

SECTION 1

INTRODUCTION

MASTER ARCHITECTURAL COMMITTEE MISSION STATEMENT

Gainey Ranch was developed as one of the premier communities in Scottsdale.

The primary goal of the Gainey Ranch Master Architectural Committee (hereinafter may also be referred to as "MAC") is to guide and facilitate homeowners in the improvements to their properties, and to ensure the Gainey Ranch quality standards and overall architectural and landscape themes are continued to maintain value for the entire community. To meet this goal the MAC must incorporate new design concepts to update properties while maintaining the original lush oasis character and resort theme. The objective is to enhance real estate values and uphold Gainey Ranch as one of the most desirable communities in Scottsdale.

The Master Architectural Committee endeavors to maintain the quality of life at Gainey and to insure fairness, openness and satisfaction during the architectural review process. We strive to say YES wherever possible while maintaining the integrity and ambiance of the over all ranch.

- A. Gainey Ranch, a mixed-use luxury community created to enhance the many benefits of the Scottsdale lifestyle, consists of approximately 560 acres of the 640-acre working ranch originally owned by Daniel C. Gainey. There are a variety of residences clustered around a 27-hole golf course and a Town Center. These residences range from condominiums and patio homes to single family and custom estate homes. All are included in a sophisticated security system featuring manned entry plazas and roving patrols, which monitor access to the residential neighborhoods and recreation areas. Gainey Ranch features the semi-private Gainey Ranch Golf Club owned by Club Corp., the Hyatt Regency Scottsdale, the Gainey Ranch Financial Center, and the Town Center consisting of the Corporate Center's luxury offices and the Shops at Gainey Ranch retail establishments.
- B. All remodeling, re-landscaping, building and construction on Gainey Ranch is required to reflect designs that are site-sensitive and responsive to climate, using elements of mass, shadow, color and texture befitting the status of Gainey Ranch. Colors and materials are limited to a select palette, as specified in the Design Guidelines and Standards. Buildings will be low in scale, blending with and visually becoming a natural extension of the golf course landscape and Gainey Ranch environment. Site and landscape design are an important part of the architectural statement.
- C. The designers have carefully composed elements - plant material, walls, fences, paving and buildings - to reinforce the park-like setting created by the Gainey Ranch golf course. It is prudent for the committee to keep abreast with current styles and trends as driven by the competition and the demanding public. Our mission is to grow and change with the times to insure our real estate values and quality of life lead the market place as one of the most desirable communities in Scottsdale. Buildings are part of the landscape. For this reason the design guidelines for this community prohibit:
 1. Designs that, in the opinion of the Master Architectural Committee, do not visually relate with either surrounding homes or the design theme from the golf course or that detract from neighbors' privacy.

- D. These guidelines establish the framework for a cohesive neighborhood that helps to protect and adds to the value and special enjoyment, which is the foundation for each residence on Gainey Ranch. It is important to note that certain guidelines will vary between individual satellites. Multifamily homes by nature may require more rigid guidelines than single-family residences. In the end it is important to tie in the over all ambiance of Gainey Ranch, "*Your Oasis in the Desert*"
- E. Construction on Gainey Ranch is to be performed in accordance with the designs approved by the MAC, in a good and workmanlike manner and in compliance with the Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements for Gainey Ranch (the "CC&Rs"), these Master Architectural Committee Rules and all applicable statutes, codes and ordinances. Any contractor who violates any portion of these Master Architectural Committee Rules or fails to construct its improvements, or to otherwise perform its work, on Gainey Ranch in a good and workmanlike manner, in a manner consistent with the quality standards established in Gainey Ranch and in conformance with all applicable statutes, codes and ordinances may have its right to construct improvements on Gainey Ranch temporarily suspended by the MAC or may be permanently barred by the MAC from making any improvements on Gainey Ranch.

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

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