical Name</u>	<u>Common Name</u>
Aloe spp.	Aloe
Hymenoxys acaulis	Angelita Daisy
Trichocereus candicans	Argentine Trichocereus
Asparagus desiflorus	Asparagus Fern
Yucca rostrata	Beaked Yucca
Nolina microcarpa	Bear grass
Opuntia basilaris	Beavertail Prickly Pear
Melampodium leucanthum	Blackfoot Daisy
Gaillardia grandiflora	Blanket Flower
Yucca rigida	Blue Yucca
Bougainvillea spp	Bougainvillea
Bulbine frutescens	Bulbine
Convolvulus cneorum	Bush Morning Glory
Echscholtzia californica	California Poppy
Agave Americana	Century Plant
Opuntia acanthocarpa, versicolor, bigelovii, echinocarpa	Cholla, Buckhorn, Staghorn, Teddy Bear and other various native species.
Hesperaloe funifera	Coahuilan Hesperaloe
Campsis radicans	Common Trumpet creeper
Ficus pumila	Creeping Fig
Yucca recurvifolia	Curve leaf Yucca
Muhlenbergia rigens	Deer Grass
Baileya multiradiata	Desert Marigold
Senna covesii	Desert Senna
Dasyllirion wheeleri	Desert Spoon
Rosemarinus officinalis 'Prostratus'	Dwarf Rosemary
Opuntia englemannii	Engelmann's Prickly Pear
Dietes bicolor	Fortnight Lily
Sphaeralcea ambigua	Globemallow
Echinocactus grusonii (and other native varieties)	Golden Barrel
Euphorbia rigida	Gopher Plant
Dasyllirion acrotriche	Green Desert Spoon

EXHIBIT A

RECOMMENDED PLANT MATERIALS

Page 5

<u>Botanical Name</u>	<u>Common Name</u>
Echinocereus engelmannii	Hedgehog Cactus
Opuntia ficus-indica	Indian Fig Prickly Pear
Ruellia brittoniana 'Katie'	Katie Ruellia
Rosa banksiae	Lady Bank's Rose
Callistemon Citrinus 'Little John'	Little John Bottlebrush
Muhlenbergia lindeimeri	Lindheimer Muhley
Pachycereus (Stenocereus) marginatus	Mexican Fence Post
Echscholtzia mexicana	Mexican Gold Poppy
Dasyllirion longissima	Mexican Grass Tree
Myoporum parvifolium	Myoporum
Muhlenbergia rigida 'Nashville' TM	Nashville Grass
Anechites nerium	Natal Plum
Cereus peruvianus	Night Blooming Cereus
Fouquieria splendens	Ocotillo
Agave vilmoriana	Octopus Agave
Orthocarpus purpurascens	Owl's Clover
Nerium oleander "Petite "	Petite Oleander
Agave parryi	Parry's Agave
Penstemon sp.	Penstemon
Verbena peruviana	Peruvian Verbena
Phoenix roebelenii	Pigmy Date Palm
Muhlenbergia capillaris 'Regal Mist'	Pink Muhly
Solanum jasminoides	Potatoe Vine
Opuntia (various native species)	Prickly Pear
Agave victoriae-reginae	Royal Agave
Cycas revoluta	Sago Palm
Carnegiea gigantea	Saguaro
Verbena rigida	Sandpaper Verbena
Dalea capitata 'Sierra Gold'	Sierra Gold Dalea
Yucca aloifolia	Spanish Bayonet
Lophocereus Schottii fam. Monstrosus	Totem Pole Cactus
Gazania rigens	Trailing Gazania

EXHIBIT A

RECOMMENDED PLANT MATERIALS

Page 6

<u>Botanical Name</u>	<u>Common Name</u>
Dalea greggii	Trailing Indigo Bush
Lantana montevidensis	Trailing Purple Lantana
Wedelia trilobata	Wedelia
Hardenbergia comploniana	Wild Wisteria
Hesperaloe parviflora (Yellow or red)	Yellow Hesperaloe
Lantana 'New Gold'	Yellow Lantana
Yucca spp.	Yucca

**TREES APPROVED FOR REAR
YARDS ONLY. UNDER NO
CIRCUMSTANCES SHALL THE
FOLLOWING TREES BE
PERMITTED IN FRONT YARDS**

Frazinus species	Ash Trees
Schinus terebinthifolius	Brazilian Pepper Tree
Schinus mollis	California Pepper Tree
Citrus, All varieties	Citrus, All varieties
Pyrus kawakamii	Evergreen Pear
Ficus Benjamina, Microcarpa nitida, Retusa	Ficus
Jacaranda Mimosifolia	Jacaranda
Chamaerops humilis	Mediterranean Fan Palm
Arecastrum romanzoffianum	Queen Palm

EXHIBIT B

PROHIBITED PLANT MATERIALS

<u>Botanical Name</u>	<u>Common Name</u>
Brachychiton populneus	Australian Bottle Tree
Geijera parviflor	Australian Willow
Phoenix/canariensis	Canary Date Palm
Populus	Cottonwood
Cupresss	Cypress
Chamaecyparissus	False cypress
Pennisetum setaceum	Fountain Grass
Washingtonia robusta	Mexican Fan Palm
Parkinsonia aculeata	Mexican Palo Verde
Albizia julibrissin	Mimosa
Morus L.	Mulberry Trees, all varieties
Nerium Oleander	Oleanders (except that petite or dwarf varieties are permitted)
Olea Europaea other than "Swan Hill variety"	Olive trees
Cortaderia selloana	Pampas grass
Thevetia	Thevetia species
Prachycarpus fortunei	Windmill Palm
Eucalyptus	Eucalyptus, all varieties

ARCHITECTURAL REVIEW FORM
Please Mail To:
Lone Mountain Community Association
c/o AAM, LLC
7740 N. 16th Street, Suite 300
Phoenix, AZ 85020
Phone: 602-957-9191 / Fax: 602-957-8802

PLEASE CHECK APPROPRIATE BOX BELOW:

- ☐ I AM SUBMITTING PRIOR TO LIVING IN THE COMMUNITY
☐ I AM CURRENTLY LIVING IN THE COMMUNITY

Name: _____ Date: _____

Community: _____ Lot#: _____

Mailing Address: _____ Phone#: _____

Submittal Type: i.e., landscaping changes to be made to my property, changes to the exterior of my home, etc.: _____

Type of Material to be used - (attach samples/pictures/brochures): _____

Colors to be used - (attach samples / pictures / brochures): _____

**A PLOT PLAN INDICATING LOCATION OF SUBMITTAL AND ALL APPLICABLE MEASUREMENTS AND
DIMENSIONS MUST BE INCLUDED WITH SUBMITTAL**

INCOMPLETE SUBMITTALS WILL BE DENIED

Owner agrees to comply with all applicable City and State laws and to obtain all necessary permits. Approval by the Architectural Review Committee shall not be deemed a warranty or representation as to the quality of such construction, installation, addition, alteration, repair, or change, or that such work conforms to any applicable building codes or other Federal, State or local law, statute, ordinance, rule or regulation.

I understand that I must have no outstanding assessments, fines or unresolved compliance issues in order for this submittal to be considered by the Architectural Review Committee.

Architectural Review Committee requests will be reviewed within 45 days. Requests will be approved, denied or returned for additional information.

Owner's Signature: _____ Date: _____

Owner's Email Address: _____

"Office Use Only"

The Above Described Architectural Request Has Been:

Approved: _____

Conditionally Approved subject to the following condition(s): _____

Disapproved _____

Signature: _____ Date: _____

Signature: _____ Date: _____