

VIA SONORA HOMEOWNERS ASSOCIATION Aka Rogers Ranch Unit 15



ASSOCIATION RULES AND DESIGN GUIDELINES August 1, 2013

The Association Rules and Design Guidelines (“Rules”), as set forth in this document, shall interpret and implement procedures for the Architectural Committee’s (“Committee”) review and standards, including, but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finishes and materials, signage, and wall design. These documents are intended to enhance the property values and the high standards of development that exist within Via Sonora. Unless specifically identified as not requiring a submittal for approval within this document, prior approval from the Committee is required. The Rules are established to assist Owners in conforming to the standards established and may be amended from time to time by the Committee. Each application will be reviewed on a case-by-case basis.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, INSTALLATION, ADDITION, ALTERATION, REPAIR, CHANGE OR REPLACEMENT OF ANY IMPROVEMENT WHICH WOULD ALTER THE EXTERIOR APPEARANCE OF THE IMPROVEMENT, A COMPREHENSIVE, COMPLETE AND DETAILED WRITTEN REQUEST FOR APPROVAL SPECIFYING IN DETAIL THE NATURE AND EXTENT OF THE CHANGE WHICH THE OWNER DESIRES TO PERFORM (“APPLICATION”) MUST BE SUBMITTED TO THE COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE COMMITTEE. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED HEREIN).

APPLICATION PROCEDURE

Submittal

Application and plans (which will be kept on file with the Association) should be mailed to:

Via Sonora Homeowners Association
C/O Vision Community Management
16625 S. Desert Foothills Pkwy
Phoenix, AZ 85048

You may reach the Management Company by phone at (480)759-4945, by fax at (480)759-8683 or by email at www.wearevision.com.

The following information should be included with the submittal:

1. **Application – Architectural Committee Modification Form:** A completed Modification Form (attached or additional copies may be obtained from the Management Company).
2. **Plot Plan:** A site plan showing dimensions, relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans.
3. **Elevation Plans:** Plans showing finished appearance of improvement in relation to existing dwelling.
4. **Specifications:** Detailed description of materials to be used, color samples, and dimensions must be submitted.
5. **Photograph:** If submittal is for an existing structure or improvement, a photograph of the structure or improvement must accompany the submittal application.

All buildings, driveways, gates, fences, walls, structures, landscaping and other Improvements erected within Via Sonora, and the use and appearance of all land within Via Sonora, shall comply with all applicable Federal, State or local law, statute, ordinance, rule or regulation, as well as the Declaration and these Rules. Committee approval will not meet, supersede or provide compliance with any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, and in the event of any inconsistency between these Rules and any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, the Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations shall control; and in the event of any inconsistency between these Rules and the Declaration, the Via Sonora Homeowners Association Declaration of Covenants, Conditions, Restrictions and Easements, Maricopa recordation number 20071126430 dated October 16, 2007 and First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements dated September 2013 shall control.

REVIEW-APPROVAL AND/OR DISAPPROVAL

The Committee shall have sixty (60) days after submittal of plans to approve or disapprove plans. If the Committee does not approve or disapprove within the 60 day

period, then the submittal shall be deemed disapproved. No verbal approvals/disapprovals will be given by the management company. All decisions will be mailed through the United States Postal Service.

Review will include, but is not limited to, consideration of material, quality of workmanship, colors, and consistency with the external design and color of existing structures on the Lot and impact on neighboring Lots. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Committee, the Board of Directors, the Declarant nor the Management Company (if in place) shall have any liability in connection with or related to approved plans, specifications, or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the Improvement nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

Approval Expiration: Construction must be started within ninety (90) days of the date of the Committee's approval of the application, or the Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Rules.

Construction Period: Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Committee's discretion), such construction shall be completed within six (6) months of the date of the Committee's approval of the application.

Appeal: Any appeal of the Committee's decision must be submitted in writing, within thirty (30) days of the mailing date of the Committee's decision, to:

Via Sonora Homeowners Association
C/O Vision Community Management
16625 S. Desert Foothills Pkwy
Phoenix, AZ 85048

PURSUANT TO SECTION 5.10 OF THE DECLARATIONS, THE BOARD OF DIRECTORS MAY FROM TIME TO TIME ADOPT, AMEND AND REPEAL RULES AND REGULATIONS. PURSUANT TO SECTION 5.10 OF THE DECLARATIONS, THE COMMITTEE SHALL HAVE THE RIGHT FROM TIME TO TIME AMEND AND SUPPLEMENT THESE DESIGN GUIDELINES.

DESIGN GUIDELINES

ADDRESS NUMBERS: Approval is required to replace or relocate existing address numbers with anything of different shape, size, texture, etc. Numbers may not exceed six (6) inches in height. Approval is not necessary if replacement of address numbering matches exactly to existing numbering.

ANTENNAS/SATELLITE DISHES: This section applies to antennas, satellite television dishes, and other devices (“Receivers”), including any poles or masts (“Masts”) for such Receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. All Receivers one (1) meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations (“Federal Regulations”) and shall be installed in the following locations, listed below in order of preference:

1. A location in the Private Yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the Private yard of the Lot;
3. On the roof, but completely below the highest point on the roof line;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
5. On the roof above the roofline;
6. An unscreened location in the side yard;
7. A location in the Public Yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached.

AWNINGS: All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material of solid color on both sides, which match the color of the body of the exterior of the home or roof color. Awnings shall be installed only on the side and/or rear of the home. All awning submittals must include (i) a drawing with the location of the proposed awning installation; (ii) a sample of the material to be used; and (iii) the colors and design of the proposed awning. Owner is responsible for maintenance and repair of awnings. The Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

BASKETBALL GOALS: No basketball goal, pole, or backboard shall be attached to a roof and/or installed in a Public Yard of a Residential Dwelling. Except when in use, portable basketball goals, hoops or courts shall be stored in the garage or in a manner that is not Visible From Neighboring Property.

CLOTHES DRYING STRUCTURES: No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed or maintained on any Lot so as to be Visible from Neighboring Property.

DECORATIVE ITEMS: Decorative art located on houses which is Visible from Neighboring Property must be submitted for approval.

Front lawn art is prohibited. Lawn art includes, but is not limited to, iron, ceramic, plastic, clay or wood figures, carts, wagons, or other unnatural or man-made items. Lawn art that is not Visible from Neighboring Property is permitted. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors should be submitted for approval if Visible From Neighboring Property.

WATER FEATURES, FOUNTAINS, STATUARY, ETC.: Items such as fountains, statuary, etc., are permissible within the Private Yard only and do not require submittal to the Committee. It is recommended that water features be chlorinated or water must be kept moving so as to not allow for the breeding of pests.

DRIVEWAY EXTENSIONS AND SIDEWALKS: Driveway extensions will be reviewed for approval providing the following conditions are met:

1. Only driveway extensions immediately adjacent to the existing driveway located in the side yard of the property will be considered.
2. Submittals must include a plot plan with the following noted thereon: (i) the location and dimensions of the proposed extension, (ii) the existing driveway dimensions, and (iii) the total linear feet of Lot frontage.
3. The total parking area may not exceed thirty feet (30') of contiguous frontage or fifty percent (50%) of the Lot width (existing plus extension) as measured at its widest point, whichever is greater.
4. Painting of paved surfaces is prohibited without Committee approval.
5. There must be at least a one foot (1') setback between the extension and the side Lot line. Such setback area shall be installed with groundcover per the Landscaping Guidelines or to match the existing Public Yard ground cover (i.e., decomposed granite).
6. Driveways must not alter the established drainage pattern.

ADDITIONAL SIDEWALKS: Sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met:

1. The additional sidewalk is four feet (4') or less in width, is one foot (1') or more from the property line, and is one foot (1') or more from the home.
2. The area between the home and the sidewalk addition must have groundcover installed per the Landscaping Guidelines or to match the existing Public Yard ground cover (i.e., decomposed granite).
3. Proper drainage must be maintained.

Additional sidewalks in any other location must be submitted for approval.

The Committee reserves the right to review and request changes to driveway extensions and sidewalks per these requirements.

DRAINAGE: Any interference with the established drainage pattern over any property within the community is done at the Owner's own risk. This includes changes that occur

due to installation of any improvement, including but not limited to drains, channelization, piping, landscaping, patios, retaining walls, pools, play equipment, and accessory structures. The Committee makes no representation of approval for changes to drainage and subsequent impact on adjacent properties. The “established drainage pattern” is that which exists at the time the final grading of any property is completed by the Declarant (or a homebuilder) and the property conveyed to the initial Owner. **Each Owner is required to contain mud, silt, or other debris on his/her own property. Owners are not allowed to increase or decrease historical flows of water onto adjacent property.**

FENCES AND WALLS INCLUDING DECORATIVE WALLS: Any Owner proposing to modify, alter, add to or rebuild a wall (other than rebuilding in a manner materially consistent with the previously existing wall) must submit to the Committee for approval. The Application must include written consent of adjoining owners for any modification to a Boundary Wall. Information on the height of all walls that will abut the wall(s) being proposed for modification, materials to be used, and texture and color of finished wall must also be submitted with Application. Side and rear walls may not exceed six feet (6’) in height from ground level, as measured from the lowest side of the wall. Plans for new fences or walls must be submitted to the Committee prior to construction. Walls must match the existing wall in texture and color.

Decorative or garden walls are permitted in Private yards only.

Retaining walls shall mean any wall constructed as part of the Lot for lateral support and/or erosion control and must be approved by the Committee prior to installation.

Any required engineering is the responsibility of the Owner.

FIREPLACES: Installation of outdoor fireplaces requires advance approval by the Committee. Outdoor fireplaces may not exceed fence height.

FLAGPOLES: The official flag of (i) the United States; (ii) the State of Arizona; (iii) the Armed Forces; such as U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps, U.S. Coast Guard, (iv) the Gadsden Flag; (v) POW/MIA flags; and (vi) an Arizona Indian Nation Flag may be displayed on any Lot provided (i) such flag is displayed in the manner required under the federal flag code from a pole attached to a Residential Dwelling on the Lot; (ii) the pole is no higher than the top of the Residential Dwelling; (iii) the pole is no longer than ten feet (10’) in length and does not extend more than ten feet (10’) from the edge of the Residential Dwelling; (iv) the flag is no more than twenty-four (24) square feet in size; (v) any flag lighting is in compliance with the Lighting section below; and (vi) the flag is maintained in good condition at all times. The flag of another nation may be displayed in lieu of the United States Flag on national holidays of such nation provided such display complies with the requirements for displaying the United States Flag.

GATES: All requests for additional gates or gates other than those which were offered by the original developer/builder of the Lot/home must be submitted for Committee approval. Placement of gate(s) must be approved by the Committee. Double gates may

be installed to allow wider access to Private yards. All gates (double or single) should be of the same material, design and color as the originally installed single gates, unless approved by the Committee. Gates may be painted to match the fence with approval from the Committee.

Gates of any kind on Perimeter walls or View fencing on Lots bordering common areas are prohibited.

GUTTERS AND DOWNSPOUTS: Gutters and downspouts must be submitted for approval and will be considered if the finish matches the color of the home. Downspouts must be directed so as not to drain on neighboring properties. The Association strongly recommends the use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times.

HVAC INCLUDING EVAPORATIVE COOLERS: Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee. All units shall be ground mounted, located within the perimeter of the Private yard and screened or concealed from view of all neighboring property.

LIGHTING: All lighting must be submitted to the Committee for approval. Except as initially installed by the Declarant, no spotlights, floodlights or other high intensity lighting shall be placed or utilized upon any Lot or any structure erected thereon which in any manner will allow light to be directed or reflected on any other property except as approved by the Committee.

MACHINERY AND EQUIPMENT: No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any Lot, except such machinery or equipment as is usual and customary in connection with the use or maintenance of Improvements constructed by the Declarant or approved by the Committee.

Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use to prevent them from being Visible from Neighboring Property.

PAINT COLORS: Paint colors do not require approval if using the same color as the color originally used by the Builder. The paint colors used by the Builder are highly recommended for use in all instances.

Paint colors varying from the original colors must be submitted for approval. The preferred colors are earth tones. Trim colors shall not dominate the exterior appearance and shall be of the same color range as the major color.

PATIO COVERS: All patio covers not installed by the Builder will need to be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood. Roofing materials should match that which were installed by the builder on the original roof of the home or that which were offered as an option by the builder for a patio cover.

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home.

PLAYGROUND EQUIPMENT: Plans for play structures and similar recreational equipment that have a play platform and/or exceed eight (8) feet must be submitted for approval. This is not to eliminate play structures, but to consider privacy issues for adjacent neighbors.

Swing sets without play platforms or other recreational equipment or structures placed within Private Yards which do not exceed a height of eight (8) feet from ground level and are placed a minimum of two feet (2') away from all Boundary Walls need not be submitted for approval.

The maximum height that will be considered for approval of swing sets is twelve feet (12'). The maximum height for any deck/platform area is four feet (4') above ground level. Any play structure with a play platform or exceeds eight feet (8') may be placed no closer than five feet (5') to any Lot line. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture or brochure of the structure, total dimensions, materials and a plot map or drawing indicating the proposed location and its proximity to adjacent property lines.

Playground canopy must be submitted for approval. The color of canopy of the play structure must be one of the following (i) a "neutral" color of off white, beige, or light brown, (ii) a single solid color of red, blue, green, or yellow, or (iii) striped with white or another primary color and one (1) other color of red, blue, green, or yellow. Prints and multi-colored striped canopies are prohibited.

POOLS AND SPAS: In-ground pools and spas or above ground pools on Lots completely enclosed by a solid wall or fence that is at least six feet (6') high do not require the prior approval of the Committee.

To the extent necessary for an Owner to construct Improvements in the Private Yard of his Lot, an Owner may remove all or part of a boundary wall, provided the Owner gives reasonable notice to the adjoining Owners and Residents that all or part of the boundary wall will be removed and the Owner desiring to temporarily remove a portion of the wall makes appropriate arrangements (including the erection of a temporary fence or barrier) or pays appropriate compensation for the protection of children and pets on the adjoining Lot. Any Owner removing all or part of a boundary wall pursuant to Section 7.5 of the Declaration shall rebuild and restore the boundary wall to its prior condition at such Owner's sole cost and expense within a reasonable time after entry through the boundary wall is no longer necessary in connection with the construction of Improvements.

All pool and spa equipment must be screened from view of neighboring property. Lots with non-solid fencing (i.e., wrought iron fencing) must submit equipment screening plans for approval to the Committee. See also Pool Fencing and Equipment below.

Pools may not be backwashed into any common area or off of the Lot on which the pool has been installed. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage to common areas due to backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the Owner.

Pool ladders, slides, rock waterfalls, etc. that exceed the height of the fence or wall must have prior approval of the Committee. Such items shall not exceed eight feet (8') in height and must be set back a minimum of five feet (5') from all surrounding property lines.

POOL FENCING AND EQUIPMENT: Pool fencing must meet all City, County, State and Federal requirements.

Pool equipment must be screened so as to not be Visible from Neighboring Property. Screening may be through plant material or hardscape enclosure. Hardscape enclosures do not require approval if the enclosure does not exceed four feet (4') in height and is painted to match the base color of the home. All other screening material requires approval from the Committee.

RAMADAS, GAZEBOS AND SIMILAR STRUCTURES: All ramadas, gazebos, casitas and similar structures must be submitted for approval. They may not exceed ten feet (10') at their highest point and must be set back a minimum of five feet (5') from surrounding property lines. Roof and structure color and material must match those used by the Builder in the original construction of the dwelling, and be approved by the Committee prior to installation. Location of the structure must comply with the Declarations and local government ordinances. Palapas or Tiki Huts shall not be considered for approval by the Committee.

ROOF AND ROOF STRUCTURES: If the Residential Dwelling has a pitched roof, the roofing material for that portion Visible from Neighboring Property must be clay or concrete tile. Unless specifically authorized in the Declaration, this document or any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, no heating, air-conditioning, ventilation equipment, or any other equipment or structures shall be located or installed on any roof. In addition and unless specifically authorized in the Declaration, this document or any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, any such equipment or structures shall not be located, installed or maintained anywhere on a Lot, if it is Visible from Neighboring Property.

SECURITY LIGHTING/DEVICES: Security lighting must be directed as not to shine on neighboring property.

Security features including, but not limited to, doors and windows must be submitted for approval.

SECURITY DOORS, SCREEN DOORS AND SUNSCREENS: Wrought iron security/screen doors need not be submitted for approval provided they are painted to match the base color of the home or are a neutral “earth tone” color.

Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed and not submitted for approval provided that the window frame matches the sunscreen material or the existing window frames.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed without Committee review.

SIDEWALKS: Please refer to DRIVEWAY EXTENSIONS AND SIDEWALKS.

SIGNS: No sign of any kind which is Visible From Neighboring Property shall be installed or displayed on any Lot or Common Areas without the prior written approval of the Committee as to size, color, design message content, number and location except:

1. Signs required by legal proceedings.
2. Project identification signs and other marketing signs installed by Declarant or the Association.
3. No more than one (1) professionally lettered “For Sale” or “For Rent” or “Open House” sign with maximum size to be eighteen (18) inches x twenty-four (24) inches to be placed on any individual Lot within the Community. Such sign shall be located wholly within the Lot being advertised “For Sale” or “For Rent”.
4. One small single-sided security/alarm sign may be placed near the front door where it is visible to persons approaching the Residential Dwelling and a sign may also be placed in a window of the Residential Dwelling. The signs shall not exceed seventy five (75) square inches in size.
5. One temporary sign identifying the contractor installing landscaping or a pool on the Lot or Parcel, but only during the period that such installation is in progress.
6. Per Revised State Statute Political signs may not be in place more than seventy one (71) days before an election and must be removed within three (3) days after the election to which the sign pertains; signs may not exceed an aggregate total of nine (9) square feet.

All signs shall conform to applicable municipal ordinances and other governmental requirements.

SOLAR PANELS AND EQUIPMENT: Except as initially installed by the Declarant or as specifically authorized in the Declaration, this document or any Federal, State, local or other regulatory laws, statutes, ordinances, rules and regulations, no heating, air conditioning, evaporative cooling or solar energy collecting unit or panels shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee.

Solar roof panels should be made to look like an integrated part of the roof design and mounted directly to roof plane and may not break roof ridgeline. Any visible cabling must match existing color theme so as to blend in with roof, eaves, trim, etc. Cabling must be attached to structure and not allowed to hang loose.

STORAGE SHEDS: Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including roof, does not exceed seven feet (7'). Sheds shall have a minimum set back of five feet (5') from all perimeter walls. Materials shall be of a high quality and shall be in harmony with the exterior of the residence including siding, color and roof material. Storage sheds will not interfere with established drainage pattern.

WINDOWS: Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of the home.

LANDSCAPE GUIDELINES

PUBLIC YARD LANDSCAPING: Plans for all landscaping, whether part of any initial or subsequent landscaping, including lawns, plants, irrigation systems, sprinklers, shrubs, trees, decorative features and the like that are to be installed so as to be Visible from Neighboring Property must be approved prior to installation by the Committee. The Lot and all landscaping located on the Lot must be maintained at all times in a clean, safe, neat and attractive condition.

If landscaping is not installed by the Builder, it shall be installed by the Owner within ninety (90) days after becoming the Owner of a Lot. The landscaping and irrigation improvements shall be installed in accordance with the Lot Landscape Plans approved in writing by the Committee. Prior to installation of such landscaping, the Owner shall maintain the Public Yard of the Lot in a weed-free condition.

PRIVATE YARD LANDSCAPING: Landscaping and irrigation improvements shall be installed in compliance with plans approved in writing by the Committee as well as all applicable municipal zoning ordinances within ninety (90) days of becoming the Owner of the Lot. Prior to installation of such landscaping, the Owner shall maintain the portions of such Lot required to be landscaped in a weed-free condition.

TURF: Turf must be submitted for approval from the committee. Turf is permitted in Public and Private Yard landscaping provided that no turf or spray irrigation shall abut walls, fences or the Residential Dwelling. A setback area of at least five (5) feet is recommended between walls, fences, structures and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause

damage and void any warranty. Drainage should flow away from all walls and any structures.

If you choose to install turf, you will have the option to overseed with winter rye, but are not required to do so. The Bermuda grass in the summer must be fertilized and well-maintained.

Owners may submit approval requests for high quality artificial turf in the Private yard only; the Committee will make case by case determinations regarding this material after reviewing the submittals which shall include a sample of the proposed artificial turf. In the event artificial turf is approved, Owner must maintain the appearance of the artificial turf in a clean, "like-new" condition. Association retains the right to determine when the artificial turf must be replaced due to weathering or other types of damage. Artificial turf must be replaced with same turf originally approved or real turf if replacement or repair is required. Artificial turf is not permitted in Public yard areas.

All turf must have a permanent border such as, extruded concrete curbing, brick border or other permanent material approved by the Committee.

Plant materials, organic ground cover and sprinkler components should be kept a minimum of twenty-four inches (24") to thirty-six inches (36") away from the foundation of the Residential Dwelling and any exterior concrete, including patios, driveways, perimeter walls, and walks (other than sidewalks). Trees and bushes that will become large and/or have extensive root systems should be planted a minimum of three (3) to five (5) feet away from the foundation, exterior concrete and fences. Turf and turf irrigation should be planted a minimum of five (5) feet from the home, walls and fences.

LANDSCAPE LIGHTING: Lighting other than low voltage landscape lights must be approved by the Committee. The following outlines the minimum standards for lighting: (i) Lighting shall be shielded such that the light shines primarily on the Lot on which it is installed. Lights which create glare visible from other Lots are prohibited; (ii) Lights shall be screened whenever possible with walls, plant materials or internal shielding to allow the light to be seen, but the not fixture itself.

HARDSCAPE: Any hardscape items proposed for installation must be approved by the Committee prior to installation. Materials included in hardscape are concrete, brick, tile, wood, pavers, etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls and fountains.

ROCK GROUND COVER: If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors. No more than two (2) different colors of one-half inch (½") screened granite rock is allowed in the yard and rock shall not spell out any words or names. Granite must be treated with pre-emergent at regular intervals to retard weed growth.

River rock shall be one (1) to six (6) inches in diameter and cover not more than ten percent (10%) of the landscaping. Rip rap of a similar color as the Private yard, placed in a "run" must also meet this ten percent (10%) maximum calculation.

PROHIBITED PLANT MATERIAL: The following vegetation types and varieties are expressly prohibited:

1. Olive tree (*Olea europaea*) other than the "Swan Hill" variety.
2. Oleander (*Nerium oleander*) other than dwarf variety and Thevetia (*Thevetia* species).
3. Fountain Grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*).
4. All varieties of Citrus are permissible within the confines of the Private yard only.
5. Mexican Palo Verde (*Parkinsonia aculeata*).
6. All varieties of mulberry trees.

ASSOCIATION RULES

ANIMALS: No animals, bird, fowl, poultry, reptile or livestock may be kept on a Lot temporarily or permanently, except for no more than two (2) adult dogs regardless of size or weight, and/or a reasonable number of common domestic pets such as cats, or birds such as parakeets, cockatiels and parrots, bred or raised solely as domestic pets and not for commercial purposes. All household pets permitted to be kept on the Lots under Section 3.13 of the Declaration shall be confined to their owners' Lots in which they are residing or visiting, except that dogs, cats or other pets capable of being walked on a leash may be permitted to leave their Lot without being confined if such animals are kept at all times on a leash not to exceed six feet (6') in length or are otherwise under a Resident's control and are not permitted to enter upon any other Lot. It shall be the responsibility of the Residents of the Lot to immediately remove any droppings from pets residing or visiting their Lot. No household pet permitted shall be allowed to make an unreasonable amount of noise or to become a nuisance. No structure for the care, housing or confinement of any permitted household pet shall be maintained so as to be Visible from Neighboring Property.

HOLIDAY DECORATIONS: Owners may display holiday lights and/or decorations located or visible from outside their Residential Dwelling, if the decorations are of reasonable size and scope and do not disturb the quiet enjoyment of other Owners in the Community by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Holiday decorations and/or lights may be displayed in season only from November 20 until January 20; during other times of the year may be displayed from one week prior to and one week after any nationally recognized holiday.

SANITATION: All refuse, including without limitation all animal wastes, shall be regularly removed from the Lots and shall not be allowed to accumulate thereon. Until removal from the Lots, refuse shall be placed in closed refuse containers with operable lids so that such containers are not open to the air. Refuse containers shall be kept clean, sanitary and free of noxious odors. Refuse containers shall be maintained so as to not be Visible from Neighboring Property, except that containers meeting City specifications may be placed out for pickup no earlier than 6:00 p.m. the day before

collection and must be removed from view no later than 8:00 p.m. the day of collection. No outdoor incinerators are allowed.

Each owner shall be responsible for removal of rubbish, debris and garbage not only from his Lot or parcel, but also from all public right-of-ways either fronting or alongside his Lot or parcel, excluding (i) public roadway improvements, and (ii) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association.

SEASONAL ITEMS AND DECORATIVE FLAGS: Seasonal and decorative flags which are house mounted below the roofline do not require approval. Seasonal flags may be displayed thirty (30) days before and must be removed within twenty-one (21) days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc., constitute grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

YARD SALES: Because the Project is a gated community, garage sales or any similar type of sales or organized activities that would require the invitation to the Project of the public at large are not allowed within the Project, except that the Board may coordinate a cooperative garage sale or other organized activity for participation by all the Residents on a periodic basis.

CLUBHOUSE RULES

Code of Conduct

- All persons must conduct themselves in a civil and courteous manner at all times and must not jeopardize or interfere with the rights and privileges of others.
- Loud, profane, indecent or abusive language is prohibited.
- Harassment or physical abuse of any person by another is prohibited.
- No person's actions shall compromise the safety of another. All persons using the Clubhouse shall obey all safety rules and shall cease unsafe activity when directed to do so by Association employees.

Rental of Clubhouse The Clubhouse or a portion of the Clubhouse may be rented for events held by Owners and Residents, Business Affiliates of Via Sonora Homeowners Association aka Rogers Ranch Unit 15, Non-Profit Organizations (i.e. Churches, Civic Organizations, Boy/Girl Scouts), and Non-Owners as determined by the Board of Directors.

A \$50.00 Refundable Security/Cleaning Deposit and \$50.00 Event charge will be required for each event. A Certificate of Liability Insurance with a minimum policy of \$100,000.00 naming Via Sonora Homeowners Association aka Rogers Ranch Unit 15 as additionally insured must be presented at time of reservation with the exception of an event held by and Owner or Resident. The security/cleaning deposit and event charge will be required at the time of reservation. The security/cleaning deposit will be returned

within 10 days following the event, provided that the room is returned in a clean and undamaged condition.

- Reservations for the Clubhouse will only be accepted from persons 21 years of age or older. No one under the age of 12 can be in or use the Clubhouse without adult supervision.
- The use of bicycles, roller blades, roller skates, shoes with wheels, scooters, or skateboards is not allowed inside of the Clubhouse.
- All town, county, state and federal regulations must be obeyed.
- The individual reserving the Clubhouse is responsible for the conduct of their guests, any vendors, such as caterers, and any damages they may cause.
- Individuals reserving the Clubhouse are to clean up after themselves immediately upon completion of using the Clubhouse.
- Tacks, staples, nails or adhesives may not be applied to painted walls, ceiling or surfaces or used to affix any signs, banners or decorations.
- Open flame candles may not be used inside the building.
- No frying or grilling is allowed inside the Clubhouse.
- Any food or decorations must be brought in and removed within the reserved time period.
- All garbage and or trash including food, cans/glass, waste paper and decorations are to be bagged and disposed of properly (off site, not in the Clubhouse trash receptacles).
- All floors must be cleaned and any tables and chairs must be cleaned and put back in original location.
- **Any Association costs for cleaning, trash removal or damage incurred during an event will be the responsibility of the individual who made the reservation. Fees will be based on the actual cost of cleaning and/or repairs. Fees not covered by the security deposit must be paid within fourteen (14) days of the event.**
- Individuals reserving the Clubhouse must report any repair issues, damages and/or safety issues immediately to the Association Management Company.
- Clubhouse will be reserved on a first come, first served basis confirmed upon completion of the Clubhouse Reservation Request Form and all applicable deposits and fees.
- Reservations must be made at least 72 hours in advance and not more than 60 days in advance.
- Clubhouse may be reserved within the Clubhouse hours of operation.

Responsibility Residents are responsible for their guests while using the Clubhouse and facilities. Guests under the age of 12 must be accompanied by a Resident or adult guest at all times.

No Smoking Policy Smoking is prohibited in any indoor area of the Clubhouse. Where outdoor smoking receptacles are provided, smoking is allowed.

Notices and Advertisements Notices, advertisements or posters of any kind shall not be placed or distributed in the Clubhouse without the prior written consent of the Manager.

Alcoholic Beverages No alcoholic beverages may be brought to and/or consumed in the Clubhouse, unless approved in writing by the Board of Directors.

Pets (except for assistance animals) shall not be allowed inside the Clubhouse.

Compliance Any person who refuses to abide by Association Rules may be asked to leave the Clubhouse by Association employees. Continuous violations may result in the loss of the Clubhouse use privileges and/or monetary fines.

Lost and Found Lost and found items will be retained at the Clubhouse for a reasonable period of time and then discarded if not claimed.

Days/Hours of Operation Clubhouse will be open by reservation only. Please contact the Community Manager for reservations.

The Board of Director may from time to time change the hours as posted. The office will be closed during holidays, observed holidays will be posted.

VEHICLES AND PARKING

RECREATIONAL VEHICLES: Recreational Vehicles (graders, tractors, boats, campers, trailers, wagons, buses, sleighs, off-road motorcycles, motor scooters, boats all-terrain vehicles, garden and maintenance equipment, etc.) may be parked or stored on an owner's property given the following conditions are met:

- All parked or stored Recreational Vehicles MUST obtain ARC approval prior to placement. Parked or stored Recreational Vehicles that do not abide by these guidelines will be subject to the Violation Policy including removal by the Association.
- All parked or stored Recreational Vehicles must be operable.
- Recreational Vehicles are permitted on the side of the home only and must be behind the nearest front corner of the home and may not extend beyond the rear corner or attached covered patio of the home, whichever is farthest. Such parking may require additional landscaping or material on any or all sides, as determined by the ARC, to screen the vehicle from view.
- Recreational Vehicles are NOT to be parked on a driveway or Community streets, unless engaged in loading or unloading.
- No more than two (2) Recreational Vehicles may be parked or stored on an owner's lot at any time. The ARC reserves the right to limit any owner to one (1) Recreational Vehicle should they determine the lot size is inadequate for two (2). A visitor Recreational Vehicle does not count toward the maximum allowable number of Recreational Vehicles to be parked or stored.

- A Recreational Vehicle belonging to an owner or owner's visitor may be parked on the owner's lot or adjacent street for a period up to 72 hours, and any longer period of time requires prior written approval from the ARC. The ARC specifically reserves the right to limit the number of times in any one season in which a waiver is granted. Recreational Vehicles belonging to an owner's visitor parked on the driveway or common streets are subject to be towed at the Owner's expense.

VEHICLES: Without limiting the generality of the following, all vehicles must be parked in the driveway or otherwise shielded from view in an approved garage, approved Storage Structure or stored off-site at all times except when in actual use for the purpose intended or as provided in "Recreational Vehicles" Section.

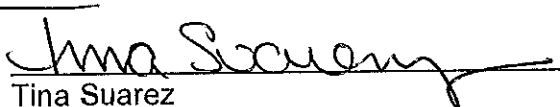
- No commercial-type vehicles, other than pickup trucks not in excess of one (1) ton which are solely for personal use, shall be allowed on the Common Property, any Lot, or any street or driveway in the Community except while engaged in transport to and from any Building or Lot. For purposes of applying this provision, any vehicle having any advertising material affixed to its exterior shall be deemed a "commercial-type" vehicle.
- Repairs of vehicles shall be performed within the confines of closed garage (unless such repair creates a health or safety hazard); however, any such vehicle under repair shall not be allowed to become an unsightly article or nuisance.
- Garages are intended for the storage of vehicles. To the extent that the garage is used for purposes other than storing a vehicle, owners are permitted to park one LESS vehicle for each garage space so utilized.
- No abandoned or inoperative vehicles are allowed to be parked or stored on any visible portion of the property at any time except during transport to or from the property, and then only for a period not to exceed 24 hours.

UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
VIA SONORA HOMEOWNERS ASSOCIATION
Aka Rogers Ranch Unit 15
c/o AAM, LLC
1600 W. Broadway Rd., Ste 200
Tempe, AZ 85282
(602) 957-9191

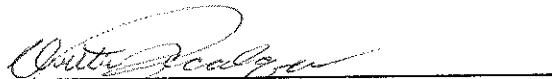
The undersigned, constituting all of the members of the Board of Directors of Via Sonora Homeowners Association aka Rogers Ranch Unit 15, an Arizona nonprofit corporation, hereby take the following actions in writing and without a meeting pursuant to Section 10-3821, Arizona Revised Statutes, which actions shall have the same force and effect as if taken by the Board at a duly called meeting of the Board.

RESOLVED that the Board of Directors hereby adopts the attached Association Rules and Design Guidelines dated August 1, 2013.

IN WITNESS WHEREOF, the undersigned have executed this consent as of the 22 day of October, 2013.



Tina Suarez
President and Director, Board of Directors



Christian Passalacqua
Vice President and Director, Board of Directors



Michael Welch
Secretary and Director, Board of Directors