

**ARCHITECTURAL GUIDELINES**  
**FOR**  
**THE ESTATES AT GAINNEY RANCH**  
**HOMEOWNERS ASSOCIATION**

**Adopted by the Estates Architectural Committee  
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# **TABLE OF CONTENTS**

<b>SECTION 1</b>	<b>INTRODUCTION</b>
<b>SECTION 2</b>	<b>REVIEW PROCESS</b>
<b>SECTION 3</b>	<b>STRUCTURAL and LANDSCAPE CHANGE SUBMITTAL REQUIREMENTS</b> <ul style="list-style-type: none"><li>A. Structural Change Submittal Requirements</li><li>B. Landscape Plan Change Submittal Requirements<ul style="list-style-type: none"><li>1. Drawing Checklist</li></ul></li><li>C. Coverage Area</li><li>D. Meeting with the GRCA Maintenance Department</li><li>E. Plant Palette Guideline<ul style="list-style-type: none"><li>1. Approved Plant List; with Exhibit I</li><li>2. Artificial Turf</li><li>3. Drawing – Landscape Plan Typical Residence</li></ul></li></ul>
<b>SECTION 4</b>	<b>DESIGN GUIDELINES AND STANDARDS FOR THE ESTATES</b> <ul style="list-style-type: none"><li>A. Architectural Character</li><li>B. Walls and Fences</li><li>C. Landscape Requirements</li><li>D. Drainage</li><li>E. Lighting</li><li>F. Construction</li><li>G. Exterior Accessories<ul style="list-style-type: none"><li>Exhibit A – Side Wall Design</li><li>Exhibit B – Rear Wall Design with Pool</li><li>Exhibit C – Rear Wall Design without Pool</li></ul></li><li>H. Exterior Paint Colors</li></ul>
<b>SECTION 5</b>	<b>GAINEY RANCH CONSTRUCTION POLICIES</b> <ul style="list-style-type: none"><li>A. Article I Gainey Ranch Construction Policies</li><li>B. Article II Gainey Ranch Construction Procedures</li><li>C. Article III Gainey Ranch Operational Procedures</li><li>D. Exhibit D Supplemental Estates Rules for Contractors</li></ul>

## **SECTION 1**

## INTRODUCTION

A. The Estates was conceived as a distinctive neighborhood of custom, single family homes. The homes were designed to conform to a stringent design standard which was intended to reflect a design that was site-sensitive using elements of mass, shadow, color and texture.

B. Colors and materials were limited to a select palette, as specified in the original Design Guidelines and Standards which were applied to all new construction within the community. Site and landscape design continue to be an important part of the residential statement of The Estates.

C. There shall be no implied view corridors across adjacent lots.

D. The intent of design for the community is to reinforce the park-like setting created by the Gainey Ranch golf course. For this reason, the guidelines for The Estates prohibit:

1. Designs that, in the opinion of the Architectural Committee, do not visually relate with either surrounding homes or the design theme from the golf course or that detract from neighbor's privacy.

2. Changes to originally built structures that, in the opinion of the Architectural Committee, materially change the original character, design elements, relationship to neighbors or landscaping or color themes.

E. These guidelines establish the framework for a cohesive neighborhood that help protect and add to the value and special enjoyment that is the foundation for each custom home residence in The Estates.

F. Construction in The Estates is to be performed in accordance with GRCA Construction Rules and in accordance with the approval of the GRCA Master Architectural Committee and The Estates Architectural Committee, in a good and workmanlike manner and in compliance with the Satellite Declaration of Covenants, Conditions, Restrictions and Easements for The Estates at Gainey Ranch (the "CC&R's"), these Architectural Committee Rules and all applicable statutes, codes and ordinances. Any contractor who violates any portion of these Architectural Rules or fails to construct its improvements, or to otherwise perform its work, in The Estates in a good and workmanlike manner, in a manner consistent with the quality standards established in Gainey Ranch, and in The Estates, and in conformance with all applicable statutes, codes and ordinances may have its right to construct improvements on Gainey Ranch, and in The Estates, temporarily suspended by the Architectural Committee or may be permanently barred by the Architectural Committee from, making any improvements in The Estates.

Any such suspension and/or bar shall be at the sole discretion of the Architectural Committee on the basis of information presented or known to it. However, no suspension or bar shall be imposed unless and until the contractor has been given the opportunity to present to the Architectural Committee its position with respect to the circumstances giving rise to the possible bar and/or suspension. Such bar or suspension may be implemented in such a manner as may be deemed appropriate by the Architectural Committee, including, but not limited to, a refusal to approve the construction or improvements to be built, in whole or in part, by any suspended or barred contractor.

1. Any contractor aggrieved by the decision of the Architectural Committee to suspend or bar such contractor may appeal the decision in writing to The Estates Board of Directors but such suspension or bar shall be in effect during the appeal period. Such appeal must be made within ten (10) days after the written decision is given to the contractor by the Architectural Committee. The written appeal shall include the basis for such appeal and shall include all documents supporting the aggrieved contractor's position. The Board shall meet within fifteen (15) working days after receipt of the appeal at which time the contractor will be given the opportunity to present its case to the Board. The Board will respond with a final written decision to the contractor within five (5) working days following the contractor's meeting with the Board.

## **SECTION 2**

### **REVIEW PROCESS**

A. No improvements, alterations, repairs, excavations, grading, landscaping or other work which in any way alters the exterior appearance of the Property, including changes to exterior colors, or the improvements thereon, from its natural or improved state shall be made or done without the prior written approval of the Architectural Committee, except as otherwise expressly provided in the Master Declaration. No building, Dwelling unit, wall, fence or other structure shall be modified, erected, maintained, improved, altered or made without prior written consent of the Architectural Committee. All subsequent additions to or changes or alterations in any building, Dwelling unit, fence, wall or other structure, including the exterior color scheme, and all changes in the grade of Lots, shall be subject to the prior written approval of the Architectural Committee. No changes or deviations in or from the plans and specifications once approved by the Architectural Committee may be made without the prior written approval of the Architectural Committee.

B. The Architectural Committee shall adopt rules and guidelines upon which all requests for actions or approvals from the Architectural Committee must be submitted. The Drawing Checklist (Section 3) shall indicate the form, requirements for submittal and the number of copies of each set of plans, specifications, site plans or other documents which must accompany submitting applications.

C. The Architectural Committee will determine the appropriateness of requests as they relate to the existing design theme described by the project's original builder/developer.

D. The Architectural Committee shall make every reasonable effort to review applications submitted to them and to furnish a written decision setting forth the reasons for its decisions to the MAC within fifteen (15) working days from the date the application is received by the Architectural Committee. However, no application will be considered unless the application includes a complete plan submission which conforms to the guidelines in Sections 2 and 3 of The Estates Architectural Rules and, specifically, to the Drawing Checklist and the sample landscape plan indicated on the "Landscape Plan Typical Residence" included in the Architectural Rules, Section 2 (E) (3). An application that does not comply with the Rules will be returned to the GRCA Architectural Coordinator with a request for a complete plan resubmission from the Owners which comply with the Rules.

E. Any construction or landscaping not specifically approved in writing by the Architectural Committee and/or the MAC must be re-approved, modified or removed as requested by the Architectural Committee at the owner's expense.

F. The Architectural Committee is responsible for determining if the proposed construction and/or landscaping are consistent with the design guidelines. The owner assumes all liability and responsibility for proper engineering, design, construction, applicable city, state, county, federal, etc. permits and approvals and the Architectural Committee shall have no duty or responsibility for any of these items.

G. Upon final approval of submitted applications the owner will provide a full set of approved plans, specifications, details, etc., to the MAC for its files.

H. Any approval of plans, specifications or proposed construction given by the Architectural Committee shall be only for the purpose of permitting construction of proposed improvements in The Estates. Such approval shall not constitute an approval, ratification or endorsement of the quality of architecture or engineering soundness, or design quality of the proposed improvements or of their compliance with any applicable law and neither the Architectural Committee, The Estates Homeowners Association, nor the GRCA shall have any liability for any defects in the plans, specifications or improvements.

I. Owner is responsible for maintaining the property, in the opinion of the Architectural Committee, in a current state of acceptable maintenance. This includes the timely replacement of dead plant materials with plantings of the same specie and of appropriate size and the removal and replacement of plant material that has over grown the space/area in which it was planted. This is of particular importance in areas fronting the street and/or in areas which may impact neighboring properties. Any changes in plant specie from that which was originally approved by the Architectural Committee must be resubmitted to the Committee for approval. If, in the opinion of the Architectural Committee, owner has not complied with this requirement, owner will be informed of a violation of the Architectural Rules and required to remedy the violation and/or submit a plan of remediation to the Architectural Committee for approval within fifteen (15) working days from the receipt of the notice of violation.

J. Typical Steps in Review Process:

1. Homeowner review of Architectural rules
2. Homeowner submits request which conforms to the requirements of the Architectural Rules to GRCA Architectural Coordinator
3. Architectural Coordinator forwards request to The Estates Architectural Committee for review. The Committee responds with its Findings to the Master Architectural Committee (the "MAC") within ten days of receipt of the request.
4. If The Estates Architectural Committee approves the request; the Coordinator will schedule the request to be reviewed by the MAC. If The Estates

Architectural Committee disapproves the request, the Coordinator will send written notice of disapproval, including a listing of the elements to be corrected on the request, to the homeowner for correction. The homeowner then corrects the plan and resubmits to the Architectural Coordinator.

5. This process will be repeated until The Estates Architectural Committee approves the request; whereupon the request then will be scheduled for MAC review.
6. The MAC will review the request, and the Findings submitted by The Estates Architectural Committee. If the MAC approves the request, the Coordinator will send a letter of approval to the homeowner listing any conditions which have been made as part of the approval.
7. The home owner contractor(s) must then arrange a meeting with the GRCA Maintenance Department to provide proof of appropriate insurance coverage and to review the GRCA Construction Rules and Procedures and Security Rules with GRCA staff. This must be done before installation is commenced.
8. Installation of the approved plan.
9. Homeowner communicates in writing to the GRCA Architectural Coordinator that the plan installation has been completed. (See the GRCA Master Architectural Rules, Section 2, Article I, Paragraphs N and O.)
10. The Estates Architectural Committee and the GRCA Consulting Landscape Architect will also review the property to determine conformance with the approved plan and communicate any discrepancies to the Coordinator.
11. If the homeowner has not installed the plan according to the approved plan, then the above referenced Section 2 of the Master Architectural Rules is applicable and the homeowner is required to bring the property into conformance with the approved plan. The homeowner may also submit an "as built" plan for review and action by The Estates Architectural Committee; however, these submissions are not generally approved.

K. The Architectural Committee may change and/or delete any of the preceding rules and procedures as it deems necessary to apply or enforce the rules and standards.

## SECTION 3

### STRUCTURAL and LANDSCAPE CHANGE SUBMITTAL REQUIREMENTS

This section identifies the submittals and meetings set forth in Section 2 of these Rules which are required of each lot owner wishing to alter the existing structures or installed landscaping on the lot. Each lot owner desiring to make changes to the existing structures or installed landscaping on their property must submit their request according to the following requirements.

#### A. STRUCTURAL CHANGE SUBMITTAL REQUIREMENTS

In accordance with the Architectural Rules, the following submittals will be filed with the Architectural Committee:

1) Preliminary Plan Design. The Preliminary Plan Design must be reviewed and approved prior to preparation of final plans. This submittal must include:

- a. Site Plan showing utilities, building location, amenities pools/spas, walls, existing grades, exterior lighting, and existing hardscape.
- b. Preliminary changes to floor plan.
- c. Preliminary Elevations; including colors and materials.
- d. Preliminary Landscape Plan in the form specified in Section 3, B.
- e. Preliminary Engineering showing any proposed changes to grading or drainage.
- f. Other special details.

2) Final Plan Submittal. Following the approval of the preliminary design, final plans shall be prepared and submitted. Final approval by both The Estates Architectural Committee and the MAC is required prior to the start of any construction activity. In addition, all plans are to have necessary City of Scottsdale permits and approvals prior to start of construction. The following information must be included in the final submittal:

- a. Final Architectural Plans
- b. Final Landscape Plans.
- c. Final Engineering Plans.
- d. Samples of materials to be used.
- e. Other Final Special Details.

3) Pre Construction Meeting. The Owner and Contractor must meet with a representative of the GRCA Maintenance Department to review GRCA Construction Policies and Security Policies. See Section 5 of the Architectural Rules.

#### B. LANDSCAPE PLAN SUBMITTAL REQUIREMENTS

All residential landscape projects submitted to The Estates Architectural Committee for review must comply with the Drawing Checklist provided and Landscape



Plan herein before being evaluated for approval. A Drawing Checklist and Landscape Plan for a Typical Residence may also be obtained from the GRCA Administration Office. Any drawing that does not meet the requirements of this checklist will not be considered. This requirement is consistent with the requirements of the GRCA Master Architectural Committee (the “MAC”).

1. DRAWING CHECKLIST

a. Owner Name, Community Name, Lot Number, Street Address, Owner Contact Information and Contractor Name and Contact Information.

b. North Arrow

c. Residence Footprint on lot

The exterior footprint of the residence; indicating the location of entry area, doors and windows.

d. Drawing Scale

Minimum plan shall be no smaller than one inch to ten feet (1” = 10’- 0”)

e. Property lines

f. PUE – public utility easements

g. Existing Hardscape are to be shown

Sidewalks, Streets, Driveways, Walls, Pathways, etc.

h. Existing Plant Material

Common Name is Acceptable – Dash Symbol

i. Proposed Material

1) Location

2) Size

3) Common and Botanical Names

4) Quantity

5) Plant Material shall be shown at 75% of mature size

j. Proposed Hardscape

Location, Dimension, Details and Specification of Materials

k. Proposed Lighting Fixtures

Type, Location, Watts, and Cut Sheets

l. Construction Notes

m. Signature Block

Owner and Contractor signatures that state: “This plan shall be installed as approved. Any deviation from the approved plan requires re-approval by The Estates Architectural Committee and the MAC prior to installation.”

n. Two (2) sets of plans, details and specifications are to be submitted.

C. COVERAGE AREA

The area covered by buildings shall not exceed seventy-five percent (75%) of the net lot area.

D. MEETING WITH THE GRCA MAINTENANCE DEPARTMENT

Before any work may be started at the property the Contractor(s) that will be performing the work must meet with the GRCA Maintenance Department to review the Construction Requirements for the Community and provide appropriate documentation (Liability Insurance, Worker’s Compensation Insurance, etc.) to the Association.

E. PLANT PALETTE GUIDELINE

Although the proposed plant palette may be in accordance with these guidelines, never-the-less, the owner proposed landscape plan and installation is subject to prior written approval of the Architectural Committee. Once a plan is approved by the Architectural Committee, no changes or deviations shall be made without the prior written approval of the Architectural Committee.

1. Approved Plant List

The Estates Architectural Committee has identified plants, on the attached Exhibit I, as being compatible with the stated landscape theme for The Estates. Any proposed species not identified on this list shall require specific reasons for requesting a variance; but, generally will not be allowed.

2. Artificial Turf

The Estates Architectural Committee, in consultation with the GRCA Consulting Landscape Architect, has approved artificial turf for limited use within The Estates. Lot owners are cautioned that the use of artificial turf requires the lot owner to maintain the artificial turf to the highest standards of care and condition. Regular inspections of the condition of the turf will be conducted during Maintenance inspections to assure that these standards are maintained. Artificial turf will be considered for approval as follows:

a. The artificial turf approved for use in The Estates is “Spirit 60”.

b. Front Yards – the amount of artificial turf that will be considered for approval shall not exceed thirty-five per cent (35%) of the total planting area of the front yard. In special cases, The Estates Architectural Committee may consider an artificial turf area that exceeds thirty-five percent (35%) of the total front yard landscape area. It is

important that the artificial turf area(s) proposed are large enough to blend naturally with the remaining landscape areas which are not turf or planters. The Estates Architectural Committee is also aware that turf will not grow in shade or under canopies of mature trees. If special circumstances exist on a lot, the lot owner may apply for a variance of this rule citing the conditions supporting the request.

All submittals must identify the overall square footage of the front yard landscape space, the square feet of the artificial turf proposed and the percentage of artificial turf of the overall front yard landscape area.

Rear Yards – submissions for artificial turf in rear yards will be considered on an individual basis with no set formula for maximum usage.

c. The Spirit 60 has a manufacturer-stated life span of ten (10) years. The turf must be replaced at this time. As noted, regular inspection of the turf will be made and if the artificial turf is deemed not in acceptable condition, in the sole discretion of the Architectural Committee, the turf will be required to be replaced.

d. If the artificial turf is removed, either voluntarily by lot owner or by requirement of the Committee, and is not replaced with Spirit 60 turf or designated alternative, the lot owner must submit a request for landscape change, as provided for in Section 3.

e. When artificial turf is planned for use in heavy traffic areas, for example an area that has access to a rear yard and is used regularly, installing stepping stones, or equivalent, will likely be required to eliminate heavy traffic patterns.

# THE ESTATES AT GAINNEY RANCH

## Approved Plant List

Large Trees						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
<i>Cercidium praecox</i>	Palo Brea	⊗ 20	20 M	20 M	Yellow	Flower litter, Thorns
<i>Ficus benjamina</i>	Chinese Banyon Tree	∇ ⊗ 14	10 L	-	-	Frost Sensitive
<i>Fraxinus uhdei</i>	Shamel Ash	⊗ 25	25 L	-	-	Deciduous
<i>Olneya tesota</i>	Ironwood	⊗ 25	25 L	25 L	Purple	Slow Growing, Thorns
<i>Prosopis</i>	Rio Salado Mesquite	⊗ 25-35	20-40 L	20-40 L	Cream	Thorns, Deciduous
<i>Ulmus parvifolia</i>	Evergreen Elm	⊗ 30	30 M	30 M	-	Deciduous, Leaf litter

Medium Trees						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
<i>Acacia Aneura</i>	Mulga Acacia	14-18	12	12	Yellow	Moderate to Fast Growing, Full Sun, Drop Pods
<i>Dahlbergia sissoo</i>	Sissoo Tree	20	15 M - L	15 M - L	-	Semi- deciduous, Soft wood
<i>Ficus microcarpa 'Nitida'</i>	Indian Laurel Fig	18	14 L	14 L	-	Easily shaped, frost sensitive
<i>Parkinsonia 'Desert Museum'</i>	Thornless Palo Verde	25	25 H	25 H	Yellow	Fast grower, requires constant pruning, flower litter
<i>Pithecellobium flexicaule</i>	Texas Ebony	18	18 L	18 L	-	Drops seeds in the spring
<i>Pyrus calleryana 'Bradford'</i>	Bradford Pear	18	16 L	16 L	White	Deciduous, great fall color
<i>Pyrus kawakamii</i>	Evergreen Pear	16	16 L	16 L	White	Deciduous, great fall color
<i>Quercus virginiana</i>	Southern Live Oak	20	16 L	16 L	-	Evergreen
<i>Quercus virginiana 'Heritage'</i>	Heritage Live Oak	12	12 L	12 L	-	Evergreen

Small Trees						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
<i>Citrus species</i>	Citrus	18	18 L	18 L	White	Bees, blossom and fruit drop
<i>Eriobotrya japonica</i>	Loquat	∇ 12	12 M	12 M	White	Evergreen, leaf drop
<i>Fortunella margarita</i>	Kumquat	0 10	10 L	10 L	White	Bees, blossom and fruit drop
<i>Ligustrum japonicum</i>	Japanese Privet	∇ 10	10 L	10 L	-	Sun tender when young
<i>Pistacia lentiscus</i>	Mastic Tree	16	14 L	14 L	-	Evergreen, slow grower
<i>Podocarpus macrophyllus</i>	Japanese Yew Pine	∇ 12	8 L	8 L	-	Evergreen, slow grower
<i>Vitex angus-castus</i>	Chaste Tree	14	14 L	14 L	Purple	Deciduous
<i>Xylosma species</i>	Tree Xylosma	12	12 L	12 L	-	Broad leaf, Evergreen, best if there is no reflected heat

Palms						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
<i>Bismarckia nobilis</i>	Bismark Palm	12	12 L	12 L	-	Evergreen
<i>Chamaerops humilis</i>	Mediterranean Fan Palm	12	10 L	10 L	-	Evergreen, fruit clusters
<i>Cycas revoluta</i>	Sago Palm	∇ 6	6 L	6 L	-	Evergreen, fruit clusters
<i>Phoenix canariensis</i>	Canary Island Palm	varies	20 M	20 M	-	Evergreen, requires biannual pruning, fruit clusters
<i>Phoenix dactylifera</i>	Date Palm	varies	20 M	20 M	-	Evergreen, requires biannual pruning, fruit clusters
<i>Phoenix roebellii</i>	Pigmy Date Palm	8	6 L	6 L	-	Evergreen, requires biannual pruning, fruit clusters
<i>Trachycarpus fortunei</i>	Windmill Palm	10/12	6 L	6 L	-	Evergreen, requires biannual pruning, fruit clusters
<i>Washingtonia filifera</i>	California Fan Palm	varies	20 M	20 M	-	Evergreen, requires biannual pruning, fruit clusters

Shrubs						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Abelia grandiflora	Glossy Abelia	4	4	L		Broad leaf evergreen, frost sensitive
Agapanthus species	Agapanthus	2	2	L	Purple	Frost sensitive
Asparagus densiflorus 'Meyeri'	Foxtail Fern	2	2	L	-	Good lower story planting for small space
Aucuba japonica	Japanese Aucuba	4	4	L	-	Broad leaf evergreen
Barrell Cactus **						
Bougainvillea species	Bougainvillea	varies	varies	H	Yes	Constraint flower and leaf litter
Buxus microphylla 'Japonica'	Japanese Boxwood	4	4	L	-	Evergreen
Callistemon viminalis 'Little John'	Dwarf Bottlebrush	3	2	L	Red	Evergreen, flowers resemble bottle washers
Carissa species	Natal Plum	varies	varies	L	White	Frost sensitive
Dietes bicolor	Evergreen Iris	4	3	L	Yellow/White	
Dietes family	African Iris	18-24"	18-24"			5
Dodonea viscosa	Hopbush	6	3	L	-	Perennial. Snowy white or cream flowers
Eremophylla species	Valentine Bush	4	3	L	Red	Evergreen, great tall hedge, requires shaping
Eriobotrya species	Loquat	6	6	L	White	Evergreen, flowers late fall through winter
Euonymus japonica	Euonymus	3	3	L	-	Glossy, Broadleaf evergreen
Fejjoa sellowiana	Pineapple Guava				White	Flowers w/ red center, Filtered sun
Gardenia jasminoides 'Veitchi'	Gardenia	3	3	L	White	Evergreen, fragrant flowers
Hibiscus rosa-sinensis	Chinese Hibiscus	5	5	L	Red	Not good in west exposures
Ilex cornuta burfordii 'Nana'	Burford Holly	3	3	L	-	Evergreen
Ilex vomitoria	Dwarf Yaupon Holly	2.5	2.5	L	-	Evergreen
Lantana species	Bush Lantana	3	varies	M	Yes	Excellent for color, frost tender
Leucophyllum frutescens	Heavenly Cloud Texas Sage	4	4	M	Lt Purple	Shaping required
'Heavenly Cloud'						
Leucophyllum langmaniae	Lynn's Legacy Sage	4	4	M	Purple-Pink	Shaping required
'Lynn's Legacy'						
Leucophyllum pruinosum	Sierra Bouquet Sage	4	4	M	Purple-Pink	Shaping required
'Sierra Bouquet'						
Ligustrum japonicum	Japanese Privet	4	4	L	-	Broadleaf evergreen
Myrtus communis 'Boetica'	Twisted Myrtle	4	3	L	-	Evergreen
Olea europaea 'Little Ollie'	Dwarf Olive	2	2.5	L	-	Evergreen, creates small hedge in mass
Pittosporum species	Pittosporum	varies	varies	L	White	Frost tender, flowers not showy
Photinia fraseri	Fraser's Photinia	5	4	L	-	Broadleaf evergreen
Pittosporaceae Pittosporum	Varigated Pittosporum	6	6			Good for borders- Resistant to drought, insects & disease
Plumbago auriculata	Cape Plumbago	3	3	L	Purple/Pink	
Pyracantha species	Pyracantha	varies	varies	L	White	Red berries, flowers attract bees
Rosa species	Rose	4	3	L	varies	Improved soil for best performance
Rosmarinus officinalis	Upright Rosemary	3	3	L	Lt. Purple	Flowers Attract Bees
'Tuscan Blue'						
Ruellia brittoniana	Desert Ruellia Species	3	3	M	Purple	Flowers litter, partial sun
Ruellia peninsularis	Baja Ruellia	3	4	L	Purple	Full or partial sun
Sophora secundiflora	Texas Mountain laurel	6	6	L	Purple	Berries poisonous, slow grower
Tecoma hybrid	Orange Jubilee	6	6	M	Orange	Flower litter, requires shaping, fast grower
Tecoma stans	Arizona Yellow Bells	6	6	M	Yellow	Flower litter, requires shaping
Tecoma stans 'Gold Star'	Gold Star Yellow Bells	6	6	M	Gold	Flower litter, requires shaping
Tecomaria capensis	Cape Honeysuckle	4	4	M	Orange	Flower litter, requires shaping
Xylosma congestum 'Compacta'	Dwarf Xylosma	3	4	L		Broadleaf evergreen

### Accents and Succulents

Botanical Name	Common Name	Height	Width	Maint Flower	Remarks
Agave desmetiana	Agave Species	2.5	2 L	Stalk	Required replacement 3-8 year lifespan, thorny
Agave gemniflora	Twin-Flowered Agave	2.5	2.5 L	Stalk	Required replacement 3-8 year lifespan, thorny
Agave parryi	Parry's Agave	3	3 L	Stalk	Required replacement 3-8 year lifespan, thorny
Agave vilmoriniana	Octopus Agave	4	4 L	Stalk	Required replacement 3-8 year lifespan, thorny
Aloe species	Aloe	2	2 L	Coral	Partial sun
Dasyliorion acrotiche	Green Desert Spoon	4	4 L	Stalk	Remove stalk when spent, thorny
Dasyliorion longissimum	Mexican Grass Tree	4	4 L	-	No thorns, sculptural plant
Euphorbia rigida	Gopher Plant	2	2 L	Yellow	Use in mass
Feorocactus cylindraceus**	Barrell Cactus**				
Hesperaloe funifera	Giant Hesperaloe	4	3 L	Red	Great accent, needs space, sharp tips
Hesperaloe parviflora	Red and Yellow Yucca	3	2.5 L	Red/Yellow	Accepts full sun or partial shade
Pedilanthus species	Lady Slipper	3	3 L	Orange	Bird-like Flowers
Portulacaria afro	Elephant's Foot	Ø			part of jade plant family, great at water features or pots
Streitizia reginae	African Bird of Paradise	4	3 L	Orange	Beautiful flower, tropical appearance
Yucca rostrata	Beaked Yucca	5	4 L	-	Accent Plant, thorny

### Vines

Botanical Name	Common Name	Height	Width	Maint Flower	Remarks
Antigonon leptopus	Queen's Wreath	vine	vine	M Coral	Requires trellis
Bougainvillea species	Bougainvillea	vine	vine	H varies	Vine variety best on trellis
Campsis radicans	Trumpet Vine	vine	vine	L Orange	Flower Litter
Ficus pumila	Fig Vine	vine	vine	L Evergreen	Wrecks stucco, do not allow on house
Gelsemium sempervirens	Carolina Jasmine	vine	vine	L White	Flowers have wonderful smell
Hardenbergia violacea	Lilac Vine	vine	vine	L Purple	Requires Trellis
Jasminum mesnyi	Primrose Jasmine	vine	vine	L Yellow	Best on trellis
Jasminum nitidum	Angelwing Jasmine	vine	vine	L	Best on trellis
Jasminum polyanthum	Pink Jasmine	vine	vine	L Pink	Best on trellis
Lonicera japonica 'Halliana'	Hall's Honeysuckle	vine	vine	L White	Can also be used as groundcover
Macfadyena unguis-cati	Cat's-Claw Vine	vine	vine	M Yellow	Requires trellis
Mascagnia macroptera	Yellow Orchid Vine	vine	vine	L Yellow	Requires trellis
Pandorea jasminoides	Bower Vine	vine	vine	L White	Requires trellis
Passiflora foetida	Passion Vine	vine	vine	L Multi-	Requires trellis
Podranea ricasoliana	Pink Trumpet Vine	vine	vine	L Pink	Requires trellis
Rosa banksiae	Lady Bank's Rose	vine	vine	L Yellow/ White	Requires trellis, small rose flowers
Solanum jasminoides	Potato Vine	vine	vine	L	
Trachelospermum jasminoides	Star Jasmine	vine	vine	L	Evergreen, vine or groundcover

Groundcover and Perennials						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Asparagus densiflorus 'meyeri'	Foxtail Fern	∇	2	2 L	-	Good lower story planting for small space
Asparagus densiflorus 'sprengeri'	Asparagus Fern	∅	2	2 L	-	Good lower story planting for small space
Carissa species	Natal Plum	∅	varies	L	White	Flowers not real showy
Lantana species	Lantana	∅	2	4 M	Varies	Requires constant pruning
Liriope muscari	Lily Turf	∇ O	12"	L	Purple	Attracts slugs, nice small shrub, gross-like
Lonicera japonica 'Halliana'	Hail's Honeysuckle	∅	3	3 M	White	Evergreen, requires pruning often
Rosmarinus officinalis 'Prostratus'	Trailing Rosemary	∅	2	L	Lt Blue	Bees
Trachelospermum asiaticum	Asiatic Jasmine	∇	2	2 L	-	Evergreen, requires pruning often
Vinca major	Periwinkle	∇ O	2	2 L	Varies	Bigger leaf than Asiatic Jasmine
Wedelia trilobata	Yellow Dot	∅	2	3 L	Yellow	Good alternate to Lantana sp.
Turf						
Botanical Name	Common Name					
Cynodon species	Midiron Hybrid Bermuda					
Synthetic lawn	Spirit 60					

\*\* Will be considered on a case-by case basis- especially if landscape already has this cactus in their landscape

- Plant Specific Key**
- ∅ Common area plant only (not for private lots)
  - ∅ Plant in masses only 5 - 7 plants min.
  - Potted plant only
  - O Private courtyard or backyard only
  - ≡ Replacement required (lifecycle limited)
  - ∇ Not sun tolerant (North or East exposures only)

- Maintenance Key**
- L = Low Maintenance requirements
  - M = Medium Maintenance requirements
  - H = High Maintenance requirements

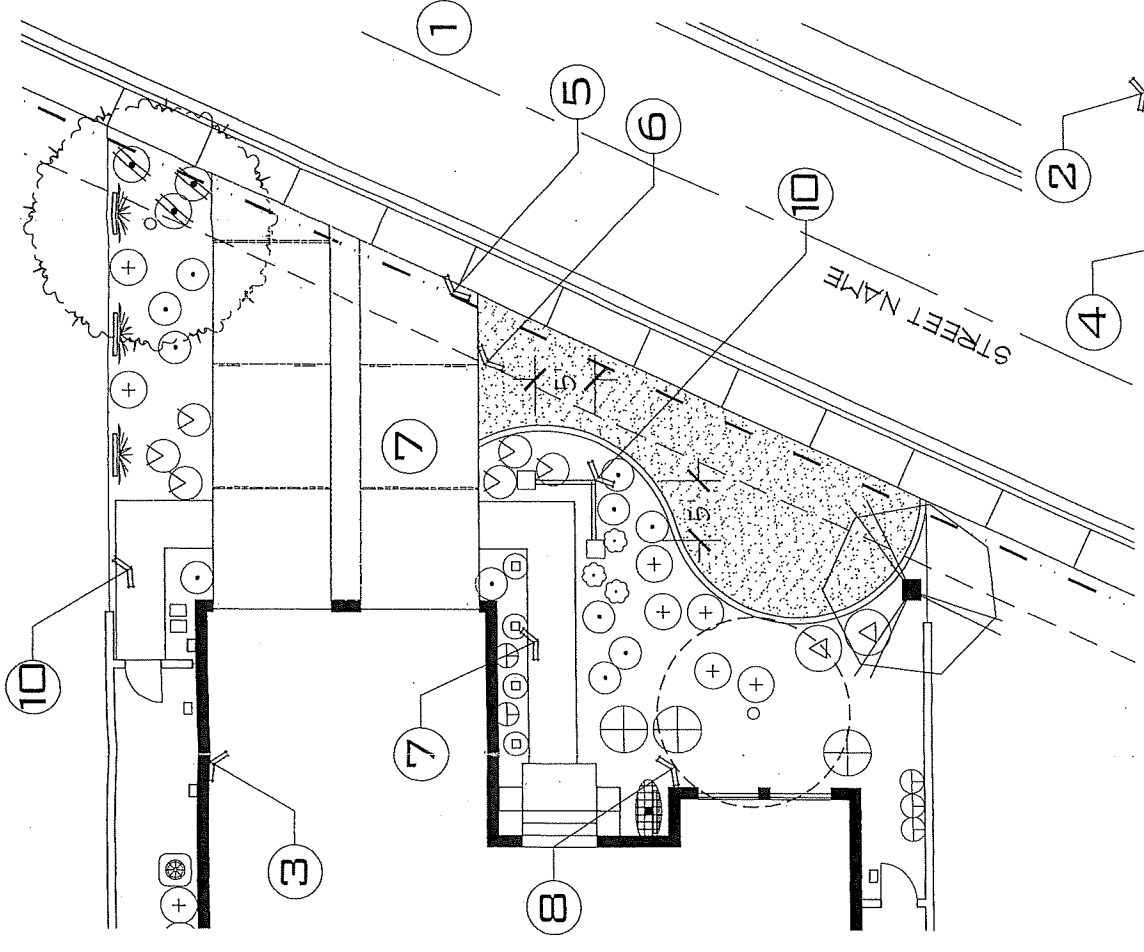
**CONSTRUCTION NOTES:**  
 1. ALL SHRUBS AND TREES NOT INDICATED TO REMAIN SHALL BE REMOVED PRIOR TO CONSTRUCTION.  
 2. PROPOSED ENTRY WALL SHALL BE 8" X 8" X 16" CMU W/ STUCCO AND PAINT TO MATCH THE HOUSE.  
 3. TURF HEADER TO BE COCOA BROWN; MANUF. MANF. DAVIS COLORS.

**PLANT LEGEND**

SYMBOL	BOTANICAL/CULTIVAR NAME	CITY	SIZE
<b>PROPOSED TREES</b>			
○	OLNEYA TESOTA (IRONWOOD)	-	24" BOX
○	PISTACIA LENTISCUUS (MASTIC TREE)	-	24" BOX
<b>SHRUBS</b>			
⊕	PITTOSPORUM TOBIIRA 'WHEELER'S DWARF' (DWARF PITTOSPORUM)	-	5 GAL
⊕	LIGUSTRUM JAPONICUM (JAPANESE PRIVET)	-	5 GAL
⊕	XTLOSIA CONGESTUM (XTLOSIA)	-	15 GAL
<b>GROUNDCOVERS</b>			
⊙	PORTULACARIA AFRA (ELEPHANT'S FOOT)	-	1 GAL
⊙	CARESSA MACROCARPA (NATAL PLUM NANA?)	-	1 GAL
⊕	CALLISTEMON VITINALIS (DWARF BOTTLEBRUSH)	-	1 GAL
⊕	LANTANA CAMARA 'DALLAS RED'	-	1 GAL
⊕	TRACHELOSPERMUM ASIATICUM (ASIAN JASMINE)	-	1 GAL
⊕	WEDELIA TRILOBATA (YELLOW DOT)	-	1 GAL
<b>ACCENT PLANTS</b>			
⊕	FICUS FUMILA (FIG VINE)	-	15 GAL
⊕	MACRADYTEA UNGUIS-CATI (CAT'S CLAW VINE)	-	15 GAL
<b>DECOMPOSED GRANITE - ALL LANDSCAPE AREAS - SIZE AND COLOR TO MATCH EXISTING ON-SITE</b>			
▨	TURF	MIDIRON SOD (INSTALL PER MANUFACTURERS SPECIFICATIONS) - 2,316 SQ. FT.	
▨	CONCRETE HEADER	6" x 6" CONCRETE HEADER	

THIS PLAN WILL BE INSTALLED AS APPROVED. ANY DEVIATION FROM THE APPROVED PLAN REQUIRES RE-APPROVAL FROM THE COMMUNITY AND THE MASTER ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION.

(SIGNATURE)



LANDSCAPE PLAN  
 TYPICAL RESIDENCE  
 COMMUNITY NAME - STREET NAME  
 SCOTTSDALE, ARIZONA

JOB NO.  
 DATE:  
 DRAIN BY:  
 CHECKED BY:  
 REVISIONS:  
 SHEET NO. 1 OF 1

TYPICAL RESIDENCE  
 PLAN



# SECTION 4

## DESIGN GUIDELINES AND STANDARDS FOR THE ESTATES

### A. ARCHITECTURAL CHARACTER

1. Residences will relate to one another in their use of building elements and materials, colors form and scale.
2. All facades visible from the golf course will be designed as primary facades.
3. Landscaping, including planters and walls, are considered to be an integral part of the overall architectural expression.
4. All free standing shade structures, along with other architectural elements, must be approved by the Architectural Committee for color, design and location.
5. Rear yards must be compatible with the golf course environment, and highly contrasting elements such as brightly colored umbrellas and banners, tile, graphics, sculpture, lighting, recreational equipment and chimneys generally will not be allowed.

### B. WALLS AND FENCES

1. Property, building and garden walls must be stucco or an alternate approved by the Architectural Committee.
2. Open fences, gates, railings, etc. must be approved for pattern and design, including height, location, finishes and color.
3. Non-golf course lots – Walls, unless otherwise approved, will be solid masonry with dashed finish stucco to match Gainey Ranch project walls. Side Yard (property line) walls between the 20' front yard and the rear property line shall not exceed 7' 4" and must be a minimum of 6' 8" as measured from the finished grade, as determined by the Architectural Committee. Rear Yard property line wall shall be a minimum of 6' 8" and shall not exceed 7' 4". (See Exhibits A, B, C)

Golf course lots – Walls, unless otherwise approved will be solid masonry walls with dashed finish stucco to match Gainey Ranch project walls. Side Yard (property line) walls between the 20' front yard and 25' from the rear property line shall not exceed 7'4" and must be a minimum of 6' 8" as measured from the finish grade, as determined by the Architectural Committee. Walls within 25' of the rear property line will conform to the standard wall design, Exhibit A. The rear yard wall will be 2' in height and heights above 2', not to exceed 4' 6", or such height required by city codes, must consist of the standard Gainey Ranch square tubular metal fence detail.

4. Front yard walls – Walls in the front yard will be considered on a site-by-site basis and require specific approval from the Architectural Committee.

5. All walls shall reflect a consistent overall theme with regard to materials, colors and configuration compatible with the design of the residence and concept for The Estates.

C. LANDSCAPE REQUIREMENTS

1. The intent of this guideline is to provide a “screening” layer of trees to “veil” and soften differing architectural facades while providing a continuously cohesive design statement among The Estates. Landscaping adjacent to the street shall be in accordance with the overall, established landscape theme of The Estates. The streetscape shall consist of a continuous ground plane of turf and/or shrubs. Each lot frontage shall include (at the time of planting) a minimum of two mature 36” box trees or one mature 36” box tree per 40’, or portion thereof, where lot width exceeds 80’, in accordance with the overall Estates street landscape theme.

D. DRAINAGE

1. Drainage from lots, including all landscape overflows, pool or spa backwashing and any other nuisance drainage, shall be discharged into existing systems by a manner approved in writing by the Architectural Committee. Owner shall be responsible for any damage to, or increased maintenance cost incurred by, the damaged properties, including floods, erosion and siltation and nuisance flows, caused by uncontrolled runoff, etc. from the lots.

2. Lots were pre-engineered for proper drainage by the Developer. It is the responsibility of the homeowner to maintain the drainage as designed.

E. LIGHTING

1. All landscape lighting is to be indirect. All light sources are to be concealed and directed away from neighboring views.

2. Architectural lighting and lighting of all pool areas, patios or other areas must be reviewed and approved by the Architectural Committee. Light levels must be directed away from neighboring homes and adjacent golf course, and approval, if granted is on a specific use and time basis.

3. Outdoor security lighting is defined as a light that is activated by motion in the area covered by the beam and only stays on for a brief prescribed amount of time.

a. Security lighting must be reviewed and approved by the Architectural Committee prior to installation.

b. Fixtures must have a light shield and light levels must be directed away from neighboring properties.

c. The fixtures must be mounted on the wall of the residence or ground mounted. Roof mounted lights will not be approved.

F. CONSTRUCTION

Refer to Section V, Gainey Ranch Construction Policies.

G. EXTERIOR ACCESSORIES

1. Amplifiers - No radio, stereo, television, personal music device, broadcasting or loudspeaker unit, and no amplifier of any kind may be placed upon or outside of, or be directed to the outside of any building without prior written approval from the Architectural Committee.

2. Basketball Backboards - No basketball backboards shall be allowed.

3. Flagpoles

a. Flags and flagpoles are permitted. However, the size and placement of the flagpole will need to be approved by the Estates Architectural Committee and the MAC prior to installation.

b. Flagpoles shall be an appropriate height and painted a dark bronze color approved by the Architectural Committee.

c. Only the United States and State of Arizona flags may be displayed and such flags shall be of reasonable size, as determined by the Architectural Committee.

d. Flags shall be an appropriate size based on the height of the flagpole.

e. All displays of the American or State of Arizona flag must be in a manner consistent with the Federal Flag Code.

f. Lighting, if any, shall be directed away from neighboring views and the light source must be concealed.

4. Statues, Fountains, Artificial Plants or Similar Structures

No statues, sculptures, artificial plants or other decorative items may be placed at the front of, or adjacent to, garage doors or in any of the front yard landscaping, unless submitted and approved by the Estates Architectural Committee and the MAC (Master Architectural Committee). Each submittal will be reviewed on a case-by-case basis.

5. Decorative Pots - Must conform to the architecture of the home. Only living plant material is allowed in the pots and is to be maintained year round by the homeowner.

6. Accessories - No accessories shall be installed or placed on top of any front courtyard walls. Accessories include, but are not limited to: pots, plants, candles, statues, sculptures or other decorative items.

7. Artificial Plants or Metal Plants/Cactus - are not permitted as a design element facing or visible by common or golf course areas. The exception is artificial grass which is allowed but must be the "approved grass" for the Estates.

8. Holiday Decorations - cannot be set up before November 15th and must be removed no later than January 8th. Holiday lighting must be non-blinking/non-twinkling **white** lights only. This applies to front yards and back yards visible from the golf course or by homes across from you on the golf course.

9. Additional Accessories - If there are any other accessories you would like to place at the front of your home, these must be submitted to the Estates Architectural Committee and will be approved on a case-by-case basis.

10. Utility and Service Lines - No gas, electric, power, telephone, water, sewer, cable television or other utility or service lines of any nature or kind may be placed, allowed or maintained upon or above the ground on any lot except to the extent, if any, that underground placement may be prohibited by law or would prevent the subject line from being functional. However, above ground service pedestals, splice boxes, switch cabinets and transformers will be permitted where required for public utilities.

11. Tennis/Sport Courts - No tennis/sport courts will be allowed anywhere in The Estates.

12. Swimming Pools, Spas, Hot Tubs And Similar Structures

a. No swimming pool, spa, hot tub or similar structure hereinafter collectively deferred to as pool, may be constructed without the prior written approval of the Architectural Committee.

b. Water discharged from pools must be accomplished by a filter system that does not allow the water to leave the lot.

c. In the event that the pool must be drained, arrangements should be made with the City of Scottsdale for drainage through the City sewer system.

d. No grade change, which adversely affects drainage, will be permitted.

e. Pool mechanical equipment will be screened and will not be visible from neighboring property. Pool motor equipment located less than ten feet from a neighboring home shall have a noise isolation device(s) installed.

f. Pool decking shall not exceed 12" above the original delivered pad grade.

g. Lighting must be reviewed and approved by the Architectural Committee prior to installation. Light levels must be directed away from neighboring property.

h. All plans must meet City of Scottsdale design criteria and code requirements prior to approval by the Architectural Committee.

13. Sun Control - Glass may be clear or tinted. Tinted glass requires special approval. Reflective glass will not be approved.

14. Mechanical Equipment

a. No mechanical equipment will be openly visible. The Architectural Committee must approve all solar energy devices visible from neighboring property or public view; subject to applicable laws.

b. All vent pipe stacks protruding above the plane of the roof must be screened and/or painted to match the roof.

c. Ground-mounted air conditioning units shall be concealed by a sound enclosure on all sides visible to the public and/or neighboring views. Locations and screens need to be approved by the Architectural Committee.

15. Additions or Alterations - Any additions or alterations to any Property, building, structure, lot or parcel must be approved in writing by the Architectural Committee prior to commencement of any construction or alteration. Any repainting or redecoration of exterior surfaces will also require submission of color scheme to the Architectural Committee for approval prior to application.

16. Compliance with the City of Scottsdale Code - All buildings and structures constructed in The Estates, and the use and appearance of land within The Estates, shall comply with all applicable City of Scottsdale Code requirements.

EXHIBIT A

SIDE YARD WALL DESIGN  
(GOLF COURSE LOTS)

REAL LOT/GOLF COURSE  
(PROPERTY LINE)

25'-0" (REAR YARD SETBACK)

SOLID MASONRY WALL WITH WHITE DASH  
FINISH STUCCO

10'-0"

7'-4"

2'-0"

(6'-8" MIN.  
ABOVE GRADE)

7'-4"

(6'-8" MAX.  
ABOVE GRADE)

(VARIABLES)

(VARIABLES)  
2'-0" 2'-6" 4'-6"

DISTANCE  
VARIES

METAL FENCE DETAIL

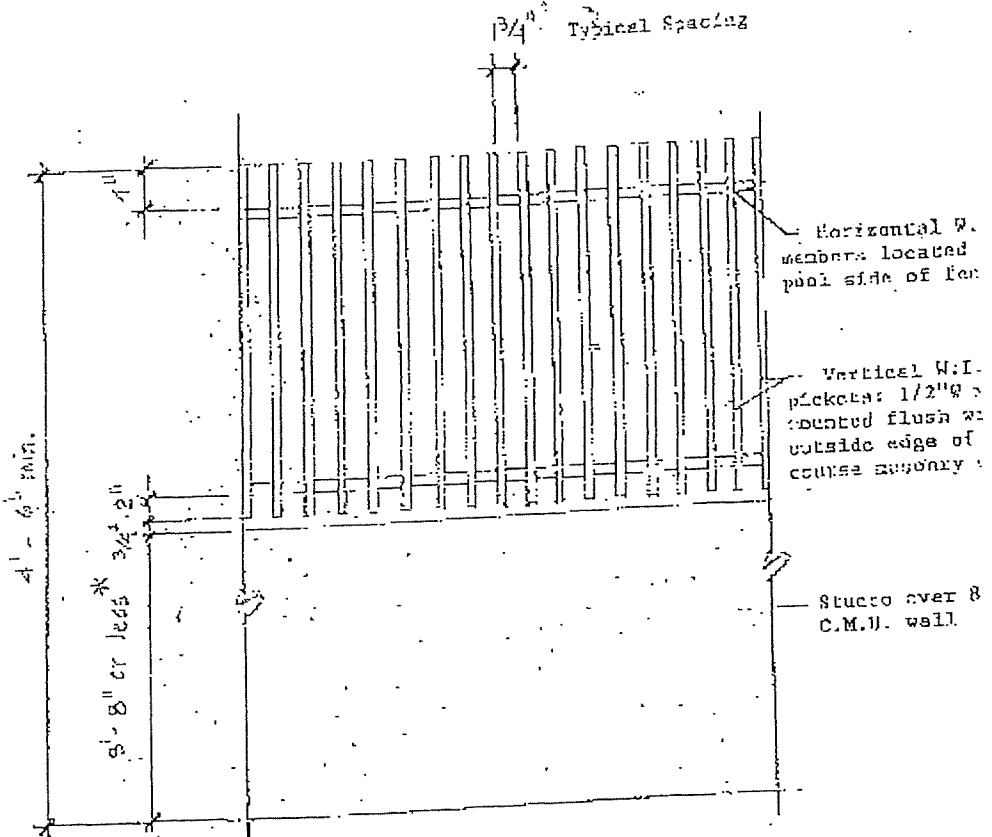
Rectangular pickets 1/2" x 1" with a maximum 2/4" spacing between pickets. For pool enclosure, locate fence flush with outside face of masonry wall. Where no pool is installed, locate fence flush with inside face of masonry wall. Provide end caps. Plate for bolts will be necessary in stucco. Standard color per Markland Properties is Frasee #3395A "Delta"

Revised 8/27/92

EXHIBIT B

REAR YARD WALL DESIGN  
(FOR GOLF COURSE LOTS WITH POOLS)

Note: This is the requirement for pools constructed prior to July 15, 1992.  
See Exhibit C in the General Guidelines for the current standards.



GAINNEY RANCH  
WALL DESIGN  
(FOR GOLF COURSE LOTS WITH POOLS)

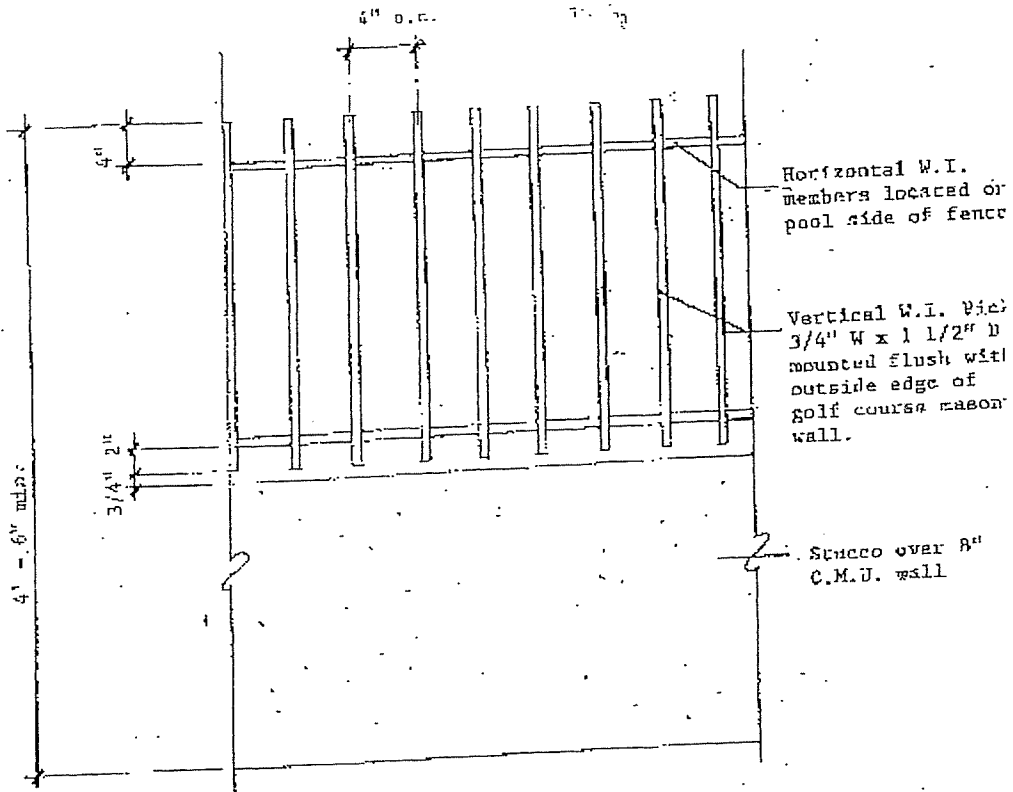
\* (Where masonry portion measures 45" or greater above grade, standard Gainey Ranch W.I. design may be used. See Exhibit C)

Note: All dimensions taken on golf course side of wall.  
Standard color per Markland Properties is Frazee #5395A "Delta"

6/27/92

EXHIBIT C

REAR YARD WALL DESIGN  
(FOR GOLF COURSE LOTS WITHOUT POOLS)



GAINEX RANCH  
WALL DESIGN  
(STANDARD)

NOTE: All dimensions taken on golf course side of wall.  
Standard color per Markland Properties is Frazee #5395A "Delta"

8/27/92



## **Section 4 - H**

### **Exterior Paint Colors**

Amendment to Architectural Guidelines  
Effective October 25, 2012

The Estates desires to secure its stated objective of maintaining a custom home community with a varied exterior color palette. As provided for in The Estates at Gainey Ranch Architectural Rules, all requests for changes to existing exterior colors on homes, walls, hardscape, etc., must be submitted to The Estates Architectural Committee for approval. To assist the homeowner in this process the following guidelines are provided:

1. No existing exterior house color in The Estates may be repeated.
2. A "List of Exterior House Colors in The Estates" is maintained in the GRCA Administrative Offices. Contact the Architectural Coordinator at 480-951-0321 for a copy of the list. Any color included on the list may not be repeated on another home in The Estates community.
3. An existing house color may be materially modified by adjusting its color value and submitting it to the Architectural Committee for review. Please note that such modification does not assure that the Architectural Committee will approve the color.
4. Homeowners that desire to repaint their home using the existing color of the home may submit a request directly to the GRCA Architectural Coordinator and request "Staff Approval" of the request.
5. Changes in colors of other exterior structures or hardscape elements; such as walls, sidewalks, driveways, cabanas, barbecue enclosures, etc. must also be submitted to the Architectural Committee for approval. Each request will be considered on its individual merits.
6. Colors should fall within the LRV (light reflective value) range of 20 to 50.

# SECTION 5

## GAINEY RANCH CONSTRUCTION POLICIES

### ARTICLE I

#### A. INTRODUCTION

Gainey Ranch was planned and created as one of the most sophisticated and prestigious master planned communities in the United States. The residents and guests of Gainey Ranch should receive privacy, security, quality construction and a superior living environment. Every aspect of the development of Gainey Ranch requires unusually high standards of design, safety, maintenance, appearance and construction. The Gainey Ranch Community Association is committed to maintaining these high standards and the overall quality of life planned for Gainey Ranch and the established Construction Policies shall apply to all persons and firms engaged in or responsible for construction or development on Gainey Ranch.

The term "contractor" is used herein to refer to all such persons and firms engaged in or responsible for construction on Gainey Ranch, including all property owners, developers, and/or general contractors responsible for construction activities. Such contractors shall be responsible for compliance with these policies by all persons and firms employed or otherwise permitted access to Gainey Ranch by such contractors, including all employees, agents, subcontractors, material suppliers, guests, etc. Gainey Ranch Community Association (GRCA) may monitor all construction activities for compliance with these policies and reserves the right to pass judgment upon compliance by such contractors and to enforce, amend or temporarily waive any or all policies at any time. Violations of these policies will be reported to the responsible contractor who shall take immediate action to correct the violation. If corrective action is not taken by the responsible contractor, GRCA shall have the right to suspend the work or any portion hereof; to evict the contractor and/or offending party for such time as GRCA shall deem appropriate; and/or to permanently refuse access to the contractor and/or offending party.

These policies shall be attached to and shall become a condition of all contracts, subcontracts and orders for construction activities on Gainey Ranch.

#### B. CONSTRUCTION SITE

1. The construction site shall be maintained in a safe, clean, orderly and dust-free condition at all times. All trash, debris, mud, refuse and other undesirable material shall be collected daily, placed in suitable containers and removed from the site weekly. No containers, dumpsters, storage units, office trailers, and / or port-a-johns, etc., shall be located on any site, driveway, street or any location in Gainey Ranch without the written approval of the GRCA. Written approval shall include the location and time limits for the item's removal. No debris shall exceed the height of the container so as to be unsightly or unsafe and all containers shall be covered at the end of the workday so as to prevent the blowing of debris out of the container. All temporary structures shall be promptly removed from the site upon completion of construction.
2. All residents, guests and properties including the golf course, all streets, landscaping, etc., shall be protected at all times from construction activities including blowing or falling materials, debris and trash, safety hazards, interruptions and other nuisances caused by construction activities. Any mud or dirt tracked onto streets shall be cleaned off daily.

3. Except when actually required for use in construction, all materials, tools, supplies, equipment, vehicles, etc., shall be kept in a storage yard or parking facility approved by GRCA. All storage yard sites shall be fenced and screened in an approved manner and all materials shall be neatly stacked.
4. Construction trailers may be utilized for field offices or for storage if approved by GRCA. Approval of the location, size, color, graphics, services, parking, etc., for all trailers must be obtained from GRCA prior to installation. Driveways and parking facilities for construction personnel and deliveries shall also be approved by GRCA prior to installation or utilization.
5. Construction signs shall be restricted to those signs necessary to identify the contractor's office or storage/delivery site. All signs shall be approved in advance by GRCA as to size, location and design.
6. The contractor shall provide drinking water and sanitary facilities for all construction personnel. Use of golf course facilities is strictly forbidden. Golf course irrigation water is treated effluent and is therefore not suitable for human consumption.
7. The contractor shall install a temporary electrical pedestal service to be used for all construction activity. Exceptions must be approved in advance by GRCA.
8. Contractor shall coordinate and schedule all construction activities so as to minimize all interference, interruption and nuisance to residents and guests of Gainey Ranch. Construction hours shall be limited to Monday through Friday, except holidays, from 6:30 a.m. until 5:00 p.m. These hours may be amended as appropriate during summer months.

#### **D. RESTRICTION TO JOB SITE**

1. Construction access to Gainey Ranch is restricted to construction personnel and vehicles, including deliveries, duly authorized by GRCA, or other property owners of Gainey Ranch. To gain access to Gainey Ranch, all vehicles including but not limited to contractors and subcontractors must be on the security acceptance list. Failure to provide security with such proof of authorization will result in denial of access to the site or eviction from the site as appropriate. The contractor shall be responsible for damages, accidents, injuries, etc., caused by or resulting from the actions and/or negligence of any person or entities permitted access to Gainey Ranch, including those whose services or work have been terminated by contractor for any reason.
2. Access shall be restricted to the service gate, which is located on the south side of Mountain View Road, (just east of Scottsdale Road). The service gate is generally open from 6:30 a.m. to 2:30 p.m. Monday through Friday and is closed on Saturday, Sunday and holidays. During winter and summer months these hours may be amended as appropriate.
3. Authorized access shall be limited to the specific work site for which access was deemed necessary, during work hours only. Access to the golf course or to other parcels or common areas and facilities is prohibited at any time.
4. Contractors are to proceed directly to the job site and are not to loiter within Gainey Ranch. Refrain from speeding or driving recklessly or carelessly. Violations shall be reason for immediate eviction from Gainey Ranch.

## **E. CONDUCT OF CONSTRUCTION WORKERS**

1. All construction personnel shall maintain their appearance and conduct in an appropriate manner as determined by GRCA.
2. Workers are restricted to their respective job site while on Gainey Ranch, including lunch breaks, rest periods and other non-productive times. The golf course and other common amenities and facilities are off-limits at all times.
4. Workers shall not interfere with nor create a nuisance for any residents or guests of Gainey Ranch or their use and enjoyment of the facilities and amenities provided on Gainey Ranch, including but not limited to the use and enjoyment of the golf course. Artificial noisemakers such as radios, tape players, speakers, horns, fireworks, etc., are prohibited and are subject to confiscation by the Gainey Ranch security force and violators will be subject to eviction from the site and loss of future access to Gainey Ranch.
5. Absolutely no pets, children, alcoholic beverages, non-prescribed drugs, firearms or other weapons are permitted on any construction site on Gainey Ranch at any time. Violators will be subject to permanent eviction from the project and possible legal prosecution.

## **E. ACCIDENTS AND PROPERTY DAMAGE**

Accidents or other events resulting in personal injury or damage to any property, landscaping or other improvements owned by the Gainey Ranch Community Association, the Gainey Ranch Golf Course or others resulting from construction activities of the contractor shall be immediately reported to Gainey Ranch Security at 948-9378. If the contractor responsible for such damage fails to repair or replace any such damage as directed within the time specified by GRCA or Security, then GRCA may repair or may hire outside contractors or agents to repair the damage. Upon request, the cost of such repair plus GRCA's administrative cost (35%) shall be immediately payable to GRCA by the responsible party together with interest at the rate of 18% on all such cost until paid in full.

## **WEEKDAY, WEEKEND & HOLIDAY CONSTRUCTION HOURS**

### **1. Monday through Friday**

Construction hours shall be limited to 6:30 a.m. until 5:00 p.m. during the months of May through October. During the months of November through April they shall be limited to 7:00 a.m. to 5:00 p.m.

### **2. Saturday 8:00 a.m. until 4:00 p.m.**

No heavy construction or activities generating loud noise will be allowed on Saturday. Contractors desiring to work on Saturday must make the arrangements with Ed Gallo, of Gainey Ranch Security by 2:30 p.m. on the preceding Friday. Ed may be reached at his office, phone 480-596-0125 or at the West Security Plaza, phone 480-948-9378.

Construction traffic desiring to enter the large portion of Gainey Ranch must use the East or West Security Gates since the Mountain View Road (North Gate) construction entrance is closed on Saturday.

### 3. **Sunday and Holidays**

No construction activity is allowed on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

The Mountain View Road construction entrance is closed on Sunday and the above listed holidays.

### 4. **Exceptions**

Any exceptions to this policy must be approved in advance and will be reviewed on an individual basis. To request an exception, please call the Administrator, at the Gainey Ranch Community Association Office, phone (480) 951-0321.

## SECTION 5

### ARTICLE II

#### GAINEY RANCH CONSTRUCTION PROCEDURES

All Gainey Ranch residential construction activities (interior or exterior) shall be preceded by a pre-construction meeting with GRCA Maintenance management to review and/or obtain a copy of the Gainey Ranch Construction Policies. (Refer to EXHIBIT F for Pre-Construction Meeting form)

Prior to construction, the GRCA may take photos of the sidewalks, driveway and adjacent planters. Upon completion of construction, GRCA shall inspect the site to determine if there was any construction damage to the site.

The contractor shall be responsible for promptly repairing any damage or causing the repairs to be made by others at the contractor's expense. If the contractor fails to make the repairs or reimburse GRCA for making such repairs, the homeowner shall be financially responsible for such construction damage.

The GRCA should issue a letter to the homeowner upon completion of the pre-construction meeting to inform the owner of their ultimate liability for any common area construction damage, and to remind the homeowner to inspect the site prior to making final payment to the contractor.

Upon observation of any interior or exterior construction activity by a Gainey Ranch patrol officer, the officer shall confirm with the construction superintendent that a copy of the Construction Policies was received along with the contractor's attendance at a pre-construction meeting. Whenever a security officer determines that either the Construction Policies were not received or a pre-construction meeting was not attended by the contractor, an Incident Report shall be prepared and copies issued to the Maintenance Department and Master Architectural Committee Coordinator for the appropriate follow-up.

**SECTION 5**

**ARTICLE II  
EXHIBIT F**

**PRE-CONSTRUCTION MEETING**

<b>LOCATION OF PROPERTY:</b>	Satellite Name: _____	Lot No.
	_____	
	Bldg. Permit # _____	Date:
	_____	
	Construction Start Date: _____	
<b>CONTRACTOR:</b>	Estimated Completion Date: _____	
	Firm Name: _____	
	Contact: _____	
	Address: _____	
	License #: _____	
	Telephone: _____	
	Emergency Phone: _____	
<b>OWNER:</b>	Name: _____	
	_____	

## CHECKLIST OF ITEMS TO DISCUSS / COMMENTS

1. Identify key personnel and roles: GRCA, GRGC  
Architectural Review: Approval received? [ ] Yes [ ] No
2. Provide Gainey Ranch Construction Policies, including amendments and discuss:
  - a. Cleanup
  - b. Workman
3. Provide Home Alarm Installation Specifications – (Radionics Systems only)  
***Required by all contractors \_\_\_\_\_ initials***
4. Provide Cox Communications Pre-wire and Conduit letters.
5. **Access to Site:**
  - a. Elite Telephone Entry – explain system
  - b. Employees, Subs, Suppliers  
List provided to Security? [ ] Yes [ ] No
  - c. Gate/Construction hours
6. **Temporary Facilities:**
  - a. Trailer and Signage
  - b. Storage Yard
  - c. Parking
  - d. Water and Sanitary
  - e. Trash Containment
  - f. Port-A-John
7. Irrigation – On lots where there is existing turf between curb and sidewalk, install two (2) 4" sleeves under driveway(s). Coordinate irrigation shut-off and re-location with G.R.C.A. Maintenance.
8. Contractor is responsible for damage to existing improvements. Contractor hereby agrees the site is in satisfactory condition unless he notifies GRCA. in writing three (3) days of the date of Pre-construction Meeting.
9. Contractor hereby acknowledges receipt of the Gainey Ranch Construction Policies and any applicable amendments and agrees that these policies will be adhered to in their entirety.
10. Contractor must receive written permission from a lot owner(s) if use of a lot not owned by the contractor or its clients is necessary for staging, parking or any other purpose during construction. Final approval for use of any lot regardless of ownership will be contingent upon the Master Association receiving a copy of the written permission.



Meeting attended by the following representative(s) of Owner, Contractor, Gainey Ranch Community Association and Gainey Ranch Security.

\_\_\_\_\_  
(Name) Owner/Contractor

\_\_\_\_\_  
(Name) Owner/Contractor

\_\_\_\_\_  
Scott Williams – GRCA. Maintenance

\_\_\_\_\_  
Rick Humbert – Construction Coordinator

\_\_\_\_\_  
Ed Gallo – Gainey Ranch Security

Distribution: Owner/Contractor  
Scott Williams, GRCA Maintenance  
Rick Humbert, GRCA Maintenance  
Ed Gallo, GRCA Security  
Diane Brunsfeld, Architectural Coordinator



## GAINEY RANCH SECURITY - OPERATIONAL PROCEDURES MANUAL

### CONSTRUCTION

#### 500.01 Construction Patrol

A construction patrol is very similar to a residential patrol. However, the major focus is to determine if construction activity is in compliance with the established rules. The goal of construction patrols is to gain compliance from the construction sites. By providing a visible and frequent presence in the area, most issues are mitigated. Should a problem be discovered by the officer, they should advise the contractor of the issue and may issue a violation to the site.

The construction violation procedure is as follows:

1. A construction violation is visibly noted by Gainey Ranch Security.
2. An incident report is completed, correctly and in full.
3. The report is turned in, with photos if applicable.

**NOTE:** Compliance, not fines, is the number one goal of construction enforcement. Do not drive by a site, take a picture, and leave. All construction site supervisors have contact numbers in the computer database. Call them and let them know of the problem. A majority of compliance issues may be resolved this way. If the sites are not receptive to your calls, please issue an incident report. On the other hand, if a site is a repeat violator and does not make the effort to address previous violations, an incident report must be completed.

#### 500.02 Construction Access

Contractors and construction vehicles have specific times during when they may enter Gainey Ranch:

**Winter Hours:** 6:30 am through 5 pm Monday through Saturday. They are not allowed access to Gainey Ranch on Sundays or Holidays, with the exception of *emergency only*.

**October 2 – May 31**

**Summer Hours:** 6:00 am through 5 pm Monday through Saturday. They are not allowed access to Gainey Ranch on Sundays or Holidays, with the exception of *emergency only*.

**June 1 - October 1**

#### 500.03 Construction Personnel

Contractors and subcontractors desiring to enter Gainey Ranch through a remote gate (i.e. Vaquero Drive, North Meadow, North Meadow II, Arroyo Vista, 7400 Gainey Club Drive and 8989 Gainey Center Drive) should be treated the same as SERVICE PERSONNEL (see hours above) if going to an existing residence.

During construction or renovation of a residence, construction personnel may request access through a remote gate by calling the Security Plaza on the telephone entry system. It is expected that a list of the subcontractors will be submitted by the general contractor to comprise the Request Log or Authorized List during the construction process.



## GAINEY RANCH SECURITY - OPERATIONAL PROCEDURES MANUAL

### CONSTRUCTION

Access must be denied unless the contractor is listed on the Request Log or Authorized List or the owner/general contractor can be contacted to authorize entry. No construction personnel involved in construction of a new residence may be allowed to access through the East Vaquero Drive entry gates.

No Saturday construction activity is allowed except for contractors approved in advance by Security management. To protect the peace and quiet of Gainey Ranch residents, no construction activity is allowed on Sundays and the following holidays: New Years Day, Memorial Day, Independence Day (July 4<sup>th</sup>), Labor Day, Thanksgiving and Christmas. **An EXCEPTION is a resident's emergency situation in addition to the regular emergency vehicles.** The emergency must be verified with the resident prior to Gainey Ranch granting access.

#### **500.04**      **Contractor's Ground Excavation**

The **CONTRACTOR'S "DIG" INFORMATION FORM (APPENDIX 27)** must be completed prior to allowing Gainey Ranch entrance to any contractors intending to excavate anywhere on Gainey Ranch on behalf of any utility company. The completed form should be immediately delivered to the Maintenance Facility for the appropriate monitoring action and any required follow-through. When access is granted, be sure to log activity on your Gate House Vehicle Log.

#### **500.05**      **Construction Hours**

##### **1. Monday through Friday**

Construction activity hours are **6:30 a.m. to 5:00 p.m.** Hours may be adjusted during winter months. Parking rules for contractors and subcontractors shall be as follows:

- All vehicles need to park on one side of the street and in overflow parking.
- Vehicles cannot obstruct access to a street, sidewalk or garage.
- Damage to street by vehicle fluids or construction debris needs immediate attention and removal.

##### **After 5:00 p.m. all contractors shall:**

- Store all equipment and containers out of view and remove all exterior construction debris; clean exterior of property if needed.
- Remove trailers from driveway or street; store inside garage or remove from site until the next day.
- Schedule dumpster for pick-up if full.



## GAINNEY RANCH SECURITY - OPERATIONAL PROCEDURES MANUAL

### CONSTRUCTION

#### 2. Saturday

Hours are **8:00 a.m. to 4:00 p.m.** No heavy construction or activities generating loud noise are allowed. Contractors with special requests must make arrangements with Security Captain no later than 2:00 p.m. on the preceding Friday. Security Captain may be reached at his office at 480-596-0125 or at the West Security Plaza at 480-948-9378.

Construction traffic desiring to enter the large portion of Gainey Ranch must use the East or West Security Plazas since the North Plaza is closed on Saturday.

#### 3. Sundays and Holidays

**No construction activity is allowed on Sundays or the following holidays:** New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

Any exceptions to this policy must be approved in advance and will be reviewed on an individual basis. To request an exception, please contact Security Captain (480-596-0125) or the Executive Director (480-951-0321).

## **Section 5 - D**

### **SUPPLEMENTAL RULES FOR CONTRACTORS OPERATING WITHIN THE ESTATES**

The Estates community appreciates the complexities encountered in remodeling a custom home in our area. The purpose of this list of rules is to make contractors aware of a set of construction rules designed to create a positive work experience for the contractor and the surrounding homeowners to the work site.

Infractions of these rules will be reported to the GRCA Security staff for enforcement. Contractors should also be aware that the CC&R's and Architectural Rules for The Estates provides for the suspension and/or barring of contractors who fail to observe the rules of the GRCA or The Estates.

We trust that adherence to these rules will create an atmosphere of cooperation and harmony while the work is being completed.

1. Parking of construction vehicles or personal transportation vehicles must not interfere with resident access to their homes or impede the owner from easily leaving their property. Vehicle parking must not interfere with access to trash barrels placed at the curb for collection.
2. Boom-boxes or music played out of contractor vehicles is prohibited.
3. Daily cleanup of the street is required and includes loose dirt, mud, building materials; particularly nails and screws; as well as daily cleanup of the construction site and policing of adjacent property to remove any construction debris and food and drink containers.
4. Property owners adjacent to the construction site must be protected from flying stucco, paint, and plastic sprays used in the construction process.
5. Dumpsters must be placed upon the driveway of the property under construction and must be emptied on a regular basis. The dumpsters should be covered at the end of the work day to prevent debris from blowing out of the container.
6. Sub-contractors must be informed of these Rules and supervised by the general contractor.