

**THE LEGEND AT GAINNEY RANCH OWNERS ASSOCIATION**  
**RULES, STANDARDS & GUIDELINES**

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## THE LEGEND AT GAINNEY RANCH

### APPROVED SUN CONTROL DEVICES

All sun control devices require Gainey Ranch Architectural Committee approval prior to any construction or installation. Additional information regarding submittal/approval can be obtained at the Gainey Ranch Community Association office. No other sun control devices are approved.

I. **AWNINGS** are reviewed on an individual basis.

- A. **Fixed Awnings** are constructed of fabric stretched and wrapped over an anodized black metal frame, to match window frame, which is permanently attached to the exterior wall. All awnings must contour the frame of the window or door it is designed to shade (i.e.: awnings over arched windows must be curved to match the arch). Squared valances are acceptable on fixed awnings. Valances, if used, must be straight (not scalloped) at the bottom and edge binding must match the awning color.

Approved Fabric: SUNBRELLA  
Approved Color: LINEN #4633  
BEIGE#4620  
Approved Frame: BLACK METAL FRAME  
Location: FRONT, SIDE or BACK OF HOUSE

- B. **Retractable Flush-Mounted Awnings** are to be track-mounted flush against the building. Side tracks must be installed within ½" of the window frame. All hardware must be painted to match the exterior color of the building. No conduit or junction boxes may be exposed on the building exterior.

Approved Fabric: SUNBRELLA  
Approved Color: LINEN #4633  
BEIGE#4620  
Approved Frame: TO MATCH FABRIC COLOR  
Location: SIDE OR BACK OF HOUSE ONLY

II. **SUNSCREENS** are reviewed on an individual basis.

- A. **Fixed Screens**, including the frame and hardware, are constructed out of black finished anodized metal to match the window frame. The approved screen colors are dark gray, black or dark bronze.
- B. **Retractable Screens** must be track-mounted in the same manner as retractable awnings. Screen and hardware must be housed in a protective box installed directly above the window or door. Box and all other hardware must be painted to match the exterior color of the building. No conduit or junction boxes may be exposed on building exterior.

Locations: FRONT, SIDE or BACK OF HOUSE

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

Approved Materials: Double walled PVC vinyl or aluminum

IV. **RETRACTABLE ROLLING SHUTTERS**

V. **GLASS TREATMENT**

- a. Stained/Colored Glass will be approved on an individual basis for design and location.
- b. Tinted Glass beyond that which has been installed by the builder must be reviewed and approved on an individual basis. Reflective glass and reflective film will not be approved.
- c. No Reflective Material including but not limited to aluminum foil, reflective screens or glass, mirrors or similar type items, are not permitted to be placed on the outside or inside of any windows.

## **The Legend at Gainey Ranch**

Pursuant to the authority granted to the Board of Directors by Section 2.3 of the Declarations of Covenants, Conditions & Restrictions for the Legend at Gainey Ranch, the following are adopted as a Legend Association Rule:

### **Prohibition of Outside Storage**

1. No owner or occupant of a Lot shall store, or permit to be stored, thereon any personal property which is visible from Neighboring Property, without the approval of the Architectural Committees of the Association and the Master Association.
2. Items of personal property which are referenced in paragraph 1 include, but are not limited to, landscape maintenance equipment, machinery, tools, toys, basketball or other sports apparatuses, bicycles, wheelbarrows and any other items which tend to contribute to an untidy or unkempt appearance.
3. The prohibitions contained in this Rule are in addition to, and not in lieu of, those contained in the declaration.
4. Capitalized terms used herein shall have the same meanings as those set forth in the declaration.

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



## **THE LEGEND at GAINNEY RANCH**

### **FRONT YARD TREE REMOVAL RULE**

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

#### **TREE REMOVAL REQUESTS BY HOMEOWNER**

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

## **THE LEGEND at GAINNEY RANCH**

### **FRONT YARD LANDSCAPE RULES**

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

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

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

Where space allows, a graceful transition of landscapes from lot to lot will be enforced by specifying common lawn areas on adjacent lots. All lawns are to be Midiron hybrid Bermuda and will be reseeded with Winter Rye by GRCA Maintenance every fall. This will provide more open and lush areas along the street frontages. See attached Legend Artificial Turf Guidelines for artificial turf options.

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

Any boulders must be surface select granite and buried 1/3 underground. The placement and number of permitted boulders will be reviewed by The Legend Board of Directors and the Master Architectural Committee on a case by case basis.



All front yard landscape material (not to include sidewalk, driveway and other hardscape materials) in "The Legend" will be maintained by The Legend Homeowners Association. Maintaining is defined as: mowing, over seeding, trimming and irrigation repair. When plantings and/or lawn outlives its lifespan it is the homeowner responsibility to relandscape and approval must be received prior to install. Homeowners will be responsible for maintenance of their individual rear yards and any other areas enclosed by a fence or wall. However, both the original rear yard landscape plan and any subsequent proposed changes or alterations require prior written approval by The Legend Board of directors and the Master Architectural Committee.

All driveway concrete shall match existing drives in the subdivision. The Legend Board of Directors may incorporate subtle accent materials, pending approval.

All lawn headers in front yards shall be concrete stained to match driveways. GRCA Maintenance shall approve all the low voltage lighting for continuity and cost effectiveness. All decomposed granite for all landscaping shall match the currently approved GRCA granite.

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

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

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

All new irrigation systems and controls will be comparable to those already installed within The Legend community, and if any Owner would like to update the front yard irrigation system, it must be approved by The Legend Board of Directors and the Master Architectural Committee prior to install.

Landscape contractors installing the landscape shall be responsible for providing "as-Built" drawings to both the homeowner and The Legend Board of Directors. These drawings shall include locations of the following:

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

Original document approved: 2/1/90; revised & approved 6/1/95, 4/00, 8/12.

## **THE LEGEND ARTIFICIAL TURF GUIDELINE FOR FRONT YARDS**

The Legend Board of Directors has approved artificial turf for use within the Legend Community. Homeowners are cautioned that the use of the artificial turf requires that they maintain it to the highest standards of care. Artificial turf will be considered for approval as follows:

- The only approved artificial turf for use for all front yards in The Legend is Designer Mid. However, if a homeowner finds something comparable that is of the same or higher quality and look of the Designer Mid, The Legend Board of Directors will review the new turf on a case-by-case basis.
- If two homeowners living next to each other both want artificial turf, and those lawns touch, the same turf must be used for both front lawns.
- Planting beds may not have turf installed in them in order to maintain the basic layout of the front yards within The Legend Community.
- Any rear yard turf submittal will be reviewed by The Legend on a case-by-case basis.
- The Designer Mid turf has a manufacturer life span of at least 10 years. Once the turf is at 10 years, it must be replaced, with like kind turf. A regular inspection of the turf will be made and if it is deemed not in acceptable condition, in the sole discretion of The Legend Board of Directors, the turf will be required to be replaced, at the expense of the homeowner.
- If the artificial turf is removed, either voluntarily by lot owner or by the requirement of The Legend Board, and is not replaced with Designer Mid or designated alternate, the lot owner must submit a request for landscaping changes.
- 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.

Any additional landscaping or artificial turf modifications must be reviewed and approved by The Legend Board of Directors as well as the GRCA Master Architectural Committee. Please contact the Gainey Ranch Architectural Coordinator with any questions.

Approved: 8/12

## **THE LEGEND AT GAINNEY RANCH**

### **APPROVED PAINT COLORS AND MATERIALS**

Paint colors shall be selected from the approved paint colors listed below. When selecting a new paint color for the home. The Legend Board of Directors must approve the change prior to painting. To maintain the high design standards within The Legend strongly recommends that adjacent houses not be painted the same color. A one house buffer should be maintained between colors.

<b><u>COLOR</u></b>	<b><u>PRODUCT#</u></b>
<b>Baked Potato</b>	<b>DEC717</b>
<b>Mesa Tan</b>	<b>DEC718</b>
<b>Apache Tan</b>	<b>DEC746</b>
<b>Quicksand</b>	<b>DEC754</b>
<b>Sorrel Felt</b>	<b>DET624</b>
<b>Reclaimed Wood</b>	<b>DET625</b>
<b>Dolphin Tales</b>	<b>DET600</b>
<b>Fine Grain</b>	<b>DE6213</b>

When ordering in large quantities, the paint company will need to adjust formulas for more than on (1) gallon.

### **APPROVED ROOF TILES**

Eagle Brand Bel Air #4549  
Eagle Brand Bel Air #4690  
Eagle Brand Bel Air #4689  
Eagle Brand Bel Air #4687

### **WROUGHT IRON & METAL COLORS**

Wrought iron front entry gates – custom paint: GAINNEY BRONZE by Dunn Edwards  
Metal garage light covers – custom paint: GAINNEY BRONZE  
Wrought iron golf course fencing – custom paint: GAINNEY BRONZE  
Dunn Edwards, 8686 Frank Lloyd Wright Blvd. Scottsdale AZ 85254 480-483-3131

Gainey (Gainey) Bronze -- Custom Color  
Dunn-Edwards  
0065-0015-05202

## **THE LEGEND at GAINNEY RANCH ACCESSORY RULE**

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 Legend Architectural Committee and the MAC on a case-by-case basis.

Adopted by the Legend Board of Directors on November 15, 2013

Board adopted the following policy:

Homeowner's statues, sculptures or other decorative items which were in place prior to 2012 will be grandfathered.

Adopted by the Legend Board of Directors on November 15, 2013

### **Sconces on Garage:**

The Legend has approved an optional bronze sconce in 2 sizes:

"Hinkley Atlantis"

24" - 1649 BZ-LL

16" - 1648 BZ-LL

The MAC application must specify the size, item number and the number needed to be installed.

Revised 4/25

### **Front Light Bulb Standard**

Original Sconces:

The Legend was designed without street lights and uses our outside light fixtures on each home for night time lighting. The Legend keeps our light output uniform by specifying the bulbs to be used in these fixtures. To maintain this standard, the Legend HOA assumes the responsibility for maintaining these bulbs at the HOA expense. The bulb currently specified is a 9 watt, 800 lumen, 2007K LED bulb. Light fixture maintenance is the homeowner's responsibility.

Hinkley Sconces:

50 watt, 500 lumen, 3000K, 6.5W LED bulb

Revised 2025



### **Requirement for whole house generators**

1. Must have a City of Scottsdale and APS permit
2. Must have a professional, licensed, and certified whole house generator installer
3. Only natural gas-powered units are allowed.
4. Must be installed on an acoustical pad and be enclosed by a cinder block wall similar to the walls used to enclose Legend heat pumps. The Legend Board reserves the right to require more sound suppressing material to be installed if needed.
5. Test running is limited to five minutes every two weeks, between the hours of noon and 3:00pm
6. The unit must have a factory decibel rating under load of 67 or less.
7. The installation placement must be approved by The Legend Board
8. The neighbor closest to the unit needs to be notified of the generator request and their response taken into consideration during the review process.

**THE LEGEND AT GAINES RANCH**  
**FRONT YARD LANDSCAPE GUIDELINES**

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

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

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

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

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



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

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

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

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

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

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

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

Minimum of 35% - 5 gallon or larger

Remaining 65% allowable in 1 gallon

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

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

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

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

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



## EXHIBIT A

### THE LEGEND - PLANT LIST

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

#### TREE LIST

##### BOTANICAL NAME

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

##### COMMON NAME

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

#### SHRUBS AND GROUND COVER

##### BOTANICAL NAME

Convolvulus spp.  
Dalea greggii  
Oenothera berlandieri  
Leucophyllum spp.

##### COMMON NAME

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

#### ACCENTS-SUCCULENTS/CACTI

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

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

Revised 5/95

## THE LEGEND AT GAINNEY RANCH

### SUN CONTROL DEVICES

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

1. AWNINGS are reviewed on an individual basis.

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

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

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

LOCATIONS: Front, side or back

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

LOCATIONS: Side or back only

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

LOCATIONS: Back only

2. SUNSCREENS are reviewed on an individual basis.

Approved material: PVE coated fiberglass

Approved colors: Dark gray/black or bronze

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

LOCATIONS: Front, side or back



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

Approved materials: Double walled PVC vinyl or aluminum  
slats

Approved colors: Cream or gray

LOCATIONS: Side or back only

4. FREE STANDING SHADE STRUCTURES

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

LOCATIONS: Back only

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

LOCATIONS: Back or courtyard areas

5. GLASS TREATMENT

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

LOCATIONS: Front, side or back

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

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

6/20/90

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

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



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

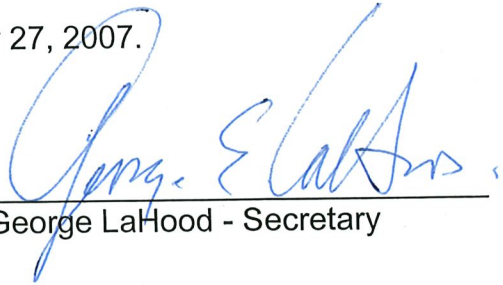
Pursuant to the authority granted to the Board of Directors by Section 2.3 of the Legend Owners Association Declaration, the following is adopted as an Association Rule:

**TREE REMOVAL REQUEST BY HOMEOWNER**

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

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

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

  
George LaHood - Secretary

## **The Legend at Gainey Ranch**

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

### **Prohibition of Outside Storage**

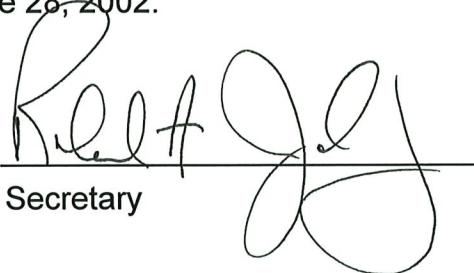
1. No Owner or occupant of a Lot shall store, or permit to be stored, thereon any personal property which is Visible from Neighboring Property, without the approval of the Architectural Committees of the Association and the Master Association.

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

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

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

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

  
Secretary

## **THE LEGEND AT GAINNEY RANCH**

### **FRONT YARD LANDSCAPE RULES**

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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## EXHIBIT A

### THE LEGEND - PLANT LIST

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

#### TREE LIST

##### BOTANICAL NAME

Acacia Berlandieri  
Acacia Farnesiana  
Acacia Salicina  
Acacia Smallii  
Acacia Stenophylla  
Citrus spp. (Private use area only)  
Phoenix Dactylifera  
Eucalyptus Erythrocorys  
Eucalyptus Leucoxyllon  
Eucalyptus Microtheca  
Eucalyptus Salmonophioia  
Eucalyptus Spathulata  
Eucalyptus Torguata  
Olneya Tesota  
Prosopis spp.  
Cercidium Praecox  
Cercidium Floridum  
Cercidium Microphyllum  
Pithecellobium Flexicaule

##### COMMON NAME

Berlandier Acacia  
Sweet Acacia  
Weeping Wattle  
Desert Sweet Acacia  
Shoestring Acacia  
Citrus  
Date Palm  
Red Cap Gum  
White Ironbark  
Flooded Boc Coolibah Tree  
Salmon Gum  
Narrow-leaved Gimiet  
Coral Gum  
Ironwood  
Mesquite  
Palo Brea  
Blue Palo Verde  
Foothill Palo Verde  
Texas Ebony

#### SHRUBS AND GROUND COVER

##### BONTANICAL NAME

Convolvulus spp.  
Dalea Greggii  
Oenothera Berlandieri  
Leucophyllum spp.

##### COMMON NAME

Ground Morning Glory  
Trailing Indigo Bush  
Mexican Primrose (Private use area only)  
Texas Ranger

#### ACCENTS-SUCCULENTS/CACTI

Agave spp.  
Aloe spp  
Hesperaloe Parviflora  
Dasylirion spp.  
Opuntia spp.  
Fouquieria Splendens

Agave (Century Plant for Private use area only)  
Pigmy Date Palm  
Mediterranean Fan Palm