

**ARTEMINA COMMUNITY ASSOCIATION
DESIGN GUIDELINES FOR ARCHITECTURAL IMPROVEMENTS**

(Adopted March 2004)

Architectural and landscape improvements are under the purview of the Architectural Committee, as specified in the CC&R's, page 8, Section 3.10 Architectural Committee. These Design Guidelines for Architectural Improvements (hereafter referred to as Architectural Guidelines) are in addition to the CC&R's and the Design Guidelines for Landscaping and are binding on all owners. The Board may amend and repeal these Architectural Guidelines from time to time, as it deems appropriate.

ARCHITECTURAL REVIEW PROCESS

In accordance with the Declaration of Covenants, Conditions and Restrictions for Artemina (the "Declaration"), the Board of Directors has adopted the following Architectural Guidelines, which shall apply to all Lots within Artemina.

Each Lot owner should read, review and make himself acquainted with the CC&Rs recorded on his Lot with Maricopa County and with these Architectural Guidelines as may be amended from time to time by the Board of Directors. These documents are intended to enhance property values and the high standards of development that exist within Artemina. The Architectural Guidelines are established to assist residents in preparing an application to the Architectural Committee for architectural and landscape improvements. **FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE ARCHITECTURAL COMMITTEE.** Even if your addition or alteration is identical to another, which has been approved, it must be submitted for approval. Because each situation may have different conditions, e.g., different locations, physical conditions or design considerations, etc., each application will be reviewed on a case-by-case basis. In the event of any inconsistency between these Guidelines and the Declaration, the Declaration shall control. All architectural approvals will be conditioned upon compliance with applicable Maricopa County codes.

APPLICATION PROCEDURE

Submittal

Application and plans (which will be kept on file with the Association) should be mailed to:

Artemina Community Association P.O. Box 11330 Tempe, AZ 85284-0023 (480) 345-0046	or Hand Delivered to: Lepin and Renehan Management, Inc. 7955 South Priest, Suite # 105 Tempe, Arizona 85284
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The following information should be included:

1. **Application Form** -- A completed application form (copies of which can be obtained from the management office).
2. **Plot Plan** -- A site plan showing dimensions of the Lot, the dimensions of the existing dwelling in relation to the Lot, and the dimensions of the proposed improvement in relation to the existing dwelling and property lines (setbacks). Measurements must be written on the plans. An accompanying photograph of the proposed location would be helpful as well.

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3. **Elevation Plan(s)** -- Plans showing finished appearance of the proposed improvement in relation to the existing dwelling. An accompanying photograph of the proposed addition (if available) may be helpful.
4. **Specifications** -- Detailed description of materials to be used and color samples must be submitted.

All buildings and structures erected within Artemina and the use and appearance of all land within Artemina, shall comply with all applicable zoning and code requirements as well as the CC&Rs and these Guidelines.

Review -- Approval and/or Disapproval --

The Architectural Committee shall have forty-five (45) days after submittal of plans, fees and any other supporting information required by the Architectural Committee to approve or disapprove plans.

Review and approval or disapproval will include, but not be limited to, consideration of architectural design, material, colors, harmony with the external design and color of existing structures on the Lot and on neighboring Lots. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Architectural Committee, nor the Board, nor its Managing Agent shall have any liability in connection with or related to approved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the improvement nor its effect upon existing or future drainage. The homeowner shall be responsible for obtaining any and all permits required by Maricopa County. The review of plans by the Architectural Committee, Board of Directors and/or the Declarant is for aesthetic purposes only.

Approval Expiration/Construction Period – Upon receipt of approval from the Architectural Committee for any Construction or Modification, the Owner who had requested such approval shall commence the Construction or Modification approved by the Architectural Committee within ninety (90) days of the date the request was approved by the Architectural Committee and shall diligently pursue such Construction or Modification so that it is completed as soon as reasonably practicable within such time as may be prescribed by the Architectural Committee. If the Construction or Modification is not commenced within the time period prescribed by this Section, the Architectural Committee may revoke approval of the Construction or Modification.

GUIDELINES

ANTENNAS AND SATELLITE DISHES

Antennas not regulated by the FCC (Unregulated Receivers), whether attached to a building or structure, or on any Lot, must be approved in writing by the Architectural Committee, with such screening and fencing as such Committee may require, prior to installation.

For Unregulated Receivers, larger than one meter in diameter, Antenna Concealment Rules are as follows:

- The highest point of the satellite dish must be no higher than (12) inches below the lowest fence elevation.
- The Architectural Committee reserves the right to conduct a final inspection and stipulate any further requirements to screen the dish according to the CC&R's.

The Association's preference for location of receivers, which are regulated by the FCC (television antennas and satellite dishes less than one meter in diameter), in descending order, is as follows:

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the back yard of the Lot;

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3. On the roof, but below the roofline;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
6. An unscreened location in the side yard;

Any installation other than the backyard below the fence line must be painted to match its background in color.

Notwithstanding the foregoing order of locations, if a location stated in the above list allows a Receiver to be placed so as not to be Visible From Neighboring Property, the Association would prefer that such location be used for the Receiver rather than a higher-listed location at which the Receiver would be Visible From Neighboring Property, provided such location will not unreasonably delay or prevent installation, maintenance, or use of the Regulated Receiver, unreasonably increase the cost of installation, maintenance, or use of the Regulated Receiver, or preclude the reception of an acceptable quality signal.

AWNINGS

Awnings must be approved by the Architectural Committee. Awnings over windows shall be (a.) a solid color matching the exterior body or trim color on the home, (b.) the same color on the interior and exterior face and (c.) installed only on the sides and rear of the home. A minimum five-year guarantee is required from the manufacturer to ensure a high quality awning. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

Submit: The manufacturer, sample color swatch, type, and number of years' guarantee for approval prior to installation. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material used, along with the color and design of the proposed awning is required.

BASKETBALL GOALS OR SIMILAR STRUCTURES

No portable basketball goal or backboard shall be constructed, installed or maintained on the front yard portion of any Lot.

Permanent basketball goals or backboards may be installed in the rear yard, provided that they meet the following guidelines:

- Architectural approval must be submitted for and obtained in writing prior to the installation of any basketball goal.
- No portion of the basketball goal and/or backboard may be attached to the house or any other building.
- All metal supports and poles shall be painted to match the stucco color of the house.
- Basketball goals installed in the rear yard must be located a minimum of eight (8) feet from any perimeter wall.
- Basketball goals including the net must be maintained in good condition at all times.

CONCRETE ADDITIONS/DRIVEWAY EXPANSIONS

A single, thirty-six (36) inch wide sidewalk from the driveway to the rear yard gate may be installed without prior approval provided that it matches the existing sidewalks in color and texture, however a submittal must be completed to provide the opportunity of final inspection/approval by the Architectural Committee. All other concrete additions must be submitted for and approved in writing prior to installation.

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Any existing concrete ribbons should be used exclusively as ingress and egress to the rear yard only. They should not be used for parking.

Driveway expansions will be considered for approval provided they are S-shaped or angled toward the existing driveway. In no event shall the combined width at the curb of the existing driveway and the proposed expansion exceed the width of the originally installed driveway curb cut. Landscaping must be part of the plan submittal showing where and what will be added to soften the look of the concrete. The expanded driveway may be no closer than 18 inches to the side lot line or 12 feet to the side lot line if it is adjacent to a street. No parking shall be permitted on a driveway expansion.

Plot plan and specifications showing:

- All dimensions of front of the Lot (total area not enclosed by the rear yard perimeter fence).
- Measurements of existing driveway and paved surfaces.
- Measurements of proposed concrete and/or paved surfaces.
- Measurements of space between paved surfaces where applicable.
- Distance from proposed concrete and/or paved surface to property line.
- Landscaping to be installed to soften the look of the concrete and/or paved surfaces.
- Whether or not the curb adjacent to the proposed paved surface is a rolled curb or an L-shaped curb.
- All building materials and colors to be used.

Note: The homeowner is responsible for ensuring that proposed improvements do not interfere with the established drainage patterns on the Lot and do not direct drainage toward or trap water against the foundation of the home. The homeowner is also responsible for making sure allowance is made for expansion and contraction between proposed improvements and existing structures or surfaces.

DECORATIVE ITEMS (INCLUDING, BUT NOT LIMITED TO, BENCHES AND OTHER SEATING ITEMS, FOUNTAINS/WATER FEATURES, ORNAMENTAL STATUARY, ETC.)

Fountains/water features will be considered for approval with the following provisions:

- The maximum height is five (5) feet.
- It is recommended that the water be chlorinated.
- It is the obligation of the owner to keep the fountain well maintained and in good operating condition.

Benches and other seating items will be considered for approval provided the maximum height does not exceed four (4) feet.

Other decorative items including but not limited to ornamental statuary, artistic work, craft work, figurines or ornamentation of any kind must be located in the rear yard and screened from view of neighbors, streets and common areas, unless approved in writing by the Architectural Committee.

FENCES AND WALLS (INCLUDING DECORATIVE WALLS)

Plans for new fences or walls or additions or modifications to existing fences or walls must be submitted to the Committee for approval prior to construction. This includes decorative walls. Masonry planters and decorative walls must be no taller than 30" in height.

Any wall not made from stone shall be painted and stuccoed to match the house.

FLAGS AND FLAGPOLES

As used herein, the term "flagpole" shall mean a ground-mounted metal pole and the term "staff" shall mean a rod, which is attached by a bracket to a dwelling, for display of the American Flag.

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The “union” portion of the American flag is the portion with the stars on the blue background.

Placement of American Flag Display; Poles; Number of Flags:

- A staff need not be submitted for architectural review.
- Prior to installing a flagpole on any Lot, the Owner of said Lot must, in writing, submit a request including specific plans detailing the height, type, location, method of installation and color of the flagpole to the Design Review Committee for approval.
- Only one (1) flagpole of any type is allowed on a Lot.
- The height of a flagpole can be no greater than the distance between the point of placement of the pole in the yard and the closest point of either of the following:
 - the sidewalk or the street if no sidewalk;
 - any common area; or
 - any neighbor’s property line.
- There shall be no more than one (1) American flag displayed at any one time, and no flag shall be disproportionately large. An Arizona Flag or a flag representing one of the five United States military branches may also be displayed provided their display is in accordance with the Federal Flag Policy. No more than two (2) flags may be displayed at one time.
- If a homeowner stops displaying a flag on their flagpole for 30 days or more, the flagpole must be removed.
- The American Flag may not be placed on Common Area (Common Elements) or Association-maintained property, e.g. rights-of-way, etc. without the express written permission of the Board of Directors.
- No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America.
- If the flag of the United States is displayed from a vertical flagpole, or a flagpole/staff projecting horizontally or at an angle from the windowsill, balcony, or front of a Unit, the union of the flag should be placed at the peak of the flagpole/staff unless the flag is at half-staff.
- When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
- The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
- The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.
- The flag, when it is in such condition that it is no longer a fitting emblem for display, should be removed and replaced with a new flag.

GATES

Side yard access gates may be installed at Artemina to wider access ways to back yards. Gates should be of the same type, design, color and location as the originally installed gates. Shrubs, trees or other plants should

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be located between the house and the gates, where possible. The installation of gates in a side fence running along a street where neighboring Lots have front yards facing the same street is prohibited.

Decorative entry gates or wrought iron fencing must be submitted for approval and must match existing Architectural design of the home.

When gates are in need of maintenance, homeowners with wood gates must paint them to match their fence or may stain the wood in its natural color and homeowners with wrought iron gates with wood inserts must paint the wrought iron black or to match their fence and must maintain the wood in its natural color.

GUTTERS AND DOWNSPOUTS

Gutters and downspouts are encouraged and need not be submitted for approval provided they are made of high quality materials, are properly installed and match the adjacent surface in color.

HEATING, VENTILATING AND AIR CONDITIONING UNITS (INCLUDES EVAPORATIVE COOLERS)

No heating, ventilating, air conditioning or evaporative cooling units or equipment related thereto may be mounted, installed, or maintained on the roof of any Residence or other building. All units must be ground mounted.

LANDSCAPING

Refer to Artemina Community Design Guidelines for Landscaping.

LIGHTING

Exterior Lighting is encouraged and need not be submitted for approval provided the following standards are met:

- Fixtures may be no more than 18" above ground and must be neutral in color
- Lighting shall be shielded such that the light shines primarily in the Lot; lights that create glare visible from other Lots are prohibited.
- Colored light bulbs, lenses or reflectors are not permitted.
- Light fixtures shall not exceed an illumination intensity of more than one-foot candlepower as measured from the Lot line.
- Low-pressure sodium bulbs are not permitted.
- Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.
- Any lighting outside of these guidelines must be submitted for approval.

MACHINERY AND EQUIPMENT

No machinery, fixture or equipment of any kind including, but not limited to, heating, cooling, air conditioning, refrigeration equipment and clotheslines shall be placed, operated or maintained upon or adjacent to any Lot, except such machinery, fixture or equipment as is usual and customary in connection with residential use of property, and provided such machinery, fixture or equipment is properly screened or concealed from view of non-residential neighboring property or public property. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be concealed from view when not in use.

PLAY STRUCTURES

Plans for play structures must be submitted for approval since in most instances they protrude over the fence. This is not intended to eliminate play structures, but to assure nothing unsightly is erected.

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The maximum height, which will be considered for approval for pool ladders, swing sets and jungle gym equipment, shall be ten (10) feet, exclusive of awnings. Play structure awnings must be a solid, neutral color, e.g., beige.

All structures must be located a minimum of six (6) feet from any party wall, measured from the portion of the structure that is closest to the party wall.

POOL AND SPAS

Pool accessories that will exceed the height of the fence must be submitted for approval, e.g. slides, water features, etc.

Pools and spas need not be submitted for architectural approval. **Note that perimeter "theme" walls on Lots bordering Association landscaped areas may not be torn down.** Access must be gained by tearing down a front wall on the side of the home, leaving the perimeter theme wall intact, assuring it matches in texture and color throughout the community.

RAMADAS OR SIMILAR STRUCTURES

These shall be limited to single story structures and must be submitted for approval prior to construction. No upper decks will be allowed. Structure design shall be harmonious with the dwelling and exterior landscape. Structures shall be considered for approval provided they do not exceed 12 feet six (6) inches in height above existing back yard grade, are placed no closer than five (5) feet from any party wall, and do not violate any provisions of the CC&R's.

SECURITY DOORS

The color of Security Gates or Security Doors must first match the color of existing wrought iron trim where applicable, otherwise, black or a color matching the existing body or trim color of the home will be considered for approval.

SIGNS

No signs which are Visible from Neighboring Property shall be erected or maintained on any Lot except signs required by legal proceedings, "For Sale" signs not exceeding twenty-four (24) inches by twenty-four (24) inches, and two identification signs for individual residences, which have been approved in advance by the Architectural Committee. Placement of "For Sale" signs on perimeter theme walls within Artemina, is prohibited.

Landscaping and pool company signs, etc. must be removed within 48 hours of completion of work

Small signs for displaying security systems and "Beware of Dog" are allowed subject to Committee approval.

The display of political signs will be allowed in the Association so long as said signs do not exceed 24 inches by 24 inches. The posting of political signs may only be accomplished forty-five (45) days prior to an election. Any political sign must be removed seven (7) days subsequent to an election.

SOLAR PANELS

Except as may be initially installed by the Declarant, no solar energy collecting unit or panels shall be placed, installed, constructed, or maintained upon any Lot without the prior written approval of the Architectural Committee. Roof mounted solar panels and equipment must match the roof material in color and may have a maximum surface area of (8) feet by six (6) feet and must be an integrated part of the roof design and mounted directly to the roof plane. Solar panels and equipment must not break the roof ridgeline and must not be visible from public view. Any solar panels and/or equipment exceeding a surface area of eight (8) feet by six (6) feet must be ground mounted and may not be Visible From Neighboring Property or public view.

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The preferred location for all panels and equipment is within the confines of the rear yard, concealed by a solid fence. If this is not possible, plans must include the following:

- Dimensions of panels.
- Dimensions of surface on which panels are to be installed.
- Location of the portion of the surface on which the panels are to be placed.
- Positioning of the panels on the surface.
- Photo or brochure showing the appearance of the panels and the materials and color of which they are constructed.
- Location of plumbing and what steps will be taken to conceal it.
- Explanation of why the panels cannot be installed in a less visible location.

STORAGE SHEDS

Storage sheds will be permitted provided the maximum height of the shed does not exceed the height of the immediately surrounding fence or fences. All sheds must be submitted for approval prior to installation.

WINDOW COVERING MATERIALS

Permanent draperies or other suitable window covering must be installed on all windows facing a street within sixty (90) days from the close of escrow. All such window coverings facing a street must show a white or beige color unless otherwise approved in writing by the Architectural Committee prior to installation. Wood shutters or blinds, which are stained a natural wood color are acceptable and need not be submitted for review.

Clear aluminum (silver colored) screen material is prohibited, as are silver aluminum screen doors.

Bronze, charcoal or gray sunscreen material may be installed. The frame for window screens must match the existing window frames. As long as the guideline is met and the sunscreens are of high quality and professionally installed, an architectural request need not be submitted for approval of sunscreens.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed.

WROUGHT IRON

Must first match the color of existing wrought iron trim where applicable, otherwise, black or a color matching the existing body or trim color of the home will be considered for approval.

These Design Guidelines for Architectural Improvement may be amended by the Architectural Committee from time to time by a majority vote of the Architectural Committee. After the Declarant no longer owns any Lot or any part of the Additional Property, the Board of Directors must approve any repeal or amendment of these Architectural Guidelines