

## THE LEGEND AT GAINNEY RANCH

### SUN CONTROL DEVICES

All sun control devices require Gainey Ranch Architectural Committee approval prior to any construction or installation. Additional information regarding submittal/approval can be obtained at the Gainey Ranch Community Association Administration office.

1. AWNINGS are reviewed on an individual basis.

Approved fabric: Acrylic, Textilene, Sunsure or Sunbrella (see enclosed letter)

Approved colors: White, Beige or Gray (see enclosed letter).

- a. **FIXED** awnings are constructed of fabric stretched and wrapped over an anodized black metal frame, to match the window frame, which is permanently fixed to the exterior wall. All awnings must contour the frame of the window or door it is designed to shade (i.e.: awnings over arched windows must be curved to match the arch). Squared valances are acceptable on fixed awnings, scalloped valances are not acceptable.

LOCATIONS: Front, side or back

- b. **RETRACTABLE FLUSH-MOUNTED** awnings are to be track-mounted flush against the building. Side tracks must be installed within ½" of the window frame. Fabric roll cylinder or door. All hardware must be painted to match the exterior color of the building. No conduit or junction boxes may be exposed on the building exterior.

LOCATIONS: Side or back only

- c. **RETRACTABLE EXTENDED** awnings must have a finished look when folded. Fabric roll cylinder or protective box must be installed directly above window/door. All hardware must be painted to match the exterior color of the building. No conduit or junction boxes may be exposed on the building exterior.

LOCATIONS: Back only

2. SUNSCREENS are reviewed on an individual basis.

Approved material: PVE coated fiberglass

Approved colors: Dark gray/black or bronze

- a. **FIXED** sunscreens, including the frame and hardware, are constructed out of black finished anodized metal to match the window frame.
- b. **RETRACTABLE** sunscreens must be track-mounted in the same manner as retractable awnings. Screen and hardware must be housed in a protective box installed directly above the window or door. Box and all other hardware must be painted to match the exterior color of the building. No conduit or junction boxes may be exposed on the building exterior.

LOCATIONS: Front, side or back

3. **RETRACTABLE ROLLING SHUTTERS** are reviewed on an individual basis. Shutters must be track-mounted and constructed of pre-painted (baked enamel) slats. Slats and hardware must be housed in a protective box installed directly above the window or door. Box and all other hardware must be painted to match the exterior color of the building. No conduit or junction boxes may be exposed on the building exterior.

Approved materials: Double walled PVC vinyl or aluminum slats

Approved colors: Cream or gray

LOCATIONS: Side or back only

4. **FREE STANDING SHADE STRUCTURES**

- a. **PATIOS AND TRELISES** are reviewed on an individual basis for location, size and design. Generally, trellis supports will be 16" x 16" masonry columns, stuccoed and painted to match the building exterior. Any roof tile used will match the standard roof tile. Any wood members will be a minimum of 4" x 6" and stained to match the building exterior. Location of these structures may not negatively impact neighboring view.

LOCATIONS: Back only

- b. **UMBRELLAS** must be kept in good condition. Fabric may not display graphics of any kind, and fabric colors that are highly contrasting to adjacent buildings or highly contrasting multi-colors on the umbrella are not permitted.

LOCATIONS: Back or courtyard areas

5. **GLASS TREATMENT**

- a. **STAINED/COLORED** glass will be reviewed on an individual basis for color, design and location.

LOCATIONS: Front, side or back

- b. **TINTED** glass must match the glass provided in the standard residences.

- c. **NO REFLECTIVE** materials, including but not limited to aluminum foil, reflective screens or glass, mirrors or similar type items, shall be permitted to be installed or placed on the outside or inside of any windows.

6/20/90

## The Legend at Gainey Ranch

Pursuant to the authority granted to the Board of Directors by Section 2.3 of the Declaration of Covenants, Conditions and Restrictions for the Legend at Gainey Ranch, the following is adopted as an Association Rule:

### Prohibition of Outside Storage

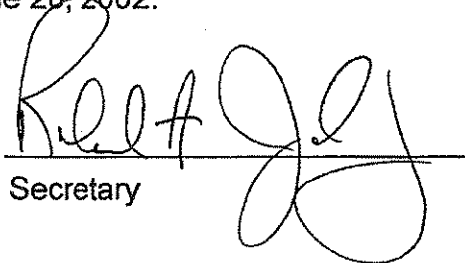
1. No Owner or occupant of a Lot shall store, or permit to be stored, thereon any personal property which is Visible from Neighboring Property, without the approval of the Architectural Committees of the Association and the Master Association.

2. Items of personal property which are referenced in paragraph 1 include, but are not limited to, landscape maintenance equipment, machinery, tools, toys, basketball or other sport apparatus, bicycles, wheelbarrows, and any other items which tend to contribute to an untidy or unkempt appearance.

3. The prohibitions contained in this Rule are in addition to, and not in lieu of, those contained in the Declaration.

4. Capitalized terms used herein shall have the same meanings as those set forth in the Declaration.

Adopted by the Board of Directors on June 28, 2002.

  
Secretary

## THE LEGEND AT GAINNEY RANCH

### FRONT YARD LANDSCAPE GUIDELINES

In purchasing a lot in "The Legend", homeowners will be asked to be responsive to certain guidelines for front yard landscape. (Front yards are defined as all areas of the lot that are not enclosed by a fence or wall.) As architectural details are sensitively considered in such a desirable development, so too are the concepts of landscape and other exterior amenities. In order to establish and sustain a consistent theme of landscape throughout the subdivision, some general guidelines have been compiled, including Exhibit A Plant List attached hereto, to assure an environment worthy of the architecture and quality construction offered by the builders of the Legend. No landscape materials or changes made to existing landscaping may be installed prior to written approval of the proposed plans by both "The Legend" and "The Master Association Architectural Committees".

A minimum of 3 large scale trees will be required at initial installation between sidewalk and the front plane of the house. At least one of these being a 36 inch box size. (No trees shall be smaller than 24 inch box size) Date Palms may be used to fill this requirement.

Some lots will have more appropriate space for Date Palms, and in those areas, Dates will be suggested. Although other lots may be more suitable for use of other approved plant material, the entire subdivision benefits from the scale and accent of such Palms. For this reason, maintenance of all Date Palms in "The Legend" except in areas to be maintained by the homeowner will be reflected in an averaged and equal association fee for each lot owner. The same rationale prevails for areas of lawn versus lots that afford less space, and consequently are landscaped predominantly with ground covers and shrubs.

A graceful transition of landscapes from lot to lot will be enforced by specifying common lawn areas on adjacent lots where space allows. All lawns are to be Midiron hybrid bermuda. This will provide more open and lush areas along the street frontages.

A minimum plant coverage of 75% of all landscaped areas between the sidewalk and the front plane of the house will be required in all areas where there

is no lawn. In this area, it is required that the landscape be approximately evenly split between ground cover and shrubs. However, up to 33% of the required plant coverage may be in the form of succulents and cacti (See Exhibit A Plant List) and will be considered accent plant material. Any accent plants must be located near the front plane of the house away from street and sidewalk since the street theme must reflect a lush green appearance.

Planting density will be subject to individual lot conditions. (Example; if adjacent lots are already constructed and landscaped, less large scale material will be required to provide common vegetative privacy screens between houses.)

Any boulders must be surface select granite and buried 1/3 underground. Placement and number of permitted boulders will be reviewed by the Architectural Committee on an individual basis.

All front yards in "The Legend" will be maintained by the Homeowners Association. Homeowners will be responsible for maintenance of their individual rear yards and any other areas enclosed by a fence or wall. However, both the original rear yard landscape plan and any subsequent proposed changes or alterations require prior written approval by the Architectural Committees.

All driveway concrete shall match existing drives in the subdivision. Subtle accent materials may be incorporated, pending approval by the Architectural Committee.

All lawn headers in front yards shall be concrete stained to match driveways. All low voltage lighting shall be "Nightscape". All decomposed granite shall match that already installed on existing landscapes. (3/4 inch minus, Desert Gold.) However, around the succulents the decomposed granite shall be 3/4 inch screened, Desert Gold.

All ground cover and shrubs in the front yards must reflect the following ratio of container sized plants:

Minimum of 35% - 5 gallon or larger

Remaining 65% allowable in 1 gallon

Annual beds in front yards are not allowed unless the homeowner installs and properly maintains the plant material. If any existing annual beds are not properly maintained by the homeowner, the Association will install other appropriate landscape materials at the homeowners expense.

All lawn sprays, shrub sprays, and bubblers shall be manufactured by "Toro". Drip emitters shall be "Reed DBK". Drip laterals may be flexible poly. All other laterals must be rigid PVC. All sleeving PVC shall be schedule 40. Irrigation installations shall be under warranty for one full year. (Material and Labor) All valves shall be in valve boxes. Any automatically irrigated pots shall be on a separate valve from other irrigated landscape material.

All controllers (Lighting and irrigation) shall be installed at a prior approved location in the front or side yard areas to facilitate access by maintenance crews. Controllers shall be "Irritrol" for irrigation.

Landscape contractors installing the landscape shall be responsible for providing "As-Built" drawings to both the builder and the maintenance company under contract. These drawings shall be submitted upon completion of each individual lot installation, and shall include locations of the following:

- All controllers
- Water Meter
- Sleeving (locations and sizes)
- Mainline and valves
- Low voltage lighting cable

## EXHIBIT A

### THE LEGEND - PLANT LIST

Refers to the primary landscape materials for the Legend. Article 4 of the Master Association Architectural Rules includes a list of landscape materials that may also be acceptable at the Legend on an individually approved basis.

#### TREE LIST

##### BOTANICAL NAME

Acacia berlandieri  
Acacia farnesiana  
Acacia salicina  
Acacia smallii  
Acacia stenophylla  
Citrus spp. (Private use area only)  
Phoenix dactylifera  
Eucalyptus erythrocorys  
Eucalyptus leucoxylon  
Eucalyptus microtheca  
Eucalyptus salmonophioia  
Eucalyptus spathulata  
Eucalyptus torquata  
Olneya tesota  
Prosopis spp.  
Cercidium praecox  
Cercidium floridum  
Cercidium microphyllum  
Pithecellobium flexicaule

##### COMMON NAME

Berlandier acacia  
Sweet acacia  
Weeping wattle  
Desert sweet acacia  
Shoestring acacia  
Citrus  
Date palm  
Red cap gum  
White ironbark  
Flooded boc coolibah tree  
Salmon gum  
Narrow-leaved gimlet  
Coral gum  
Ironwood  
Mesquite  
Palo brea  
Blue palo verde  
Foothill palo verde  
Texas ebony

#### SHRUBS AND GROUND COVER

##### BOTANICAL NAME

Convolvulus spp.  
Dalea greggii  
Oenothera berlandieri  
Leucophyllum spp.

##### COMMON NAME

Ground morning glory  
Trailing indigo bush  
Mexican primrose (Private use area only)  
Texas ranger

#### ACCENTS-SUCCULENTS/CACTI

Agave spp.  
Aloe spp.  
Hesperaloe parviflora  
Dasylirion spp.  
Opuntia spp.  
Fouquieria splendens

Agave (Century Plant for Private use area only)  
Aloe  
Red yucca  
Desert spoon  
Prickly pear/cholla  
Ocotillo

Revised 5/95

**THE LEGEND AT GAINNEY RANCH**  
**FRONT YARD TREE REMOVAL RULE**

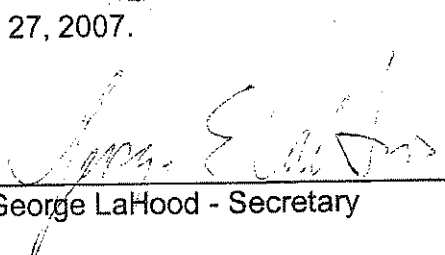
Pursuant to the authority granted to the Board of Directors by Section 2.3 of the Legend Owners Association Declaration, the following is adopted as an Association Rule:

**TREE REMOVAL REQUEST BY HOMEOWNER**

1. Since the Gainey Ranch Community Association (GRCA) maintains the front yard landscaping, homeowners contemplating tree removal should contact the Gainey Ranch Landscape Superintendent at the Gainey Ranch Maintenance Facility.
2. Upon discussing the situation and options with the GRCA Landscape Superintendent, an Application to remove the tree should be filled out whenever tree removal is still desired. An Application should be submitted to the Gainey Ranch Architectural Coordinator at the GRCA Administration office. The normal Application review process will be followed involving both the GRCA and Legend Architectural Committees. Note, Application forms are either available on the GRCA web site or at the GRCA Administration office.
3. The Architectural Coordinator will communicate in writing the Architectural Committees' decision to the applicant. If tree removal is approved, tree replacement may be required and such information will be included in the written stipulations. Tree replacement "type" shall be selected from the Legend list of trees.
4. The financial responsibility to both remove and replace the tree shall be as follows:
  - Legend Owners' Association whenever the tree:
    - a. Creates a safety hazard
    - b. Is severely storm damaged

The Legend homeowner shall be financially responsible whenever the tree is removed for any reason other than the two listed above.

Adopted by the Board of Directors on February 27, 2007.

  
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George LaHood - Secretary



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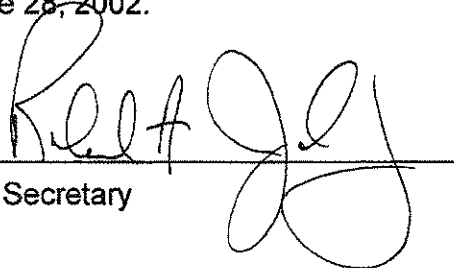
1. No Owner or occupant of a Lot shall store, or permit to be stored, thereon any personal property which is Visible from Neighboring Property, without the approval of the Architectural Committees of the Association and the Master Association.

2. Items of personal property which are referenced in paragraph 1 include, but are not limited to, landscape maintenance equipment, machinery, tools, toys, basketball or other sport apparatus, bicycles, wheelbarrows, and any other items which tend to contribute to an untidy or unkempt appearance.

3. The prohibitions contained in this Rule are in addition to, and not in lieu of, those contained in the Declaration.

4. Capitalized terms used herein shall have the same meanings as those set forth in the Declaration.

Adopted by the Board of Directors on June 28, 2002.

  
Secretary

## THE LEGEND AT GAINNEY RANCH

### FRONT YARD LANDSCAPE RULES

In purchasing a lot in "The Legend" community, homeowners will be asked to be responsive to certain rules for front yard landscape. (Front yards are defined as all areas of the lot that are not enclosed by a fence or wall.) As architectural details are sensitively considered in such a desirable development, so too are the concepts of landscape and other exterior amenities. In order to establish and sustain a consistent theme of landscape throughout the subdivision, some general rules have been compiled, including Exhibit A "Plant List" attached hereto, to assure an environment worthy of the architecture and quality construction offered by the builders of the Legend. Proposed landscape plans, materials and changes made to existing landscaping must be reviewed and approved in writing by both "The Legend" and "The Master Association Architectural Committees" prior to installation.

Gainey Ranch landscape was designed and developed to have a lush green appearance. The established Gainey Ranch Architectural Guidelines require homes to be part of the landscape, rather than dominate it or contrast with it. For this reason, at least one mature street theme tree must exist every 60' of frontage, minimum size 36" box, in accordance with the overall Legend street landscape theme (see plant list). Additional smaller scale trees may also be required based on the existing individual environmental conditions.

Some lots will have more appropriate space for Date Palms, and in those areas, Dates will be suggested. Although other lots may be more suitable for use of other approved plant materials, the entire subdivision benefits from the scale and accent of such Palms. For this reason, maintenance of all Date Palms in "The Legend" except in areas to be maintained by the homeowner will be reflected in an averaged and equal association fee for each lot owner. The same rationale prevails for areas of lawn versus lots that afford less space, and consequently are landscaped predominantly with ground covers and shrubs.

Where space allows, a graceful transition of landscapes from lot to lot will be enforced by specifying common lawn areas on adjacent lots. All lawns are to be Midiron hybrid Bermuda. This will provide more open and lush areas along the street frontages.

Planting density will be subject to individual lot conditions. However, it is desirable to have minimum plant coverage of 75% on all landscaped areas between the sidewalk and the front plane of the house in all areas where there is no lawn. In this area, it is required that the landscape be approximately evenly split between ground cover and shrubs. However, up to 33% of the required plant coverage may be in the form of succulents and cacti (See Exhibit A Plant List) and will be considered accent plant material. Any accent plants must be located near the front plane of the house away from street and sidewalk since the street theme must reflect a lush green appearance.

Any boulders must be surface select granite and buried 1/3 underground. The placement and number of permitted boulders will be reviewed by the Architectural Committee on an individual basis.

All front yard landscape plant material (not to include sidewalk, driveway and other hardscape materials) in "The Legend" will be maintained by the Homeowners Association. Homeowners will be responsible for maintenance of their individual rear yards and any other areas enclosed by a fence or wall. However, both the original rear yard landscape plan and any subsequent proposed changes or alternations require prior written approval by the Architectural Committees.

All driveway concrete shall match existing drives in the subdivision. The Architectural Committee may incorporate subtle accent materials, pending approval.

All lawn headers in front yards shall be concrete stained to match driveways. GRCA Maintenance shall approve all the low voltage lighting for continuity and cost effectiveness. All decomposed granite shall match that already installed on existing landscapes (3/4 inch minus, Desert Gold). However around the succulents the decomposed granite shall be 3/4 inch screened, Desert Gold.

All ground cover and shrubs in the front yards must reflect the following ratio of container-sized plants:

Minimum of 35% - 5 gallon or larger  
Remaining 65% allowable in 1 gallon

Annual beds in front yards are not allowed unless the homeowner installs and properly maintains the plant material. If existing annual beds are not properly maintained by the homeowner, the Association will install other appropriate landscape materials at the homeowners expense.

"Toro" manufacturing is the approved lawn sprays, shrub sprays and bubblers. Drip emitters shall be "Reed DBK". Drip laterals may be flexible poly. All other laterals must be rigid PVC. All sleeving PVC shall be schedule 40. Modifications to or new irrigation installations shall be under warranty for one full year (Material and Labor). All valves shall be in valve boxes. Any automatically irrigated pots shall be on a separate valve from other irrigated landscape materials. When modifications are made to irrigation systems, it is required to maintain separate controls for the irrigation systems in those areas for which the homeowner has maintenance responsibility, i.e., inside front walls and the backyard areas.

The controllers (lighting and irrigation) must be installed at an approved location in the front or side yard areas to facilitate access by maintenance crews. Controllers shall be "Irritrol" for irrigation.

Landscape contractors installing the landscape shall be responsible for providing "As-Built" drawings to both the homeowner and GRCA Maintenance. These drawings shall include locations of the following:

- All controllers
- Water Meter
- Sleeving (locations and sizes)
- Mainline and valves
- Low voltage lighting cable

Original Document Approved 2/12/90

Revision Approved 6/1/95

Revision Approved 4/00

## EXHIBIT A

### THE LEGEND - PLANT LIST

Refers to the primary landscape materials for the Legend. Article 4 of the Master Association Architectural Rules includes a list of landscape materials that may also be acceptable at the Legend on an individually approved basis.

#### TREE LIST

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>
Acacia Berlandieri	Berlandier Acacia
Acacia Farnesiana	Sweet Acacia
Acacia Salicina	Weeping Wattle
Acacia Smallii	Desert Sweet Acacia
Acacia Stenophylla	Shoestring Acacia
Citrus spp. (Private use area only)	Citrus
Phoenix Dactylifera	Date Palm
Eucalyptus Erythrocorys	Red Cap Gum
Eucalyptus Leucoxyllon	White Ironbark
Eucalyptus Microtheca	Flooded Boc Coolibah Tree
Eucalyptus Salmonophioia	Salmon Gum
Eucalyptus Spathulata	Narrow-leaved Gimiet
Eucalyptus Torquata	Coral Gum
Olneya Tesota	Ironwood
Prosopis spp.	Mesquite
Cercidium Praecox	Palo Brea
Cercidium Floridum	Blue Palo Verde
Cercidium Microphyllum	Foothill Palo Verde
Pithecellobium Flexicaule	Texas Ebony

#### SHRUBS AND GROUND COVER

<u>BONTANICAL NAME</u>	<u>COMMON NAME</u>
Convolvulus spp.	Ground Morning Glory
Dalea Greggii	Trailing Indigo Bush
Oenothera Berlandieri	Mexican Primrose(Private use area only)
Leucophyllum spp.	Texas Ranger

#### ACCENTS-SUCCULENTS/CACTI

Agave spp.	Agave(Century Plant for Private use area only)
Aloe spp	Pigmy Date Palm
Hesperaloe Parviflora	Mediterranean Fan Palm
Dasyilirion spp.	
Opuntia spp.	
Fouquieria Splendens	

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Revised 5/95

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Approved colors: White, Beige or Gray (see enclosed letter).

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LOCATIONS: Front, side or back

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LOCATIONS: Side or back only

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slats

Approved colors: Cream or gray

LOCATIONS: Side or back only

4. **FREE STANDING SHADE STRUCTURES**

- a. **PATIOS AND TRELLISES** are reviewed on an individual basis for location, size and design. Generally, trellis supports will be 16" x 16" masonry columns, stuccoed and painted to match the building exterior. Any roof tile used will match the standard roof tile. Any wood members will be a minimum of 4" x 6" and stained to match the building exterior. Location of these structures may not negatively impact neighboring view.

LOCATIONS: Back only

- b. **UMBRELLAS** must be kept in good condition. Fabric may not display graphics of any kind, and fabric colors that are highly contrasting to adjacent buildings or highly contrasting multi-colors on the umbrella are not permitted.

LOCATIONS: Back or courtyard areas

5. **GLASS TREATMENT**

- a. **STAINED/COLORED** glass will be reviewed on an individual basis for color, design and location.

LOCATIONS: Front, side or back

- b. **TINTED** glass must match the glass provided in the standard residences.

- c. **NO REFLECTIVE** materials, including but not limited to aluminum foil, reflective screens or glass, mirrors or similar type items, shall be permitted to be installed or placed on the outside or inside of any windows.

6/20/90

**THE LEGEND AT GAINNEY RANCH  
STANDARD FOR  
GUTTERS AND DOWNSPOUTS**

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- 1) All proposed gutter and downspout installations are considered as an add-on and must be reviewed and approved on an individual basis. To obtain approval for this type of installation, an Architectural Committee Application Form must be completed and returned to the Gainey Ranch Administration office along with the elevation plan and the appropriate fee. Application forms are available at the Administration office.
- 2) Gutter and downspout installations for The Legend must be unobtrusive and individually located for each unit using the standard approved details. The downspouts should, if possible be located on the side or secondary elevation and not highly visible from the street or golf course. Whenever downspouts are located on the front elevation they must be installed in concave or inside corners and not highly visible from the street. The downspout must extend vertically, or in some other approved manner and discharged water must not cause erosion or be a nuisance to the existing or neighboring properties. The gutter profile must be compatible with the existing fascia design.
- 3) A complete elevation plan must be submitted showing the proposed gutter and downspout locations for the residence. Each residence will be reviewed on an individual basis and must be approved prior to installation.
- 4) All installations must use the approved gutter and downspout details, colors, materials and finishes. All support brackets must be blind mounted. Homeowners are responsible for overseeing the installation to confirm full compliance with this standard.
- 5) The gutter and downspout material must be metal and the color will be determined by matching the surface it is mounted to. Gutters and downspouts will have a primer and rust-inhibiting paint of a semi-gloss or flat finish.
- 6) Gutters and downspouts must be kept in good repair at all time which includes properly painted, firmly attached and cleaned of debris on a regular basis to prevent clogged drains.