

SECTION 4

ARTICLE I

GAINEY RANCH MASTER ARCHITECTURAL COMMITTEE

DESIGN GUIDELINES AND STANDARDS

A. ARCHITECTURAL CHARACTER

1. Residences on Gainey Ranch shall utilize the style, character and quality standards employed in the existing overall architectural and landscape themes while realizing that it would be prudent for the community to incorporate new design concepts to update the ranch as approved by the Master Architectural Committee. Gainey Ranch shall maintain a lush oasis character for resort living. Changes in style, architectural details, elaborations or articulations must be executed in a orderly and planned process to insure that no one property stands out of place within the community. The objective is to enhance real estate values and uphold Gainey Ranch as one of the most desirable communities in Scottsdale.
2. Residences will relate to one another in their use of building elements and materials, colors, forms and scale, creating a cohesive community. Low-scale patio walls with a stucco finish will be a common residential element, serving as a transition from landscape to building, from public to private, from arid vegetation to lush plantings. Building walls will also have stucco finish and all stucco will be painted an approved color consistent with color selections specifically approved for each satellite. The MAC from time to time may assign specific colors to designated community walls ("Gainey Walls") that identify Gainey Ranch to the outside communities and to specify colors to certain exterior satellite walls and fencing where the color scheme must coordinate with "Gainey Walls"; golf course walls or adjoining satellite community walls. The use of other wall material will require special approval by the Master Architectural Committee. Roofs will be concealed behind parapets or will be tiled with flat architectural concrete tile or approved material. Color and type of tile will be compatible with existing residences on Gainey Ranch.
3. While the shape of the buildings, including the shape and size of windows, doors, chimneys and other features have been designed to create an harmonious look and designed not to attract attention by being unusual or dramatically "different" in form or scale, nothing herein shall discourage any satellite community or homeowner from submitting to the MAC updated design elements, architectural details or other ideas intended to update and enhance the appearance of the community or home subject however to the proper approvals by the MAC as described herein.
4. Two-story elevations shall be allowed over portions of the building where they, in the opinion of the Master Architectural Committee, minimize the impact on the privacy of adjacent lots, and shall be designed to present minimal visual impact as viewed from the golf course and neighboring subdivisions. There shall be no implied view corridors across adjacent lots.
5. All facades visible from the golf course or roads will be designed as primary facades.
6. Site development, such as grade changes and landscaping, including planters and walls, are considered to be an integral part of the overall architectural expression.

7. Architecture on Gainey Ranch will be designed to fit into the landscape. Building elements will be combined with plantings and topography in such a way that when the planting is mature, the continuous natural landscape will dominate.

B. ROOFS

1. Roofs may be flat, (slightly pitched) concealed with parapets, emphasizing wall planes rather than roof planes, or roofs may be gently pitched. Where pitched roofs are used they will be double pitched or hipped when they overhang walls. They may be single pitched when roofs terminate behind parapets. Where pitched roofs are visible from the street or golf course, a portion of the visible roof will be flat, concealed behind a parapet or screened with a trellis. Pitched roofs will generally have 2-in-12 to 6-in-12 slopes. Unbroken roof lines of sloping roofs shall not exceed 80 linear feet.
2. Roof material for pitched roofs will be an approved flat colored concrete tile using an approved Gainey Ranch color. The use of other roofing materials will require special approval by the Master Architectural Committee.

C. WALLS/FENCES

1. Walls provide a backdrop to emphasize and complement both new and existing landscape and topography, creating a harmonious natural setting.
2. Property, building and garden walls must be stucco or an alternate approved by the Master Architectural Committee. Colors are to be consistent with the approved satellite color scheme.
3. Side yard and rear yard masonry walls will be required on all single-family detached residences within (4) months of occupancy, but in no event later than (6) months from the date of Certificate of Occupancy. The wall shall be 8 inch concrete masonry block, stuccoed and painted on both sides an approved color and finish. The height will be in accordance with the approved subdivision specifications or otherwise approved by the Master Architectural Committee. Open fences, gates, railings, etc., must be approved by the Master Architectural Committee for pattern and design, height, location and color prior to installation.
4. Perimeter and common walls must be eight (8) inch concrete masonry block material with finish stucco to match Gainey Ranch project walls. Walls within 10' of the golf course property line generally will not be less than 2', and heights above 2', not to exceed 4.5', will require special approval by the Master Architectural Committee. Since these walls shape the fairways, their location and design will be approved on a site-specific basis.
5. Wall alignment will conform to existing golf course topography and landscape and will be offset rather than following a straight line.
6. Walls will be permitted in the front yard setback as specifically approved by the Master Architectural Committee.
7. 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 Gainey Ranch.
8. No fences or walls will be added, removed, altered or painted without the Master Architectural Committee's prior written approval.

D. GOLF COURSE FRONTAGE

1. An initial 20' landscape easement back of property will be modified upon completion of a wall that must be constructed to separate rear yards from the golf course. The parcel landscape theme must be consistent with the existing golf course theme for that specific location.
2. Walls may encroach within the required landscape easement as specifically approved by the Master Architectural Committee. Larger setbacks and mature landscaping will be required within the easement adjacent to tees and greens.
3. Where property owners wish to maintain planting outside their wall, maintenance limits must be clearly distinguished between the individual lot and the golf course by means of a landscape wall or header.
4. Each lot shall include a minimum of one (1) mature tree, 36" box or larger unless otherwise approved by the MAC. In yards where there currently exists more than one tree, no trees shall be removed without express written approval from the MAC. Trees shall be of a variety from the satellite's approved list and shall be compatible with the location selected for planting.
5. All existing plant material is to remain and shall not be damaged, modified, destroyed or relocated without prior approval of the Master Architectural Committee.
6. All costs for approved landscape removal, pruning, irrigation or installation etc., are the responsibility of the owner. Costs to modify existing golf course irrigation will also be incurred by the owner.
7. Rear yard drainage systems, which drain to the golf course, must be approved in advance in writing by the Golf Club and the Master Architectural Committee, including all necessary construction details and specifications.
8. Rear yard landscape must be reviewed, approved and installed no later than four (4) months after occupancy, but in no event later than six (6) months from the date of Certificate of Occupancy.

E. SITE DEVELOPMENT

1. All freestanding shade structures along with other architectural elements must be approved for color, design and location.
2. Site development 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. Such items may be allowed if the color and design are compatible with the site and architectural development, and specifically approved by the Master Architectural Committee.

F. LANDSCAPE REQUIREMENTS

Refer to Section 4, Article II, Landscape Requirements.

G. DRAINAGE

1. Site drainage and grading must be done in accordance with the approved drainage master plan for Gainey Ranch. The appropriate registered professionals must prepare all submittals.
2. A preliminary drainage concept shall be reviewed and approved in writing by the Master Architectural Committee prior to the preparation of final plans.
3. Provisions shall be made to prevent erosion to all slope areas, the golf course, adjacent lots and roadways prior to the preparation of final plans.
4. All nuisance water must be retained on-site or collected and directed to specific catch basin locations on the golf course as designated by the Master Architectural Committee. Drainage outlet must match the existing grade on the golf course.
5. Drainage from lots, including all landscape overflows, pool/spa backwashing and any other nuisance drainage, shall be discharged into existing systems by a manner approved in writing by the Master Architectural Committee. Such drainage shall not cause nuisance or damage from erosion, flooding, siltation, etc., on adjacent properties.
6. Lots have been pre-engineered for proper drainage. It is the responsibility of the homeowner to maintain the drainage as designed.

H. 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 Master Architectural Committee. Light levels must be directed away from neighboring parcels 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 Master 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. No conduit, wiring, or junction boxes may be exposed on the building exterior. Roof mounted lights will not be approved.
 - d) Only one standard fixture that is compatible with the existing lighting and architectural details will be approved for each Gainey Ranch community. Maximum wattage per bulb shall be 150.

I. SIGNAGE

Refer to Section 4, Articles V, VI, Permanent/Temporary Signage.

J. SECURITY

1. Refer to Section 5, Gainey Ranch Security Policy Guidelines.
2. All homes must at the time of construction and thereafter contain wiring and security devices, as described in the Gainey Ranch Residential Security Specifications and will form a part of the Gainey Ranch Security System.

K. CONSTRUCTION

Refer to Section 6, Gainey Ranch Construction Policies.

L. EXTERIOR ACCESSORIES

1. Antennas

A. Introduction

This Section sets forth the rules and restrictions governing the installation of certain types of antennas on Lots or Parcels in Gainey Ranch. As provided in Subparagraph (c)(i)(A) below, some types of antennas may be installed without the prior written approval of the Master Architectural Committee provided the antenna is installed in conformance with the rules and restrictions contained in this Subparagraph 1. However, the Master Architectural Committee recommends that an Owner desiring to install an antenna without the prior written approval of the Master Architectural Committee contact the Master Architectural Committee to discuss the manner in which the Owner intends to install the antenna so that the Owner can confirm that the Owner's intended method of installation conforms to the rules and restrictions contained in this Subparagraph 1. As provided in Subparagraph (c)(i)(A) below, if an antenna is installed without the prior written approval of the Master Architectural Committee and does not conform with the rules and restrictions contained in this Subparagraph 1, the Owner will be required to remove the antenna or take all actions necessary to bring the antenna into compliance with the requirements of this Subparagraph 1.

B. Definitions

Capitalized terms not otherwise defined in this Subparagraph 1 shall have the meanings given to such terms in the Gainey Ranch Amended and Restated Master Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements ("Master Declaration"), except that "Lot" as used herein shall not include a Condominium Unit. For purposes of this Subparagraph 1, the following terms shall have the meanings set forth below:

- (i) "Antenna" means any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna provided that it meets FCC standards for radio frequency emission. A Mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories

necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.

- (ii) "Common Area" means the Master Common Area and Satellite Common Area.
- (iii) "Condominium" means a Satellite Community, which is a horizontal property regime or a condominium.
- (iv) "Mast" means a structure to which an antenna is attached that raises the antenna height.
- (v) "Telecommunications Signal" means signals received by DBS, television broadcast, and MDS antennas.
- (vi) "Limited Common Element" means that portion of the Common Elements of a Condominium, which is allocated for the exclusive use of one or more but less than all of the Condominium Units pursuant to a Satellite Declaration.

C. **Installation Rules**

i) **Antenna Size and Type**

- a) DBS antennas that are one meter or less in diameter, MDS antennas one meter or less in diameter or diagonal measurement and antennas designed to receive television broadcast signals, regardless of size, may be installed without the prior written approval of the Master Architectural Committee provided the Antenna is installed in conformance with the rules and restrictions contained in this Subparagraph 1. Any Owner installing an Antenna pursuant to this Subparagraph 1 must give written notice of such installation to the Master Architectural Committee within seven (7) days after the installation date. The notice shall be in the form prescribed by the Master Architectural Committee, and the Owner shall provide the Master Architectural Committee with such plans and other documentation as the Master Architectural Committee may request in order to determine whether the proposed installation complies with all the requirements of this Subparagraph 1. If an Owner installs an Antenna, which does not comply with the requirements of this Subparagraph 1, the Owner shall remove the Antenna or take all action necessary to bring the Antenna into compliance with the requirements of this Subparagraph 1 within five (5) days after a demand for such action is given to the Owner by the Master Architectural Committee.
- b) Except for the antennas permitted under Subparagraph (A) of this Subparagraph b(i); no Antennas of any kind shall be installed without the prior written approval of the Master Architectural Committee.

ii) **Location**

- a) Antennas shall be installed solely on Lots or Parcels or within the Condominium Unit or on any Limited Common Element allocated to a Condominium Unit. No antenna may be placed on or encroach on the Common Area or any other Lot or Parcel, or, except as specifically provided herein, upon any common elements of a condominium.

- b) If an acceptable quality signal can be received by placing the Antenna inside a building situated on the Lot or Parcel, or inside a Condominium Unit, without unreasonable delay or unreasonable cost increase, then the Antenna must be installed inside the building or Condominium Unit.
- c) Antennas shall be located in a place on the Lot or Parcel or Limited Common Element, which is not visible from any street, the Common Area, or from other Lots or Parcels or the common elements of a Condominium if an acceptable quality signal may be received from such location. Installation of an Antenna on a Limited Common Element does not convert the Limited Common Element to individual property.
- d) If an acceptable quality signal cannot be received from any location on the Lot or Parcel or from inside a Condominium Unit or the Limited Common Elements allocated to such Condominium Unit, which is not visible from any street, Common Area, the common element of a Condominium or any other Lot or Parcel, then the antenna must be placed on the part of the Lot, Parcel or Limited Common Element from which an acceptable quality signal can be obtained and which is the least visible from streets, the Common Area, the common elements of a Condominium and other Lots and Parcels.
- e) This Subparagraph 1 does not permit installation of an Antenna on any Common Areas or the common elements of a Condominium (other than a Limited Common Element), even if an acceptable quality cannot be received from a Lot, Parcel, Condominium Unit or Limited Common Element.
- f) Antennas must not encroach upon any Common Area, the common elements of a Condominium, any other Owner's Lot or Parcel or any other Owner's Condominium Unit or Limited Common Element.

(iii) Installation

- a) Antennas shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable quality signal.
- b) All installations shall be completed so that they do not damage the Common Areas, the common elements of a Condominium or any other Lot or Parcel or Condominium Unit, or void any warranties of a Satellite Association or other Owners, or in any way impair the integrity of a building.
- c) Antennas shall be installed and secured in a manner that complies with all applicable city and state laws and regulations, and manufacturer's instructions. The Owner, prior to installation, shall provide the Master Association with a copy of any applicable governmental permit.
- d) Antennas must be secured so that they do not jeopardize the soundness or safety of any other Owner's property or the safety of any person at or near Antennas.

- e) There shall be no penetrations of exterior Limited Common Elements unless it is necessary to receive an acceptable quality signal or not doing so would unreasonably increase the cost of Antenna installation. The following devices shall be used in the installation of Antennas on Limited Common Elements unless they would prevent an acceptable quality signal or unreasonable increase the cost of Antenna installation, maintenance or use:
 - (a) Devices that permit the transmission of Telecommunication Signals through a glass pane without cutting or drilling a hole through the glass;
 - (b) Devices that permit transmission of Telecommunication Signals through a wall or door without penetrating the wall or door; or
 - (c) Existing wiring for transmitting Telecommunication Signals and cable service signals.
 - (d) If penetration of exterior Limited Common Elements is necessary, the penetration shall be properly waterproofed and sealed in accordance with applicable industry standards and building codes. The purpose of this requirement is to prevent structural damage to the building from moisture.

D. Antenna Camouflaging

- (i) Antennas or Masts may not extend above a wall or fence unless no acceptable quality signal may be received without the Antenna or Mast extending above the wall or fence.
- (ii) Antennas situated on the ground and visible from the street, Common Areas, common elements of a Condominium or from other Lots, Parcels or Condominium Units must be camouflaged by existing landscaping or fencing if an acceptable quality signal may be received from such placement. If there is no such existing landscaping or permanent screening acceptable to the Master Architectural Committee, the Master Association may require Antennas to be screened by new landscaping or screening of reasonable cost.
- (iii) Antennas, Masts, and any visible wiring must be painted to match the color of the structure to which it is attached.

E. Number of Antennas

No more than one Antenna of each Telecommunications Signal provider may be installed by any Owner.

F. Mast Installation

- (i) Mast height may be no higher than absolutely necessary to receive acceptable quality signals.
- (ii) Masts that extend 12 feet or less beyond the roofline may be installed subject to the notification process set forth in Subparagraph (f) (i) below. Masts that extend more than 12 feet above the roofline must be approved by the Master Architectural Committee before installation due to safety concerns posed by wind loads and the risk of falling Antennas and Masts. Any application for a Mast longer than 12 feet must include a detailed description of the structure and anchorage of the Antenna and the Mast, as well as an explanation of the necessity for a Mast higher than 12 feet. If the installation will pose a safety hazard to residents, then the Master Association or the applicable Satellite Association may prohibit such installation.
- (iii) Masts must be painted the appropriate color to match their surroundings.
- (iv) Masts installed on a roof shall not be installed nearer to the boundary line of a Lot or Parcel or nearer to electric power lines than the total height of the Mast and Antenna structure above the roof. The purpose of this regulation is to protect persons and property that would be damaged if the Mast were to fall during a storm or from other causes.

G. Association Maintenance of Locations Upon Which Antennas Are Installed

- (i) If an Antenna is installed on a Limited Common Element, which is maintained by the Master Association or Satellite Association, the Owner of the Condominium Unit to, which the Limited Common Element is allocated retains responsibility for maintenance, repair and replacement of the Antenna. Antennas must not be installed in a manner that will result in increased maintenance costs for the Master Association or any Satellite Association. If increased maintenance costs or damage occur, the Owner is responsible therefor.
- (ii) If repair or maintenance of a Limited Common Element requires temporary removal of an Antenna, the Master Association or the applicable Satellite Association shall provide the Owner with 10 days advance notice. The Owner shall be responsible for removing or relocating the Antennas before maintenance begins and replacing the Antennas afterward. If the Owner fails to do so, the Master Association or the applicable Satellite Association may do so at Owner's expense. Neither the Master Association nor the Satellite Association shall be liable for damages caused to antennas by their removal.

H. Installation by Tenants

Tenants may install Antennas in accordance with these rules, but are not required to obtain the owner's permission prior to installing an antenna.

I. Radio Antennas

No antenna for the transmission or reception of radio signals may be installed in such a manner as to be Visible From Neighboring Property without the prior written approval of the Master Architectural Committee.

J. Severability

If any provision of this Subparagraph 1 is ruled invalid or unenforceable, the remainder of this Section shall remain in full force and effect.

(Note: Antenna Rule revised to comply with government regulations March 1999)

2. Amplifiers

No radio, stereo, television, 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 Master Architectural Committee.

3. Basketball Backboards

- A. No basketball backboards shall be installed without the prior approval of the Master Architectural Committee.
- B. When a basketball backboard is attached to a building or structure, the backboard must be painted to match the color of the trim or roof.
- C. A basketball backboard may not be installed in a location interfering with the enjoyment of a neighboring property, as determined by the Master Architectural Committee.

4. Flagpoles and Flags

- A. No flagpoles may be installed without the prior approval of the Master Architectural Committee.
- B. Flagpoles shall be an appropriate residential height and painted a dark bronze color approved by the Master 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 Master 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.

(Note: Additional information regarding flags and flagpoles may be obtained at the Association office.)

5. Mailboxes

The location and specification of all mailboxes must be in accordance with the U.S. Postal Service requirements and approved by the Master Architectural Committee.

6. 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.

7. Tennis/Sport Courts

- A. No tennis/sport courts may be installed without prior written approval of the Master Architectural Committee.
- B. Courts may be allowed providing that their setting; visual appearance, lighting, noise generation, construction and landscaping do not detract from the enjoyment of a neighboring property, as determined by the Master Architectural Committee. Each proposed installation will be judged on an individual basis. The applicant must submit plans for review and receive approval prior to construction.
- C. The following guidelines will govern the approval of tennis and sport courts:
 - (i) Courts shall not be permitted in a front yard.
 - (ii) Courts with lighting shall be setback twenty (20) feet from all side and rear lot lines. (Measured from the tennis court fence line or base of lighting standard which ever is closest.) A maximum ten (10) feet variance may be granted under certain conditions. Such variance is based upon providing sufficient landscaping or other treatment, such as lowering the court grade, to adequately screen the court and fencing from neighboring view. The landscaping must be properly maintained to provide the intended permanent screen.
 - (iii) Perimeter side yard walls shall be solid masonry and a minimum six (6) feet in height unless written approval for a variance from the owner(s) of the adjacent lot is received.
 - (iv) Outdoor lights shall be shielded so that they do not direct light upon, nor be visible from, any adjacent property and shall not be operated between 10:00 p.m. and sunrise. Lighting for the court shall be restricted to no more than eight (8) adjacent light fixtures and posts not to exceed eighteen (18) feet in height. No other light source may be used for lighting the court. The light posts shall match the tennis court fencing in color.
 - (v) Courts shall be fenced or otherwise enclosed to reasonably prevent tennis balls from landing on adjacent property. All fencing and windscreens shall be dark green, bronze or black in color. The maximum fence height shall be ten (10) feet above the original delivered pad grade. Fencing must be reasonably screened from adjacent property view with approved landscape that blends with the particular area landscape theme. Wind- screens shall be limited to six (6) feet in height.

(vi) Shade structures and other additions to courts (stereo speakers, banners, backboards, etc.) will require separate review and approval by the Master Architectural Committee.

(a) In the event the 10:00 p.m. lights out deadline is exceeded (see IV above), a fine of \$25.00 for each half-hour or portion thereof past 10:00 p.m. shall be imposed by the Gainey Ranch Community Association for each occurrence. The fine shall be added to the Master Association's assessments against the applicable lot.

8. Swimming Pools, Spas, Hot Tubs and Similar Structures

- A. No swimming pool, spa, hot tub or similar structure hereinafter collectively referred to as pool, may be constructed without the prior written approval of the Master 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. Dirt removed from a lot for the excavation of a pool may not be dumped anywhere on the Gainey Ranch, but instead should be taken off the Ranch and deposited in areas specified for dumping.
- F. If any dirt from the excavation of a pool is relocated on the lot in the form of planting areas against common walls, or golf course walls the walls must first be waterproofed to prevent water seepage. Relocation of dirt on the lot is subject to Master Architectural Committee approval of all final grades prior to excavation.
- G. Pool mechanical equipment will be screened and will not be visible from the neighboring property.
- H. Pool decking shall not exceed 12" above the original delivered pad grade.
- I. Lighting must be reviewed and approved by the Master Architectural Committee prior to installation. Light levels must be directed away from neighboring property.
- J. All plans must meet City of Scottsdale design criteria and code requirements prior to approval by the Master Architectural Committee.
(See Exhibit C for Scottsdale swimming pool barrier requirements).

9. Utility Service

Utility service related structures (except fire hydrants) will be painted the color selected by the Master Architectural Committee.

10. Sun Control (Varies by community, see individual Satellite Association for details)

General Guidelines:

- a. Glass may be clear or tinted. Tinted glass requires special approval. Reflective glass will not be approved.
- b. Windows will be shaded by building overhangs, or devices designed to protect them from warm season sun rather than using exterior or interior reflective materials.
- c. All awnings, trellises, freestanding shade structures or other sun control devices will be approved on an individual basis and must relate to the colors, materials and finishes of the building and to the selections approved by each individual Satellite.

11. Mechanical Equipment

- a. No mechanical equipment will be openly visible. The Master Architectural Committee must approve all solar energy devices visible from neighboring property or public view.
- 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 Master Architectural Committee prior to installation.
- d. The installation of roof-mounted solar panels, water storage systems, tracker-type systems and equipment should match or be as consistent as possible to the roof color. Panels should appear to be an integral part of the roof plane. Solar units should not break the roof ridgeline and must be screened from view in a manner approved by the Master Architectural Committee. Solar panels should not be installed on any other location except roofs, unless otherwise permitted by the MAC.

12. Clothes Drying Facilities

All clothes drying facilities must be located and maintained exclusively within a fenced service yard or otherwise concealed from the view of the neighboring property.

13. Statues, Fountains or Similar Structures

No statues, fountains or similar structures may be constructed or erected without prior written approval of the Master Architectural Committee.

14. Garbage and Trash

- a. No garbage or trash may be placed on any lot except in containers meeting the specifications of the Master Architectural Committee. The placement, maintenance and appearance of all such containers shall be subject to rules and regulations of the Master Architectural Committee.

Trash and garbage containers must be concealed from view of neighboring and public properties except for late the day prior to and during collection day. Such containers must be clean, free from printed markings and in good working order.

- b. Rubbish, debris and garbage shall not be allowed to accumulate. Each owner shall be responsible for removal of rubbish, debris and garbage from the public right-of-ways adjacent to either the front or side of his lot or parcel, excluding: (1) public roadway improvements, (2) those areas maintained by the Gainey Ranch Community Association and/or the Gainey Ranch Golf Club.

15. Additions or Alterations

The Master Architectural Committee prior to commencement of any construction must approve buildings, structures, lot or parcel additions or alterations in writing. Any repainting or redecoration of exterior surfaces will also require submission of color scheme to the Master Architectural Committee for approval prior to application.

16. Compliance with the City of Scottsdale Code

(See Exhibit D for Scottsdale Development Standards)

All building and structures constructed on Gainey Ranch, and the use and appearance of land within Gainey Ranch, shall comply with all applicable City of Scottsdale Code requirements.

Code violations at condominiums could adversely affect others whenever the structure of a building is affected or a potential safety hazard exists. Therefore, when any such changes are proposed at condominiums, the Master Architectural Committee shall require a copy of a building permit or other acceptable evidence that the related governing agency has approved the proposal prior to the Committee granting its approval to the applicant.

17. Parking

- a) At least two covered off-street parking spaces in a garage must be provided for each single-family detached unit.
- b) Parking of boats campers, trailers, motor homes, recreational vehicles, buses, vans or trucks having a carrying capacity in excess of $\frac{3}{4}$ tons designed for commercial purposes is not permitted within Gainey Ranch, except with the prior written approval of the Master Architectural Committee and in areas attractively screened or concealed from view of neighboring or public property.

18. Compliance with the Fair Housing Amendments Act of 1988

All multifamily buildings and structures constructed on Gainey Ranch that meets the criteria for "covered multifamily dwellings", shall comply with all applicable Fair Housing Amendments Act requirements.

SECTION 4

ARTICLE 1

EXHIBIT C

PLANNING, BUILDING & ZONING

Swimming Pools, Hot Tubs and Spas

Effective March 1, 2005, all swimming pool plans are required to identify the location of the required swimming pool barrier fencing and the height of the fencing. This additional requirement will help alleviate problems/concerns that have occurred when fences are built after pool construction and the proposed fence location does not meet the city's setback and/or open space requirements. By notating the location and height of the fence, staff can review this information at the time they are reviewing pool construction plans. This simultaneous review will minimize the possibility of confusion/limited options related to pool fence construction.

Setbacks

The standard setback requirements for pools is 2' from the property line UNLESS the property has an easement (i.e. PUR, drainage, NAOS and a use and benefit easement), and in that case, the swimming pool, kool deck AND pool equipment cannot violate/disturb the easement.

Barriers

Scottsdale's current swimming pool barrier requirements apply to all single-family residential swimming pools, spas and hot tubs constructed after July 20, 1995. There are no exemptions for households without children.

Swimming Pools, Hot Tubs & Spas must conform to the 2003 International Building Code. The purpose of these requirements is to provide an integrated level of protection against potential swimming pool drownings through the use of physical barriers and warning devices. It is not intended as a substitute for adult supervision of children.

The current requirements for new swimming pools include a fence that separates the pool from OTHER property (commonly a perimeter fence, located on the property line) that is at least 60" (5'-0") high; and a barrier that separates the pool from the house on the SAME property, which may be a fence 48" high.

Since the requirements are not retroactive, pools constructed prior to July 15, 1992, need only comply with the 54" perimeter yard fencing and gate requirement in effect at the time. Pools constructed from July 15, 1992, until July 20, 1995, must meet the current requirements, except perimeter fence height, which was 54" (4'-6") at the time.

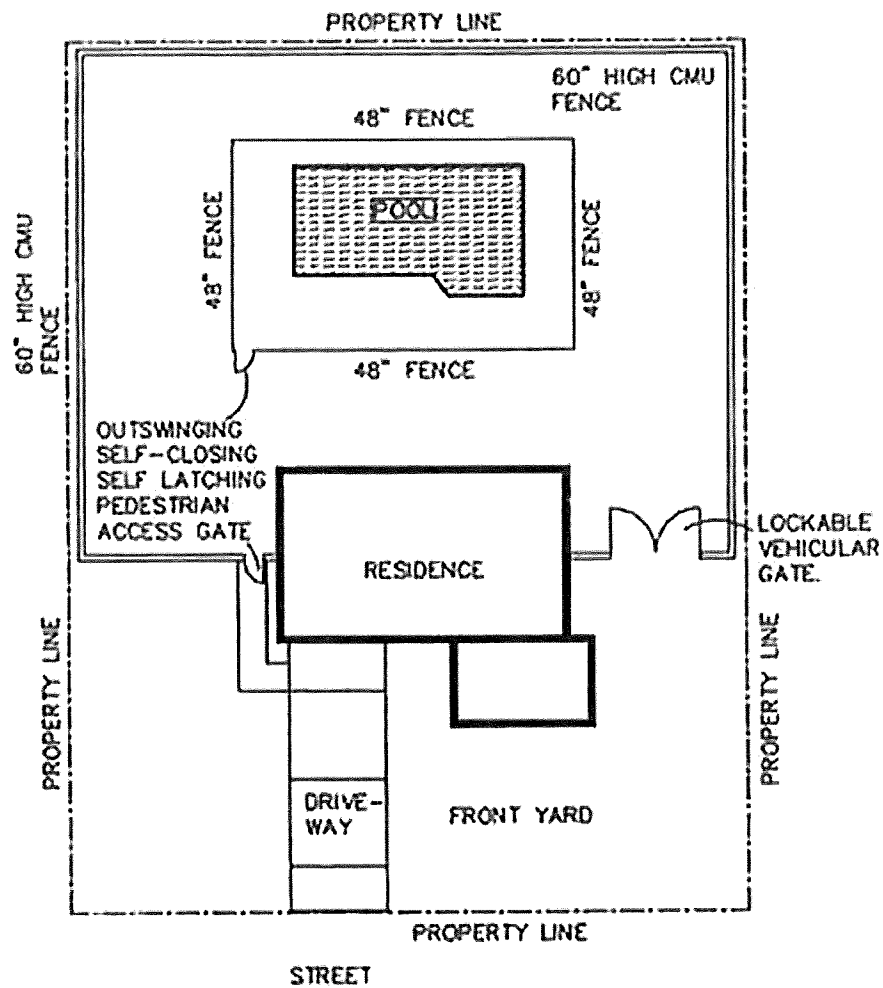
It is the responsibility of the pool builder to inform the new pool owner of the barrier requirements. It is the responsibility of the property owner or any other person in charge of a swimming pool to ensure that the required swimming pool barrier, including gates, doors, alarms, locks and / or latches are maintained in safe and good working order at all times.

These pool safety provisions are based upon nationally established standards and are designed to assist homeowners in the supervision of their pools for current or future use by children. We feel they offer reasonable opportunities for Scottsdale homeowners to provide for adequate pool safety by integrating various components of barrier protection.

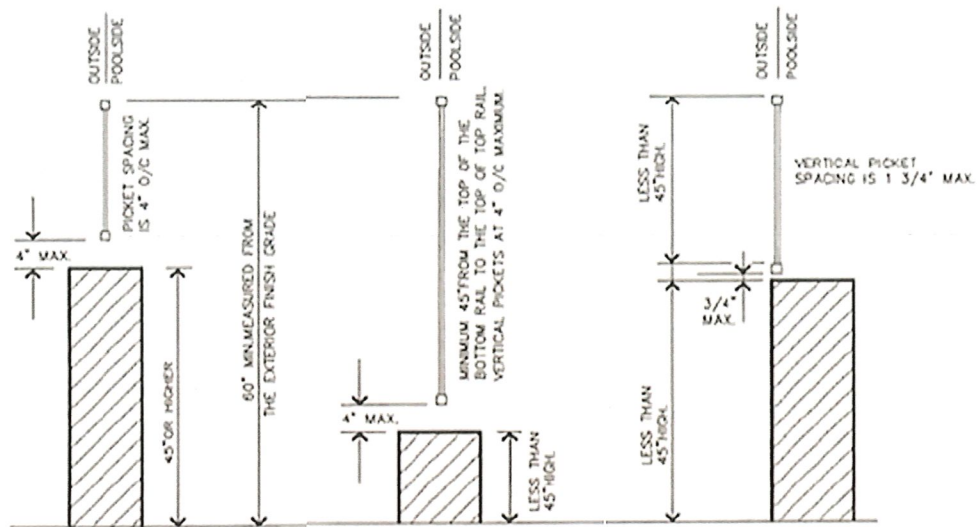
THIS INFORMATION WAS PULLED DIRECTLY FROM THE CITY OF SCOTTSDALE'S WEBSITE.

www.scottsdaleaz.gov/codes/Pools/Default.asp

**Swimming Pools, Hot Tubs and Spas
Detail Drawings**



Fence Details:



See City of Scottsdale Ordinance # 3505 for other information.

AG103.1 Outdoor Swimming Pool

An outdoor swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following excerpt from the Uniform Building Code:

1. The top of the barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The top of a barrier that separates the pool only from habitable spaces on the same property shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. [See detail drawings.](#)

When barriers have horizontal members spaced less than 45 inches (1143 mm) apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.

Where common fences on adjacent property lines of existing developed lots serve as the barrier, the height may be measured on the side that faces the swimming pool. The pool side of the barrier shall be not less than 20 inches from the edge of the water.

2. Openings in the barrier shall not allow passage of a 1 3/4-inch-diameter (44.5 mm) sphere.

EXCEPTIONS:

- a. When vertical spacing between such openings is 45 inches (1143 mm) or more, the opening size may be increased such that the passage of a 4-inch-diameter (102 mm) sphere is not allowed.

- b. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches (102 mm) when the distance between the tops of horizontal members is 45 inches (1143 mm) or more.

3. Chain link fences used as the barrier shall not be less than 11 gauge.

4. Where access gates are provided, they shall comply with the requirements of Items 1 through 3. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and (2) the gate and barrier shall have no opening greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Pedestrian gates shall swing away from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

5. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of Items 1, 2, 3 and 4 of Section AG103.1 shall be provided.

EXCEPTION: One of the following may be used in lieu of a separation fence:

- c. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54 inches (1372 mm) above the floor.

- d. An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at 10 feet (3048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touch pad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door.

- e. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.

6. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Items 1 through 5. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items 1 through 5.
7. A pool safety cover which complies with ASTM F 1346 may be used to meet the requirements of Items 1 through 6 above for barrier protection between the dwelling unit and swimming pool provided all other portions of the perimeter fencing around the yard are installed and maintained as required. If switching devices are used for operation of the pool safety cover, they shall be key-operated, locked away, or otherwise located in an inaccessible location. An inaccessible location shall be at a height of at least 54 inches above the deck or adjacent ground level and where the entire pool can be visually inspected during cover operation.
8. The building official may grant an exception to the above barrier requirements when it is determined that there is a natural barrier existing on the premises in the form of thorny/spiny vegetation, landscaping, or topography which prevents access to the pool area. An exception may also be granted for barrier protection between the dwelling unit and swimming pool when such protection precludes access by a disabled adult resident.

AG103.2 Indoor Swimming Pool

For an indoor swimming pool, protection shall comply with the requirements of Section 103.1, Item 5.

AG104 Spas and Hot Tubs

For a non self-contained and self-contained spa or hot tub, protection shall comply with the requirements of Section 103.1.

EXCEPTION: A self-contained spa or hot tub equipped with a listed safety cover shall be exempt from the requirements of Section 103.1.

AG105 Responsibility of Builder/Installer

In the case of new swimming pool, spa, or hot tub construction, it shall be the responsibility of the builder/installer to inform the pool owner of the above barrier requirements. Violations shall be remedied in accordance with Section 31-33 of the Scottsdale Revised Code.

AB106 Responsibility of Owner/Tenant

It is the responsibility of the property owner and any other person in responsible charge of a swimming pool to ensure that the required swimming pool barrier, including all gates, doors, locks, alarms, and latches are maintained in safe and good working order at all times. No person shall alter or remove any portion of a swimming pool barrier except to repair, reconstruct, or replace the barrier in compliance with the provisions of this chapter.

AG107 Nuisance and Property Maintenance

Swimming pools, spas, and hot tubs constructed after the enactment of this chapter which are not enclosed or protected by a barrier as required in Section 103.1 are hereby declared to be unsafe and nuisance, and shall be resolved by the Code Enforcement Unit of the Planning & Development Department under the procedures outlined in Chapter 18 of the Scottsdale Revised Code.

Pre-existing Pools

Since the requirements are not retroactive, pools constructed prior to July 15, 1992, need only comply with the 54" perimeter yard fencing and gate requirement in effect at the time. Pools constructed from July 15, 1992, until July 20, 1995, must meet the current requirements, except perimeter fence height, which was 54" (4'-6") at the time.

SECTION 4

ARTICLE 1

EXHIBIT D

**AMENDED DEVELOPMENT STANDARDS
R1-7 PCD**

Section 5.503 Property Development Standards

THE FOLLOWING PROPERTY DEVELOPMENT STANDARDS SHALL APPLY TO ALL LAND AND BUILDINGS IN THE R1-7 DISTRICT.

A. Lot Area

THERE SHALL BE NO MINIMUM LOT AREA. MAXIMUM DENSITY AS SHOWN ON THE DEVELOPMENT PLAN SHALL BE THE GOVERNING FACTOR TO DETERMINE THE NUMBER OF DWELLING UNITS IN ANY SUBDIVISION.

B. Lot Dimension

Width

THERE SHALL BE NO MINIMUM LOT WIDTH. DENSITY AND SUBDIVISION DESIGN SHALL DETERMINE MINIMUM LOT WIDTH.

C. Density

There shall not be more than one single-family dwelling unit on any one lot. Guest Houses are permitted with wet bar facilities.

D. Building Height

No building shall exceed thirty (30) feet in height, except as otherwise provided in Article VII.

E. Yards

1. Front Yards

- a. THERE SHALL BE A FRONT YARD HAVING A DEPTH OF NOT LESS THAN TEN (10)-FEET EXCEPT WHERE A GARAGE OR CARPORT OPENING PARALLELS THE STREET, THEN THE GARAGE OR CARPORT MUST MAINTAIN A 20' SETBACK.
- b. WHERE LOTS HAVE A DOUBLE FRONTAGE ON TWO STREETS, THE REQUIRED FRONT YARD OF TEN (10) FEET SHALL BE PROVIDED ON BOTH STREETS. THESE REQUIREMENTS APPLY TO THE SETBACKS ONLY AND FENCES, POOLS AND ACCESSORY BUILDINGS CAN BE MAINTAINED IN ONE YARD.

- c. WHERE A LOT IS LOCATED AT THE INTERSECTION OF TWO OR MORE STREETS, THERE SHALL BE A YARD CONFORMING TO THE FRONT YARD REQUIREMENTS ON ALL STREETS.

2. Side Yard

- a. THERE SHALL BE SIDE YARDS HAVING AN AGGREGATE WIDTH OF NOT LESS THAN TEN (10) FEET. ZERO LOT LINES SHALL BE PERMISSIBLE. HOWEVER, IF A YARD IS MAINTAINED IT SHALL NOT BE LESS THAN FIVE (5) FEET.
- b. NO ACCESSORY BUILDING SHALL BE LOCATED IN THE REQUIRED SIDE YARD ABUTTING THE STREET. A PRIVATE GARAGE, WHETHER ATTACHED OR DETACHED, HAVING PERPENDICULAR ACCESS FROM THE SIDE STREET SHALL BE LOCATED NOT LESS THAN TWENTY (20) FEET FROM THE SIDE PROPERTY LINE ABUTTING SAID STREET.
- c. NO "COMMON" WALL UNITS WILL BE ALLOWED, EXCEPT AS APPROVED BY DEVELOPMENT REVIEW.

3. Rear Yard

THERE SHALL BE A REAR YARD HAVING A MINIMUM DEPTH OF TEN (10) FEET.

4. Building Coverage

THE AREA COVERED BY BUILDING(S) SHALL NOT EXCEED FIFTY (50) PERCENT OF THE NET LOT AREA.

5. Other requirements and exceptions as specified in Article VII.

F. Distance Between Buildings

- 1. There shall be not less than six (6) feet between an accessory building and the main building.
- 2. THE MINIMUM DISTANCE BETWEEN MAIN BUILDINGS ON ADJACENT LOTS SHALL NOT BE LESS THAN TEN (10) FEET.

G. Buildings, Walls, Fences and Landscaping

- 1. WALLS, FENCES AND HEDGES NOT TO EXCEED EIGHT (8) FEET IN HEIGHT SHALL BE PERMITTED ON THE PROPERTY LINE OR WITHIN THE REQUIRED SIDE OR REAR YARD. WALL, FENCES, AND HEDGES SHALL NOT EXCEED THREE (3) FEET IN HEIGHT ON THE FRONT PROPERTY LINE OR WITHIN THE REQUIRED FRONT YARD, EXCEPT AS PROVIDED IN ARTICLE VII AND SUBSECTION 2 BELOW. THE HEIGHT OF THE WALL OR FENCE IS MEASURED FROM INSIDE THE ENCLOSURE.

2. IN THE FRONT YARD WALLS AND FENCES OF MAXIMUM SIX (6) FEET IN HEIGHT ARE ALLOWED PROVIDING:
 - a. THE WALL OR FENCES SHALL BE SET BACK THREE (3) FEET FROM THE FRONT PROPERTY LINE.
 - b. THE PROVISIONS OF SECTION 7.104 SHALL APPLY ON CORNER LOTS.
3. IN THE REQUIRED FRONT YARD, PATIO COVERS ARE ALLOWED WHEN IN CONJUNCTION WITH THE ENCLOSURE OF THE FRONT YARD SUBJECT OF THE FOLLOWING REQUIREMENTS.
 - a. THE AREA ENCOMPASSED BY THE PATIO COVER SHALL NOT INCLUDE MORE THAN TWENTY (20) PERCENT OF THE AREA BETWEEN THE FRONT PROPERTY LINE AND THE FRONT SETBACK LINE.
 - b. THE PATIO COVER SHALL BE SET BACK A MINIMUM OF TEN (10) FEET FROM THE FRONT PROPERTY LINE.
 - c. THE PATIO COVER SHALL BE STRUCTURALLY INTEGRATED WITH SIMILAR OR COMPATIBLE BUILDING MATERIALS TO THE ROOF SYSTEM OF THE MAIN BUILDING.
 - d. THE PATIO COVER SHALL BE CONSTRUCTED SO THAT A MINIMUM OF FIFTY (50) PERCENT OF THE ROOF STRUCTURE IS OPEN AND UNOBSTRUCTED TO THE SKY.
4. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than four and one-half (4.5) feet in height. The swimming pool shall be protected by a protective enclosure, which shall be controlled by use of self-closing gates with self-latching devices. Swimming pools shall be permitted in front yards.

H. Access

All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

Section 5.504 Off-Street Parking

The provisions of Article IX shall apply.

Section 5.505 Signs

The provisions of Article VIII shall apply.

72-Z-86

SECTION 4

ARTICLE II

LANDSCAPE REQUIREMENTS

A. INTRODUCTION

The Master Architectural Committee is requiring that all private landscape development respect the integrity of existing conditions at Gainey Ranch, with particular concern for how individual rear yards relate to the golf course. The Master Architectural Committee will assist you in obtaining the necessary topographical and air photo information on the golf course. Allow fifteen (15) working days for written response from the Master Architectural Committees. Plan approvals will not be granted without the following information. Submit two (2) copies of all plans for review. The following is a list of all information that must be indicated on the proposed landscape plan prior to architectural review.

B. EXISTING OFF-SITE CONDITIONS TO BE SHOWN

1. Golf course - If the lot is adjacent to the golf course, identify and locate all trees, major shrub massings, golf cart paths, greens, tees, turf edges and relative grades with respect to building pad.
2. Adjacent lots - For each lot adjacent to the owner's lot, the submittal must locate existing unit/proposed pad, rear and side yard walls (height and location), existing trees and note view corridors.
3. Street - Landscaping and grading adjacent to the street shall be the Gainey Ranch landscape theme, as determined by the Master Architectural Committee.
4. Walls - A combination of landscaping and low walls shall be used to screen all patios visible from the street. Walls within the landscape easement must be low. No walls may be constructed between the sidewalk and the curb.

C. EXISTING ON-SITE CONDITIONS TO BE SHOWN

1. Each lot or parcel shall include a minimum of one (1) mature street theme tree placed every 60' of frontage, minimum size 36" box, in accordance with the overall Gainey Ranch street landscape theme.
2. Indicate property line boundaries and easements.
3. Supply floor plan with door and window openings.
4. Relative heights, colors and finishes of all exterior paving, patio areas, rear and side yard walls, stairs, benches, pools and spas, gates, fountains, outdoor barbecues and fireplaces and free-standing structures, etc.

5. Grading and drainage - location and height of any proposed grading or mounding, retention areas, drainage of all patios and spot elevations relative to pad grade. No decks, patios or other finished surfaces may exceed 12" above the delivered pad grade. Raised planter walls or other landscape features approved on an individual basis.
6. Plant materials - name, size and location.
7. Irrigation method and control equipment location.
8. Location and screening of air conditioning and pool equipment.
9. Exterior lighting - location, type and finish of materials for all landscape, walkway and building lighting.
10. Sun control - window treatment, awning, patio covers, color of materials, finishes and type of construction and solar panels.
11. All completed and sold dwelling units must have the front and golf course rear yards landscaped and street trees planted within four (4) months of occupancy, but in no event later than six (6) months from the date of Certificate of Occupancy.

D. PLANT PALETTE GUIDELINE

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

1. Approved plant list

- A. The Gainey Ranch Master Architectural Committee has identified the plants, on the attached Exhibit E, as being compatible with the existing Gainey Ranch landscape theme. Any proposed species not identified on this list shall require specific reasons for requesting a variance.
- B. Past experience has demonstrated that the following plant varieties are extremely frost tender and are not recommended for use other than on southern exposures or in protected courtyard areas:

Thevetia, ficus nitida, all varieties of lantana, natal plum, cape honeysuckle, bougainvillea, asparagus fern and hibiscus.

The Master Architectural Committee may require a reduction in the number of frost tender plants used in the areas maintained by the Association. Recommended substitutes include: Bottle tree, photinia standard, verbena, xylosma, privet, Hall's honeysuckle, rosemary, pyracantha, Lady Bank's rose, Carolina jasmine and myoporum.

2. **Front yards**

All front yard plantings must include only those plant materials that have been previously approved as the project standard as established by each Satellite Association.

3. **Rear or side yard - Golf course**

A. The following plantings may not be planted in the rear or side yard.

- (i) Fan palms and all palm trees whose mature height exceeds six feet (6') with the exception of date palms (*Phoenix dactylifera*). Queen palms, saguaro and ocotillo will be reviewed on an individual lot basis and must be held to a minimum of approximately ten feet (10') away from the rear golf course wall.

The following varieties are approved for use at specific locations in the rear and side yard as approved by the Gainey Ranch Master Architectural Committee: Mediterranean fan palm, sago palm, and roebellini palm.

- (ii) All pines, cypress, juniper, and cedar varieties that exceed the height of the masonry portion of the rear patio wall. Dwarf varieties less than six feet (6') in height may be used immediately adjacent to the dwelling or in private garden patios.
- (iii) Exotic topiary plantings such as, but not limited to, pom-pom olives and bonsai junipers are not approved. Specimen cacti and succulents must not exceed the height of the masonry portion of the rear patio wall, or side yard wall without specific Master Architectural Committee approval.

B. Recommended rear yard tree varieties are encouraged to reflect the existing plant palette on each of the separate courses as follows:

- (i) Lakes course - Eucalyptus varieties, willows, evergreen elm, ash, California pepper, Brazil pepper, jacaranda, bottle tree, African sumac, evergreen pear.
- (ii) Dunes course - Palo verdes, mesquites, acacias, lysiloma, eucalyptus, willow pittosporum, and ironwood.
- (iii) Arroyo course - Desert willow, cottonwood, olive, sycamore, eucalyptus, Australian willow.

4. **Rear or side yards - Non-golf course**

All proposed plant varieties not included in the EXHIBIT E plant list, which at mature growth will be visible from neighboring property, will most likely be disapproved. All such plant varieties must also fit into the particular area landscape theme.

SECTION 4

ARTICLE III

SUN CONTROL GUIDELINES

Please refer to the Satellite Association manual as the Sun Control standards differ for each Satellite Community.

SECTION 4

ARTICLE IV

GUTTER AND DOWNSPOUT GUIDELINES

Please refer to the Satellite Association manual as the Gutter and Downspout standards differ for each Satellite Community.

SECTION 4

ARTICLE V

PERMANENT SIGNAGE FOR SATELLITE COMMUNITIES

A. RESIDENTIAL ENTRYWAY SIGN

1. GRCA, as the property manager, is responsible for obtaining necessary City of Scottsdale permits.
2. One sign on either side of an entryway not to exceed 24 square feet per entry, or two 12 square foot signs (on each side of each community entryway).
3. The sign shall not exceed 5 feet from ground level to top of sign.
4. The location and design must be approved by the Master Architectural Committee prior to installation.
5. As a permanent installation, the sign must be compatible with the landscape wall and the architectural concept of the project.

B. MISCELLANEOUS SIGNS

Satellite association amenity signs, i.e., walks, pools, tennis courts, house numbers, directionals, parking, etc., must be presented as an overall coordinated project design and will be approved on a community by community basis.

SECTION 4

ARTICLE VI

TEMPORARY & PERMANENT NON-RESIDENTIAL SIGNS

The governing Gainey Ranch documents do not authorize the Gainey Ranch Community Association to approve signage posted on non-residential property. Consequently, this Article specifies the Master Architectural Committee's proposed signage ordinance relating to temporary signage on non-residential Gainey Ranch property for enforcement by The City of Scottsdale. The purpose of these restrictions is to promote signage throughout Gainey Ranch that is consistent and responsive to the established Gainey Ranch signage ordinance relating to residential property and thus suitable to the Gainey Ranch environment.

A. TEMPORARY NON-RESIDENTIAL SIGNS

1. The owner is responsible for obtaining the necessary City of Scottsdale permits.
2. Signs must be suitably framed and be compatible with such Parcel's permanent signage. The background paint color must be "Gainey Warm White" or relate to the building color adjacent to the sign. The sign may be single or double sided with the single side finished on both sides for a complete finished look.
3. Maximum size for the sign shall not exceed 4' X 4' in area, nor shall the sign exceed 5 feet in height.
4. The sign shall be framed and include support posts at each end rather than one single post.
5. The sign may not be illuminated by direct lighting.
6. The sign may not be located in the City of Scottsdale right-of-way.
7. If more than one sign is posted simultaneously on a Parcel, no sign shall be closer than 10 feet to another sign.
8. Sign(s) shall be removed within 10 days after its purpose has been fulfilled.
9. Sign(s) must be maintained in good repair at all times and kept in a neat and clean condition.

B. PERMANENT NON-RESIDENTIAL SIGNS

1. Owner/Builder/Architect (or responsible party) must obtain all necessary City of Scottsdale permits.
2. As a permanent installation, the sign must be compatible with and tie into the existing building elements or the Parcel sign package.
3. Permanent signage must be maintained in good repair at all times and kept in a neat and clean condition.
4. The sign may be illuminated by direct lighting.

SECTION 4

ARTICLE VII

FOR SALE SIGNS – CONDOMINIUMS

1. A maximum of two standard Gainey Ranch "For Sale" signs and sign riders are permitted to be displayed on inside windows of a condominium unit. One sign is permitted on both a front and rear elevation window.
2. A light weight material shall be used on the standard window sign and shall be available for purchase at locations specified by the Gainey Ranch Community Association.
3. To accommodate the legibility from a distance, the size of the window signs may be in conformance with the industry standard size allowed by Arizona law and not exceeding 18" x 24" and a sign rider not exceeding 6" x 24". Since a separate window sign and rider are impractical to display, the rider may be incorporated into the window sign to form one 24" x 24" sign. However, the information contained on the sign may not be combined. Therefore, the allowed rider information must appear at the bottom portion of the sign and may not exceed the 6" x 24" size allotment.
4. a) The standard "For Sale" sign shall consist of a bordered logo sign with the Gainey Ranch cactus flower logo and the word "Available" located beneath the logo.
b) The standard rider sign may be incorporated within the "For Sale" sign as described in paragraph 3 above and may contain only the name of the realty and/or person offering the property along with a telephone number.
5. No attachments to the sign and rider are allowed.
6. No signs may be placed outside the unit including on patios, balconies, walls, fences, and railings or on any Association common area.
7. Within three (3) days after the close of escrow the window sign must be removed.
8. Signs advertising "For Lease" or "For Rent" are prohibited. Consequently, the above described "For Sale" sign containing the word "Available" may only be used for properties for sale.

SECTION 4

ARTICLE VIII

FOR SALE SIGNS – SINGLE FAMILY RESIDENCES

1. Only one standard Gainey Ranch "For Sale" sign and sign rider or one Arizona State approved "For Sale" sign and standard sign rider is also permitted to be used in the front yard of the property being sold.
2. The standard Gainey Ranch "For Sale" sign shall be available for purchase at locations specified by the Gainey Ranch Community Association.
3. The specifications of the Arizona State approved "For Sale" sign are as follows:
 - a) The sign may not exceed 18" x 24", which conforms to industry standards.
 - b) The sign rider shall not exceed 6" x 24", which conforms to industry standards.
4. No other attachments to the sign are allowed, such as but not limited to fliers, tubes or containers, balloons, banners or other promotional materials.
5. The sign must be located on the owner's property, not on community property, and must be at least three feet (3') from a sidewalk or right-of-way and not exceed three feet (3') in height.
6. The sign shall be appropriately maintained and shall not be illuminated or extend beyond the selling owner's property.
7. Within three (3) days after the close of escrow the sign and post must be removed.
8. In addition, one standard Gainey Ranch "For Sale" sign and sign rider or Arizona State standard "For Sale" sign and sign rider is permitted to be displayed on an inside window of the rear elevation of the home.
9. A light weight material shall be used on the standard window sign and shall also be available for purchase at locations specified by the Gainey Ranch Community Association.
10. To accommodate the legibility from a distance, the size of the window signs may be in conformance with the industry standard size allowed by Arizona law and not exceeding 18" x 24" and a sign rider not exceeding 6" x 24". Since a separate window sign and rider are impractical to display, the rider may be incorporated into the window sign to form one 24" x 24" sign. However, the information contained on the sign may not be combined. Therefore, the allowed rider information must appear at the bottom portion of the sign and may not exceed the 6" x 24" size allotment.
11. Standard materials and colors of the window sign, border, letters, logo and post shall be specified by the Gainey Ranch Community Association.
12. The restrictions specified in paragraph #'s 2, 5, & 6 above shall also apply to the rear window sign.
13. Signs advertising "For Lease" or "For Rent" are prohibited. Consequently, the above described "For Sale" signs containing the word "Available" may only be used for properties for sale.

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SECTION 4

ARTICLE VIX

RESIDENTIAL OPEN HOUSE AND SIGN RULES

A. General Rules

1. Open houses are allowed between 8:00 AM to 6:00 PM daily. Open house signs are limited to one sign per house, placed on the owner's property. In condominium communities, open house sign placement is limited to patios, balconies and windows.
2. GRCA sponsored open houses shall be permitted only on Wednesdays, Saturdays and Sundays between the hours of 12:00 PM and 5:00 PM.
3. Upon allowing entry through a manned security plaza the security officer shall provide the prospective purchaser with a map of Gainey Ranch and a listing of the registered open houses.
4. GRCA sponsored open houses must be registered with the Administration Office. Registrations must be renewed weekly. Agents must submit separate registration forms for Wednesdays, Saturdays and Sundays. All non-GRCA sponsored open houses must be registered with the security officer at the West Security Plaza. The realtor must advise the officer of the address of the open house and a contact phone number so visitors can be granted access.
5. Entry to the following Satellite Communities is accomplished through remote unmanned security gates: Vaquero Drive, Arroyo Vista, North Meadow, North Meadow II, 7400 Gainey Club Drive, and 8989 Gainey Center Drive. Non-resident entry through these remote gates is controlled by a security officer located at the West Security Plaza. The realtor is required to advise the security officer both upon his/her arrival and departure at the open house site. This process will accommodate access to visitors who won't be granted access unless the gate officer is advised of the realtor's presence at the home. The realtor is granted entry by the owner or by informing the security officer over the remote telephone entry unit of his/her name plus his/her Personal Identification Number (PIN). Either the realtor has a PIN on file with Gainey Ranch security as a part of its Authorized List, or the realtor must register with the security officer at the appropriate manned gate and obtain a PIN before proceeding to the remote gate for entry.

B. Sign Rules

To facilitate the locating of open houses, the Gainey Ranch Community Association has made open house directional tent signs available for purchase by residential property owners and/or their real estate agents.

The use of open house directional signs is subject to the following rules:

1. Only authorized Gainey Ranch open house directional signs shall be permitted and the signs will be provided and sold to users by Gainey Ranch Community Association at a cost to partially defray the Association's outlay.
2. Usage Restrictions:

a) Single Family – One sign may be placed in front of the residence to identify the location of the open house.

b) Condominiums – One sign may be placed in front of the condominium building and another smaller sized sign may be placed close to the front door of the residence to clearly identify the residence being held open. The larger sign placed in front of the condominium building may also have a small computer typed or professionally prepared sign attached indicating only the condominium number of the open house.

c) Interior Entries & Other Locations - One sign may be placed in the entry of those subdivisions that are accessed through a manned security plaza to designate a current open house for the information of Gainey Ranch guests and residents. Even though there may be more than one open house simultaneously occurring in a given interior subdivision, only one sign shall be permitted in the entry. Additionally, a sign may also be placed within subdivisions at intersections where a directional sign is needed to further assist prospects in locating the open house.

d) Exterior Entries - One sign may be placed in front of any Gainey Ranch exterior entry to designate an open house within the community. Gainey Ranch security shall be exclusively responsible for placing the open house sign in front of the east and west security plazas. No open house signs shall be allowed in front of the north security plaza on Mountain View Road. No directional signage is permitted within City of Scottsdale road right-of-way.

e) Telephone Entry Systems – Nothing is allowed to be attached or needed on the telephone entry system since access into the community will be exclusively handled by a security officer at either the East or West Security Plaza.

3. Directional signs may be purchased at the Administration Office, Monday through Friday between 8:30 AM – 5:00 PM (480 951-0321). When a sign has been purchased, the sale is considered final and the Association will not buy back used signs.

4. Signs other than those authorized will be confiscated by Gainey Ranch Security.

5. Open house directional signs shall be permitted only on Wednesday, Saturday and Sunday between the hours of 12:00 noon and 5:00 pm.

6. Proper maintenance of open house signs shall be the responsibility of the sign owner. When the appearance of a sign no longer meets the Gainey Ranch standard, in the sole discretion of the Gainey Ranch Community Association, it may not be used on Gainey Ranch.

7. Signs intended to designate the unit having an open house must be placed directly in front of the unit and in back of the curb and/or sidewalk.

8. Open house directional sign privileges will be suspended for 60 days for those who violate any of these rules. The Gainey Ranch Community Association reserves the right at its sole discretion to permanently revoke the use of directional signs for anyone who violates these rules without reimbursement of any of the purchase price.

A summary of some, but not necessarily all, violations of these rules are as follows:

- a) Failure to properly maintain a sign being displayed on Gainey Ranch.
- b) Using a directional sign other than the sign authorized by the Gainey Ranch Community Association.
- c) Attaching balloons, additional information, Realtor name or anything else to the sign.
- d) Using a sign at any time other than at the approved location (See B2 & B7 above).
- e) Placing a sign at unapproved locations or using more signs than are approved at any given location.

9. The Gainey Ranch Community Association reserves the right to amend these rules at any time without notification to the property owners.

SECTION 5