

DESERT VIEW HOMEOWNERS ASSOCIATION

ARCHITECTURAL GUIDELINES

These Guidelines have been prepared to assist homeowners in planning improvements and alterations to their properties. They are supplementary to the Covenants, Conditions & Restrictions (CC&R's) and it is recommended that all homeowners review the CC&R's and these Guidelines carefully to determine what Architectural Review Committee (ARC) approvals are necessary and how submissions should be prepared.

The Architectural Review Committee reviews submittals at scheduled meetings.

The ARC's prime objective is to create a spirit of cooperation between neighbors in order to create an environment that will protect and enhance property values and promote harmony to benefit all homeowners.

We are looking forward to working with you.

The Board of Directors

Revised January 2005

The following Architectural Review Committee Guidelines have been prepared and approved by the Architectural Review Committee (ARC). The following represent the minimum pre-approved standards. Homeowners may apply for items exceeding these standards (e.g. two courses of wall) to the Architectural Review Committee (ARC) for their approval.

The purpose of the Guidelines is to assist Desert View homeowners in planning improvements and alterations to their property and also to establish a community environment, which will protect property values and promote harmony to benefit all homeowners.

The basic fundamental of the Guidelines (or Rules) is taken from the Covenants, Conditions & Restrictions (CC&R's). Individual Guidelines may reflect the mandate of the ARC. Several are based on the committee's experience with homeowner submittal/s reviewed to date and, in this respect, these Guidelines are a supplement to the CC&R's.

ARC GUIDELINES

1. Preamble:

The Desert View CC&R'S require that **any and all improvements and alterations, which change the appearance of any property**, must be approved by the Architectural Review Committee (ARC). It is important that any improvements and alterations to Property be made in harmony with and not be detrimental to the rest of the community. A spirit of cooperation between neighbors and with the ARC will go far in creating an optimum environment, which will protect financial investments, promote enjoyment and otherwise benefit all homeowners.

The ARC Guidelines, plus additional related information are presented in this reference document.

2. Improvements and alterations: Improvements and alterations requiring approval relate to all buildings, parking areas, lighting fixtures, fences, wall, landscaping including grading. Any addition, alteration, repair, change or other work in front and/or backyards which in any way alters the exterior appearance, including but without limitation, the exterior color, of any Property not be made or done without the prior written approval of the Architectural Review Committee (ARC).

Any Owner proposing to modify, make additions to, or **rebuild his/her dwelling unit in any manner, which requires the extension or other alteration of any party wall** shall first obtain the written consent of the adjoining owner(s), and the ARC.

Homeowners shall not, in whole or in part, change the landscaping, party walls, retaining walls, or any other improvements located upon any portion of the Common Areas, by the addition or removal of any items thereon, without the prior written approval of the ARC except where permitted in paragraph 11t. A homeowner shall not place any structure whatsoever upon the Common Areas.

3 Duties of the Architectural Review Committee: In reviewing requests for improvements and alterations, the ARC shall consider whether the proposed improvement or alteration will be consistent with the requirements of the CC&R's and these ARC Guidelines, and any other factors that the ARC deems appropriate.

The ARC has the right to refuse to approve any improvements or alterations, which are not suitable or desirable, in its opinion, for aesthetic or other reasons.

4 Preparation and Submission of Requests for Approval

Desert View homeowners will make submissions to the Architectural Review Committee (ARC) through Century 21 1st American Property Management as follows:

Desert View Homeowners Association
C/O Hinshaw Management Services LLC
Attn: Carolyn
P.O. Box 32882
Tucson, AZ 85751-2882

Submissions will be made on the Architectural Improvement Application (attach additional sheets if necessary).

Please describe (1) the proposed improvement or alteration; (2) its purpose (3) building or landscaping materials to be used; (4) architectural design; (5) type and color of finishes; (6) if relevant scaled plans showing (a) dimensions; (b) location and identity of plants, trees and outer landscape features; (c) distances of proposed structures from property boundaries and existing buildings.

5 Time and Approval

If the ARC fails to approve or disapprove any improvement or alteration, which does not contravene any section or clause on the CC&Rs within thirty (30) days after the plans and specifications have been submitted on the request form and received by Hinshaw Management Services LLC, approval will be deemed to have been given.

Each submittal will be date-stamped on receipt and the homeowner will verify with Hinshaw Management Services LLC that the thirty (30) day period has expired prior to proceeding with any alteration or improvement.

6 Written Approval

All improvements or alterations shall be constructed or installed on any Lot only with the prior written approval of the ARC.

7 Implementation

Upon receipt of approval from the ARC for any improvement or alteration, the Owner who requested such approval shall proceed to make such improvement or alteration as soon as practicable and shall diligently pursue such work so that the work is completed as soon as reasonably possible and within such time as may be prescribed by the ARC.

8 Changes, Deletions and Additions

The ARC must approve any change, deletion or addition to plans approved by the ARC in writing.

The ARC has the right to withhold any similar plan, drawing or specification or any matter subsequently submitted for approval.

9 No Waiver

The approval of the ARC of any plans, drawings or specification for any work done or proposed, or for any other matter require the approval of the ARC, shall not be deemed a waiver of any right to withhold approval of any similar plan, drawing or specification or any matter subsequently submitted for approval,

10 General Guidelines and Consideration

(a) Any improvement or alteration proposed by a homeowner must meet the codes established by Pima County and be subject to all appropriate **permits and inspections**. Homeowners should inquire about the code and permit requirements prior to making a submission to the ARC.

In addition to conforming with all code and permit requirements, any improvement or alteration to buildings and structures shall be compatible with architectural designs, color schemes and exterior finishes of existing buildings.

- (b) Improvements and alterations proposed for backyards, the highest part of which are less than five feet (5') in height above the base level of the Lot and will not be extended or, grow to exceed five feet (5') in height above the base level of the Lot and will not intrude upon neighbor's enjoyment of their own Properties do not have to be submitted for Architectural Review Committee (ARC) review. See "12g" for pools.**

All structures or trees greater than, or destined to be extended or to grow to a height greater than five feet (5') in height above the base level of the Lot at any location around the home (i.e. in either front or back yards) must be approved by the ARC.

Height notwithstanding, all structures and buildings must conform to the code, permit, architectural design, color and exterior finish provisions of 10(a) above.

- (c) Any alteration or improvement should not unreasonably interfere with the outlook from adjacent or neighboring Property. Prior to preparing a submission to the ARC, the homeowner will discuss any alterations or improvements that will be visible, from other properties, with their neighbors and advise the ARC of the outcome of such discussions.

11 More Specific Guidelines and Considerations

(a) Antennas, Satellite Dishes

All antennae or other devices used for the transmission of television or radio signals or other forms of electromagnetic radiation shall not be erected, used or maintained on any Property without the written approval of the ARC.

Any device used for the reception of video programming services, including direct broadcast satellite (DBS), television broadcast, Broadband Direct (BBD), and multi point distribution service (MDS) which meet FCC video programming requirements may be installed without the prior written approval of the ARC providing the following provisions are met:

1. The homeowner must notify the Association in writing within two weeks after the installation that a device has been installed giving the exact location of the antenna. The antenna must be situated in a location with the least visual impact to neighbors while providing optimum reception. If this is not the case the Association may determine that the antenna must be mounted elsewhere and the homeowner will be responsible for all costs associated with moving the antenna.
 - a. A DBS antenna that is one meter or less in diameter (39 inches) may be installed without written approval of the ARC.
 - b. An MDS antenna one-meter or less in diameter may be installed without the written approval of the ARC.
 - c. A BBD antenna that is one-meter (39 inches) or less in diameter may be installed without the written approval of the ARC,
 - d. Antennas designed to receive television broadcast signals, regardless of size may be installed but must not extend more than 12 feet above the roofline.
 - d. All installations must meet FCC requirements and applicable State, County and Town requirements.

- e. Antennas, masts and any visible wiring must be painted to match the surface on which they are mounted providing painting would not interfere with reception in which case the homeowner must provide supporting documentation.
- f. The ARC may require that the antennas be camouflaged at reasonable expense to the homeowner.
- g. Homeowners are responsible for the repair and maintenance of the antenna and shall not allow the devices to become a safety hazard or an eye sore.

(b) Utility Service

No lines, wires or other devices for the communication or transmission of electrical current or power, including telephone, television, and radio signals, shall be erected, placed or maintained anywhere on or upon any Property unless contained in conduits, or cables installed and maintained underground or concealed in, under or on buildings or other structures. All such installations shall meet Pima County codes and permit requirements and be approved by the ARC.

(c) House Painting

ARC approval is required for exterior painting of a home. ARC approval will take into consideration, but not limited to, the color and sheen of the paint, the architectural style, existing roofing and wall colors and the color of neighboring properties.

This requirement is waived when, for any area or surface, the color and sheen of the paint to be applied is identical to that previously used.

(d) Artifacts

Any and all artifacts (fountains, statuary, ornamental animals, large rocks and boulders etc.) including furniture (benches, chairs, etc.) placed in front yards must be of a complimentary, natural or stone color only and requires the prior written approval of the ARC. No plastic or similar composites are permitted in the front yards of homes.

(e) Driveways/Walkways

Extension or expansion of driveways requires ARC approval. Any approved driveway expansion shall not be intended to promote the parking or storage of any vehicle off the original driveway. Altering original color of concrete requires prior written approval. However, epoxy coating a driveway to match the color of the concrete and has no design in it does not require the prior approval of the ARC.

(f) Exterior Lighting

Exterior Lighting to be attached to buildings, walls and other structures will be complimentary in design and color and be as small in size as reasonably practical. Light fixtures should be appropriately shielded and the lighting should always be directed downwards so as not to shine into adjacent properties, streets or common areas. All installations must meet Pima County code and inspection requirements. Installation of the aforementioned lights does not require approval of the ARC if these standards are adhered to.

Low voltage (12 volts), low-level (less than 15 inches) landscape lighting should be directed downwards or towards the house, be tastefully arranged and un-obstructive to neighboring homeowners and if this standard is met, do not require approval of the ARC.

Exterior lighting installation will be maintained in safe, operating condition at all times.

(g) Temporary Holiday Decorations and Lights

At appropriate times of the year, homeowners may decorate their properties with temporary decorations, provided they are tastefully arranged and are not specifically opposed by other residents of the subdivision. Decorations shall not constitute a hazard or danger of any kind and all lights, banners, etc. should be totally removed at the end of the customary holiday season. All December holiday decorations will be taken down before January 31st. Holiday decorations do not require the approval of the ARC.

(h) Gate/fence Coverings

In accordance with their needs (e.g. screening of trash containers as per these Guidelines; controlling the movement of small animals; preservation of privacy; aesthetic appearances, etc.), homeowners may choose different gate designs and materials.

All gate modifications must be either redwood or cedar sealed to protect its natural color and not painted. Gates may also be modified using metal screening provided it is painted to match the color of the gate.

Homeowners may cover the back wrought iron fencing in the back yard to prevent animals from entering or leaving the yard providing the material is chicken wire and maintained in good repair.

The aforementioned gate/fence coverings must be well maintained at all times and if these standards are adhered to do not require the prior approval of the ARC.

(i) Flag Poles and Flags

Flagpoles that are removable and do not exceed six feet (6') in length are permitted. Only an American flag may be displayed on a lot. Permanent flagpoles require written approval of the Architectural Review Committee (ARC). Temporary flagpoles that meet this standard do not require approval of the ARC.

(j) Utility Boxes

Homeowners may paint the utility boxes located in the front yards provided the paint color matches the primary color of the house on the Property. Warning labels, notices and any identification numbers or letters on the utility boxes will not be obscured. Groups of utility boxes straddling Property lines will be painted using one color only and, consequently, neighbors should be consulted concerning the choice of house color. A decision to paint will carry a commitment on the part of the homeowners to maintain the neat and tidy appearance of the utility boxes and if done in accordance with these standards does not require the approval of the ARC.

(k) Trash Containers and Collection

All garbage or trash shall be placed or kept on any property in covered containers. Except on collection days, these containers shall be stored so as not to be visible from neighboring property, the streets or a common area.

Trash containers will not be placed on the street for pickup until after 5 p.m. the evening before collection. Emptied containers will be retrieved and properly stored at the end of the collection day.

(l) Storage of Trash Containers

In order to conform to the CC&R's and these Guidelines, homeowners should store trash containers either (a) in garages or (b) in side of back yards. Those who elect to store their trash containers in backyards will conceal them from neighbor's view, from the streets other common areas. The ARC will be pleased to review any proposed inside wall construction, vegetation planting or total gate screening in accordance with the CC&R's and these Guidelines.

(m) Size of Trash Containers

Homeowners who do not have need for large (95-100 gallon) trash containers should either (a) exchange them for smaller (60-65 or 30-35 gallon) containers available from the refuse removal contractor, or (b) provide their own smaller, covered containers commensurate with their needs. For many homeowners, such downsizing of containers will alleviate problems relating to (1) available storage space in garages or, (2) screening of trash containers in side or back yards and facilitate compliance with these Guidelines.

(n) Pools

Request for construction of pools must be submitted to the ARC for review before construction begins. Requests must show the following:

(1) How the contractor will access the property and; (2) Placement of pumps and other related equipment.

Homeowners assume all responsibility and liability for damages to common areas or private property. Homeowners are to caution contractors not to discharge excess cement, clean vehicles anywhere in the community, or display any advertising on property.

(o) Security Signs

Signs designating private home security systems must be positioned no more than one (1') from the foundation of the home and may not be more than two (2') feet high or one square foot in area. Only one such sign is permitted on a Lot and does not require the approval of the ARC if these standards are adhered to.

(p) Security Screen Doors

Must be constructed of a good grade steel (no aluminum doors are permitted in the front of a home), painted to match the color of the trim of the home. If there is a design on the door it must not be racial, political, religious, or mythological in nature. Installation of these doors meeting these criteria does not require the approval of the ARC.

(q) Patio lights

Patio (Malibu), low voltage lights may be installed providing they are no more than 18" above the ground and do not shine into a neighbor's lot, the streets or a common area. If these criteria are met they do not require approval of the ARC.

(r) Security Lights

Must be set on a motion detector and not allowed to burn at all times. The sensitivity of the lights must be such as that activity on a neighboring lot, the streets, sidewalks, or a common area does not cause the lights to go on. The lights must be aimed so that they do not shine into a neighboring lot, the streets or a common area. The fixture must be painted to match the surface on which they are mounted and if these conditions are met approval of the ARC is not required.

(s) Rain Gutters

Must be painted to match the surface on which they are mounted. Discharge from the gutters must not be onto a neighbor's property. Gutters meeting these criteria do not require the approval of the ARC.

(t) Walls

The height of walls may be extended a maximum of one course. Neighbor's permission is required. The extension must match the existing wall in color, texture and shade. The mortar must be colored to match the brick. A permit from the City of Tucson may be required. This does not include walls that border a common area or a street, which require approval of the Architectural Review Committee. Increasing the height of walls meeting these criteria does not require approval of the ARC.

(u) Lattice

Lattice must be constructed of natural redwood or cedar and must be properly maintained at all times. Lattice meeting these criteria does not require the approval of the ARC.

(w) Exterior Bars

Bars installed on windows must be painted to match the primary (stucco) color of the home and mounted entirely within the frame of the window. If there is a design on the bars they may not be racial, religious, political or mythological in nature. Security bars that meet these criteria do not require approval of the ARC

(x) Window Mounted Sunscreens

If visible by a neighbor, from the streets or from a common area must match the primary color (stucco) of the home and must not be reflective. Sunscreens meeting these criteria do not require approval of the ARC.

(y) Landscaping:

A. Wall hangings must not exceed 24” in diameter and must not be racial, religious, political or mythological in nature. Only one wall hanging is permitted on a home.

B. A maximum of four boulders not more than four (4) cubic feet each in size.

C. Trees may be replaced in kind or with any of the following: Sweet Acacia, Sumac, Bottlebrush, Palo Verde, Mesquite, Bottle or Ironwood.. When reaching maturity a tree must not exceed beyond the property lines of the lot.

Landscaping meeting these criteria does not require approval of the ARC.

(z) Castle wall type bricks

May be used for landscaping front yards providing they do not exceed 16” in height, are set back a minimum of 3’-0” from the sidewalk and the color is in harmony with the architectural integrity of the community. Wall of this nature and meeting these criteria do not require approval of the ARC.

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he Following plants are prohibited in Desert View:

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|-----------------------------|----------------------|--------------------------------|
| Fruit producing Olive Trees | Pampas Grass | Oleanders (regular and petite) |
| Washingtonian Palm Trees | Phonocian Palm Trees | All fruit producing palm trees |
| Common Bermuda Grass | Eucalyptus Trees | Desert Broom |