

BLOSSOM HILLS TWO COMMUNITY ASSOCIATION



ARCHITECTURAL COMMITTEE RULES

REVISED
MAY 2019

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BLOSSOM HILLS TWO COMMUNITY ASSOCIATION

Architectural Committee Rules

I. INTRODUCTION

Blossom Hills Two Community Association is a community designed to respect the climate and regional character of its location, minimize environmental impact and maximize water and energy conservation principles. In order to implement and preserve these principles, these Architectural Committee Rules have been established to maintain certain standards by which the community may grow and develop.

The Architectural Committee Rules provide an overall framework and a comprehensive set of guidelines by establishing criteria for the design, size, location, style, structure, materials and color of architecture and landscaping, as well as relevant criteria for the construction or modification of all Improvements made by any party other than the "Declarant". They also establish a process for the judicious review of proposed Improvements or alterations. However, the Architectural Committee Rules are not the exclusive basis for decisions of the Architectural Committee, and compliance with the Architectural Committee Rules does not guarantee approval of any application.

All terms used but not defined herein shall be given the meanings ascribed to them in the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Blossom Hills Two (the "Declaration") and any supplements or amendments thereto, unless the context requires otherwise. The Architectural Committee Rules will be administered by the Architectural Committee pursuant to Article 9 of the Declaration.

In the event of conflict between the Architectural Committee Rules and any government ordinance, building code or regulation, the more restrictive standard shall prevail.

II. ARCHITECTURAL REVIEW PROCESS

APPLICATION PROCEDURE

Submittal

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

Blossom Hills Two Community Association c/o

Vision Community Management

16625 S Desert Foothills Pkwy

Phoenix, AZ 85048

Phone: 480-759-4945 Fax: 480-759-8683

E-Mail: BlossomHillsTwo@WeAreVision.com

The following information must be included with each submittal;

1. Application Form – a completed application form (copies of which can be obtained from the Management office)
2. Plot Plan – A site plan showing dimensions, relationship to existing dwelling and property lines (setbacks). Measurements must be written on plans.
3. Elevation Plans – Plans showing finished appearance of the proposed addition or change in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications – Detailed description of materials to be used and color samples.

All buildings and structures erected within Blossom Hills Two and the use and appearance of all land within Blossom Hills Two shall comply with all applicable City of Phoenix and Maricopa County zoning ordinances, building codes and other ordinances as well as the Declaration and these Guidelines.

NOTE: Only Lot Owners may request approval. Requests for approval may be submitted only after the closing on a Lot.

Review – Approval and/or Disapproval.

The Architectural Committee shall have 45 days after submittal of plans to approve or disapprove plans.

Review and approval or disapproval will include but not be limited to, consideration of material, colors, consistency with the external design and color of existing structures on the Lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation will also be considered.

The Architectural Committee, Board, Declarant and Designated Builder shall not have any liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition or its effect upon existing or future damage. Review of plans by the Architectural Committee is for aesthetic purposes only.

Approval Expiration – Construction must be started within 90 days of the date of the Architectural Committee's approval of the applicable application or the Architectural Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Guidelines.

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 Architectural Committee's discretion), such construction shall be completed within six (6) months after the date of the Architectural Committee's approval of the applicable application.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE ARCHITECTURAL COMMITTEE MUST APPROVE ALL PLANS. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE ARCHITECTURAL COMMITTEE.

III. ARCHITECTURAL AND DESIGN CHARACTER

1. The architectural design of all additions, alterations and renovations to the exterior of any Dwelling Unit shall conform to the design of the original Dwelling Unit in style, detailing, materials and color.
2. The height of any addition to an existing Dwelling Unit shall not be higher than the original roof line.
3. All additions to Dwelling Units shall be built within the setback lines originally established by the Final Plat for Blossom Hills Two or as changed by the Declarant with the requisite approval of the City of Phoenix.
4. All materials used in the maintenance, repair, addition and alteration of any structure or Improvement subject to review hereunder, shall match those used in the initial construction of the Improvement as to color, composition, type and method of attachment. The Architectural Committee may allow substitute materials if it deems such materials to be compatible with the theme of the Community.
5. No addition, alteration or renovation of an existing Dwelling Unit or any other activity on a Lot may alter the established Lot drainage (as established by the Declarant).
6. Any addition or change to a Dwelling Unit shall be within the model selection choices offered by the original Builder, or if it was not offered by the original Builder, may not exceed ten percent (10%) of the footprint of the Dwelling Unit.

IV. ARCHITECTURAL COMMITTEE RULES

- A. **ADDITIONAL STRUCTURES:** Additional structures shall include any structures not specifically called out in this document or the Declaration. Unless specifically stated herein, these structures must be setback in compliance with local City/State requirements from all surrounding property lines. They require Architectural Committee approval if they are taller than the surrounding fences. The intent is to use colors that are consistent with the Community; however, materials are subject to review by the

Architectural Committee. If it is felt that the materials will not last in the Arizona weather, the Architectural Committee has the authority to request additional information or require that the materials be better suited to our climate. Lattice and/or trellis structures will be required to be painted to match the base color of the home or left natural redwood (redwood may be sealed so that it looks good for a longer period of time). All accessory structures must be maintained in like-new condition at all times.

- B. ACCESSORY STRUCTURES** - Accessory structures shall include gazebos, ramadas, pergolas, etc. These structures must be setback at least five (5) feet from all surrounding property lines; for every six (6) inches over the six (6) foot wall height a structure must be setback an additional twelve (12) inches away from the wall (*i.e.*, a structure that is 7 feet tall would need to be 7 feet away from wall, a structure that is 9 feet tall would need to be 11 feet away from wall). The Accessory structure may require shielding with approved landscaping material on Lots with view fencing.

Accessory structures require Architectural Committee approval if they are taller than the surrounding fences or are Visible From Neighboring Property, including other Lots or Association Common Areas. The intent is to use colors that are consistent with the Community; however, materials are subject to review by the Architectural Committee. If it is felt that the materials will not last in the Arizona weather, the Architectural Committee has the authority to request additional information or require that the materials be better suited to our climate. Any lighting proposed for accessory structures must be included in the submittal and approved by the Architectural Committee prior to installation.

Accessory structures may be erected in back yards only, subject to prior review and approval by the Architectural Committee and subject to the following guidelines: (a) the maximum roof height may not exceed ten (10) feet at the highest point; (b) ramadas or gazebos must be painted or stained to complement the house color; (c) pergolas must contain an open slatted roof and must be painted to complement the body color of the home; (d) support pillars must be painted to complement the body color of the home or faced with stone accents as applicable to the Community; (e) palapas or tiki huts will not be considered for approval. (f) Structure shall not be attached at any point to any fence (including any block wall fence).

See STORAGE SHEDS below for additional information with regard to Storage Sheds.

- C. ADDITIONS:** When considering an addition to an existing structure, the Architectural Committee will only approve the application if:
1. The height of any addition shall be no higher than the existing home.
 2. All additions shall be built within the setback lines originally established for Blossom Hills Two, regardless of more lenient requirements of governmental authority.
 3. When additions, alterations, or renovations are performed, the established lot drainage must not be altered. All new or altered roofs shall drain to the ground solely within the deeded Lot area. No roof may drain directly onto a neighboring property.
 4. Additions shall not be attached at any point to any fence (including any block wall fence).
- D. ANTENNAS AND 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 back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;

2. An unscreened location in the back 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 front 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.

- E. **AWNINGS AND OTHER ARCHITECTURAL FEATURES** - Awnings, canopies, shutters, security shields, tile, iron, stone or other such architectural features on the front of the Dwelling Unit must conform to the theme and color scheme of the Dwelling Unit and Community. Awnings or canopies must be a high quality and durable fabric of a solid color. Patio awnings must be retractable, horizontally stabilized and made of quality material. The total square footage of the patio must not exceed ten percent (10%) of the livable square footage of the Dwelling Unit. Submittal of such items must include a drawing with the location of the proposed installation, a sample of the material to be used, colors and designs. Owners shall be responsible for the maintenance and repair of such items. The Association retains the right to determine when items must be cleaned, repaired or replaced due to weathering, fading, tearing, etc.
- F. **BASKETBALL GOALS** - No basketball goal, backboard or similar structure or device shall be placed or constructed on any Lot so as to be Visible From Neighboring Property without the prior approval of the Architectural Committee, including without limitation, approval as to appearance, height and location.

No basketball backboard, hoop or similar structure shall be attached to a Dwelling Unit or other structure. Basketball backboards, hoops or similar structures attached to a free-standing pole may be placed in the front yard to the side of the driveway provided the location, style, and color of the basketball backboard, hoop, and free-standing pole or similar structures are approved in writing by the Architectural Committee. Portable basketball goals need not be submitted for approval. Portable basketball goals must be placed next to the driveway on the front entry door side. Any portable goal not maintained in this location must be stored in the garage or back yard in a manner not to be Visible From Neighboring Property. Goals may not be placed on the sidewalk, curb or street at any time. All goals must be maintained in good condition.

- G. **CLOTHES DRYING FACILITIES** - 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.
- H. **COURTYARDS** - Walled courtyard areas are defined as an enclosure of the front portion of the residence to create a private/semi-private walled area. Courtyard walls must be constructed of concrete masonry unit (CMU) block and be stucco and painted to complement the body color of the home. Courtyard walls may be enhanced by stone or other accents that are consistent with that used on the homes within Blossom Hills Two. Front walls enclosing entry areas creating a private courtyard shall be no more than forty-eight (48) inches in height. Front courtyard pillars/columns are limited to a maximum height of fifty-two (52) inches. Modifications to courtyard wall and pillar height requirements may be made on a case-by-case basis with strong consideration given to the home series and elevation. Owners must submit detailed information with exact height, materials to be used, picture or drawing of the home series and elevation. The placement of 'Coach Light' type fixtures and planting pots is permitted on top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of front courtyard walls shall be around the

front entrance area of the house creating a courtyard that does not encroach into the building setback line.

The color of the planting pots must complement the body color of the home. Courtyard walls and pillars/columns, as described, cannot be outside the building setback area.

A courtyard arch may be constructed, but must meet the following criteria:

- A minimum twenty-four (24) inch depth.
- Ten (10) feet at the highest point.
- Be stucco and painted to match the body color of the home or finished with accents as applicable to the Community.

All gates installed on courtyard entrances must be submitted to the Architectural Committee for approval.

- I. **DECORATIVE ART ON HOUSES/LAWN ART** Decorative items in back yards or courtyards that are screened from the view of neighbors and Common Areas do not require prior approval by the Architectural Committee. Front yard and/or porch items that are Visible From Neighboring Property or the street must be submitted for approval by the Architectural Committee. 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. The Architectural Committee reserves the right, on a case-by-case basis, to limit the number of pots Visible From Neighboring Property.
- J. **DRAINAGE** - No Dwelling Unit, structure, building, landscaping, fence, wall or other improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, divert, interfere with or change the direction of flow of water in accordance with the drainage plans for the Community, or any part thereof, or for any Lot as shown on the drainage plans on file with the City of Phoenix. Each Owner shall, at their own expense, maintain the drainage ways and channels on their Lot in proper condition free from obstruction.
- K. **DRIVEWAY EXTENSIONS AND SIDEWALKS** - Driveway extensions will be reviewed for approval providing the following conditions are met:
1. Only driveway extensions located on the side yard of the property will be considered; however, extensions not to exceed two (2) feet in width shall be permitted on the interior and/or exterior sides of the existing driveway.
 2. Submittals must include a plot plan with the following noted thereon: (a) the location and dimensions of the proposed extension; (b) the existing driveway dimensions; (c) the total linear feet of Lot frontage; and (d) the material proposed for the driveway extension.
 3. Driveway extension must be at least two (2) foot off of the side Lot line.
 4. Painting of paved surfaces that will be Visible From Neighboring Property is prohibited.

Any additions, removal and/or replacement of the driveway and sidewalk (e.g., to utilize colored concrete, exposed aggregate, stamped concrete, etc.) must be submitted on the landscaping plans with color specifications, etc. for approval.

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

1. The additional sidewalk is four (4) feet or less in width and is setback one (1) foot or more from the property line and one (1) foot or more from the home.

2. Such setback areas between the property line and the sidewalk and the home and the sidewalk must have groundcover installed to match the existing front yard ground cover (i.e., decomposed granite, grass).

Sidewalks that do not meet the above conditions must be submitted for approval and will be considered on a case-by-case basis. Additional sidewalks in any other location must be submitted for approval.

- L. EXTERIOR LIGHTING** – Except as initially installed by Declarant or Designated Builder, no spotlights, floodlights, or other high intensity lighting shall be placed or utilized on any Lot which will allow light to be directed or reflected on any other Lot or any public street.

Exterior lighting shall be permitted on a Lot so long as (i) the source of such lighting is not Visible From Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; (iii) such lighting is limited to that which is reasonably necessary for the safety and convenience of the Dwelling Unit Owner; and (iv) such lighting conforms with such other requirements as may be imposed by the Architectural Committee. Neighboring property for this section shall include Lots, Common Areas, and streets. Notwithstanding the foregoing, but subject to reasonable regulations by the Architectural Committee, exterior floodlights may not continuously remain on after 10:00 PM.

- M. FLAGS AND FLAGPOLES** - Per Arizona Statute, display of one of the following flags shall be permitted: American, Arizona State, United States Air Force, United States Army, United States Navy, United States Marine Corp or United States Coast Guard, POW – MIA, Gadsden, or an Arizona Indian Nation.

Prior approval of the Architectural Committee is not required for flagpoles that are installed in the front or back yard of the Lot at least fifteen (15) feet from the property line. The height of the flagpole shall be no greater than the height of the highest point of the roofline. Flagpoles that are house mounted below the roofline of the Dwelling Unit do not require prior approval of the Architectural Committee. Only one flagpole of any type (free standing or house mounted) is allowed on a Lot.

- N. GARAGES** - Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be used for or converted to living quarters or for hobby/recreational usage without the prior written approval of the Architectural Committee and applicable City and County Zoning and Code requirements. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry or exit of vehicles or persons. No merchandise or other items, to include vehicles of any type, shall be placed, maintained or displayed for the express and sole purpose of sale in front of the garage or in any part of driveways, unless specifically approved by the Architectural Committee.

- O. GATES** - Double gates may be installed at Blossom Hills Two to allow wider access ways to back yards. Double gates will not be allowed on side streets of corner lots. Double gates should be of the same type, design, and color as the originally installed single gate. Shrubs, trees, or other plants should be located between the Dwelling Unit and the double gates, where possible.

When gates are in need of maintenance, a Lot Owner with wrought iron gates with wood inserts must paint the wrought iron to match its original color and must maintain the wood in its natural color.

Gates of any kind on perimeter walls or view fencing on Lots bordering Common Areas are prohibited.

P. GUTTERS AND DOWNSPOUTS - Gutters and downspouts may be considered for approval. The finish on same must match the Dwelling Unit in color. High quality materials that offer long life are recommended, as the Lot Owner will be required to maintain the addition in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of materials to be used, warranty by the manufacturer and the name and telephone number of the installer.

Q. HOLIDAY DECORATIONS AND LIGHTING - For the holiday seasons that occur during November and December, decorations may be displayed beginning November 20th and must be removed by January 20th. For other seasonal holidays, decorations may be put up one week before the holiday and must be removed within one week after the holiday.

The Architectural Committee reserves the right, on a case-by-case basis, to determine if decorations may be offensive to Association Members or cause any kind of disturbance based on size, quantity, color, location or other such criteria. The Architectural Committee reserves the right to require immediate removal of said offensive items on a case-by-case basis.

R. OUTDOOR FIREPLACES - Outdoor fireplaces must be contained within the walls of the property, whether they are located in the front yard, side yard or back yard. Outdoor fireplaces that exceed the height of the surrounding walls require Architectural Committee approval and will be required to be setback at least five feet (5') from all surrounding walls.

S. PAINT COLORS - Prior to exterior painting, the Architectural Committee must approve proposed colors.

T. PARK BENCHES OR OUTDOOR FURNITURE - Park benches and other outdoor furniture are allowed in the front yards, front porch or courtyard areas of the home and in back yards with view fencing so long as they are of natural, earth tone colors to complement the home and are kept in like new condition. These items shall be located behind the most forward portion of the home, including the garage, when situated in the front yard setting. White or brightly colored resin benches, tables, chairs or chaises are prohibited if Visible From Neighboring Property.

U. PATIO COVER ADDITIONS - Patio cover additions shall be of the same design as those offered by the original Builder. If proposed patio cover addition was not offered by the original Builder, such addition may not exceed ten percent (10%) of the footprint of the Dwelling Unit.

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers not installed by the Declarant or Designated Builder will need to be reviewed by the Architectural Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

V. PLAY STRUCTURES - Play structures installed in back yards that do not have a play platform, do not exceed a height of eight (8) feet from ground level and are placed a minimum of five (5) feet from all neighboring boundaries shall not require Architectural Committee approval. Swing sets and play structures that have play platforms and exceed eight (8) feet in height, must be submitted to the Architectural Committee for approval. The maximum height for a play platform on a play structure shall be five (5) feet from ground level. No play structure shall exceed twelve (12) feet in height to include any canopy or roof. All play structures must be setback a minimum of five (5) feet from all surrounding property lines, for every six (6) inches over the six (6) foot wall height a structure must be setback an additional twelve (12) inches away from the wall (*i.e., a structure that is 7 feet tall would need to be 6 feet away from wall, a structure*

that is 9 feet tall would need to be 8 feet away from wall) and shall require shielding with approved landscaping on Lots with view fencing.

A canopy on the play structure must be an approved color blending with the color of the dwelling stucco.

Trampolines, batting cages or any other playground equipment that shall be Visible From Neighboring Property must be submitted to the Architectural Committee for approval. Such items shall be placed a minimum of five (5) feet from all neighboring boundaries and shall not exceed twelve (12) feet in height. For every six (6) inches over the six (6) foot wall height such equipment must be setback an additional twelve (12) inches away from the wall (*i.e., a structure that is 7 feet tall would need to be 6 feet away from wall, a structure that is 9 feet tall would need to be 8 feet away from wall*). Safety nets, if any, must be brown, black or a neutral color with supports painted to match the net.

All playground equipment must be maintained in good condition at all times.

ALL PLAY EQUIPMENT MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION.

- W. POOLS, SPAS AND JACUZZIS** - In ground swimming pools do not require the prior approval of the Architectural Committee subject to the following restrictions: (a) perimeter walls on Lots bordering Common Areas cannot be torn down to allow access to back yards. **An assessment of \$2,000.00 will be applied to an Owner in which such wall has been removed;** (b) access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. In addition, any landscape that may be destroyed or damaged must also be replaced; (c) pool ladders, slides, rock waterfalls, etc. that will be Visible From Neighboring Property must be submitted to the Architectural Committee for approval; (d) Owners are responsible to ensure all codes and ordinances are complied with in regard to the installation of a pool; (e) pools may not be backwashed off of the Lot. Check with your pool contractor concerning ordinance requirements for backwashing your pool. Damage to Common Areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be charged to the Owner.

Above ground pools shall not be permitted on Lots with view fencing. Above ground spas shall be permitted on Lots with view fencing subject to Architectural Committee approval. Spas must be setback a minimum of ten (10) feet from all surrounding property lines and shall be shielded from view with landscaping as approved by the Architectural Committee.

POOL FENCING AND EQUIPMENT - The specifications for back yard wrought iron pool fencing on a Lot with view fencing shall be of a neutral earth tone color to match or blend with the exterior color of the home and meet all City, County, State and Federal requirements.

POOL SCREENING WALLS - All pool and spa equipment must be screened from view of neighboring property. Lots with view fencing must submit plans for screening to the Architectural Committee for approval. Pool equipment screening walls may not exceed five (5) feet in height and shall be painted to match the base color of the home.

- X. ROOFTOP EQUIPMENT** - No machinery, fixtures or equipment of any type, including but not limited to heating, ventilating, cooling, evaporative, air-conditioning and appurtenant equipment may be mounted, installed or maintained on the roof or wall

mounted on the Dwelling Unit or other building so as to be Visible From Neighboring Property.

Y. **SECURITY DOORS** - Security doors shall be permitted provided that they are of a color to match the front door or exterior base color of the home. Silver-colored aluminum screen doors are prohibited. Ornamental doors require approval from the Architectural Committee. All screen door designs must be submitted to the Architectural Committee for approval prior to installation.

Z. **SIGNS** - No sign shall be erected within the Community, except those required by law, including posters, circulars and billboards; provided the following types of signs may be erected on a Lot without written consent so long as the permitted signs are professionally painted, lettered and constructed:

1. Signs required by legal proceedings.
2. One (1) residential identification sign, identifying a Lot or Dwelling Unit by number, address or occupant in a style designated by the Architectural Committee, not to exceed seventy-five (75) square inches in size will be permitted.
3. No more than one (1) industry standard size "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 single-sided security/alarm sign may be placed in the front yard where it is visible to persons approaching the Dwelling Unit. The signs shall not exceed eight (8) inches by ten (10) inches in size.
5. Per Arizona 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 of nine (9) square feet.

AA. **SOLAR EQUIPMENT PANELS OR DEVICES** - Except as initially installed by the Declarant or Designated Builder, no solar energy devices shall be placed, installed, constructed or maintained upon any Lot without the prior written approval of the Architectural Committee. All solar submittals must include a photo or brochure of the panels and equipment. Roof mounted solar equipment (excluding the solar panels) should match the roof material in color, if possible. Solar collecting panels and devices must be (a) placed, constructed and maintained so as not to be visible from the front yard of the Lot; or (b) placed, constructed and maintained in such location(s) and with such means of screening or concealment as the Architectural Committee may reasonably deem appropriate to limit, to the extent possible, being visible from the front yard of the Lot.

BB. **STORAGE SHEDS** - Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including the roof, does not exceed the height of the immediate surrounding wall(s) or fence(s). The shed shall have a minimum setback of five (5) feet from any back or side walls.

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must be approved prior to construction; for every six (6) inches over the six (6) foot wall height a structure must be setback an additional twelve (12) inches away from the wall. (*i.e., a shed that is 7 feet tall would need to be 7 feet away from wall, a shed that is 9 feet tall would need to be 11 feet away from wall*). Sheds must be constructed of materials that match in color the materials used by the Builder in the original construction of the dwelling.

Storage sheds on Lots with a view fence are subject to the following provisions: (1) the shed may not be placed adjacent to the view fence; (2) the shed must be screened from view with approved plant materials; (3) the shed must be constructed of materials

that match in color the materials used by the Builder in the original construction of the dwelling; and (4) placement of the shed must be approved prior to installation.

- CC. TANKS** - No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any Lot of an above ground propane or similar fuel tanks with a capacity of ten (10) gallons or less used in connection with a normal residential gas barbecue, grill, fireplace, spa or "hot tub", so long as any such tank is appropriately stored, used and/or screened, in accordance with the Architectural Committee Rules or as otherwise approved by the Architectural Committee so as not to be Visible From Neighboring Property.
- DD. WALLS AND FENCES INCLUDING DECORATIVE WALLS** - Any fences or walls installed by the Declarant or Designated Builder shall not be removed or altered without prior written approval of the Architectural Committee.

Plans to modify any party walls must be submitted for approval. Party walls are defined in the Declaration under Article 11 as each wall or fence which is located between two (2) Lots or between a Lot and Common Area. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will about the wall(s) being modified, materials to be used and texture and color of the finished wall. Side and back walls may not exceed six (6) feet in height from ground level, as measured from the highest side of the wall.

Decorative walls shall not exceed forty-eight (48) inches in height. Pillars or columns shall not exceed fifty-two (52) inches in height. Such decorative walls, pillars or columns shall be stucco and painted to match the body color of the home or enhanced by stone or other accents that are consistent with that used on the homes within Blossom Hills Two. The placement of 'Coach Light' type fixtures and planting pots is permitted on the top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of all decorative walls, pillars and columns shall not encroach into the building setback lines and must be approved by the Architectural Committee.

See COURTYARDS above for additional information with regard to courtyard walls.

- EE. WINDOW COVERINGS/SCREENS** - 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.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames. Replacement sunscreens that do not match those originally installed by the Builder must be submitted for approval.

- FF. YARD SALES AND GARAGE SALES** - Unless the Association adopts standard yard sale/garage sale dates for the Community, Owners may not hold "yard sales" or "garage sales" to sell personal property. The Association shall give reasonable notice to all Owners if it adopts standard yard sale/garage sale dates for yard sales in the Community.
- GG. LANDSCAPING REQUIREMENTS AND GUIDELINES** - Front yard landscaping has been installed by the Builder. The Owner of a Lot with wrought iron view fencing shall complete the back yard landscape and irrigation improvements within one hundred twenty (120) days of the date of Closing in compliance with the following guidelines (as may be amended from time to time).

PRIOR TO INSTALLATION OF LANDSCAPING, THE LOT OWNER SHALL MAINTAIN THE LOT IN A WEED-FREE CONDITION.

****Plans for landscape need not be submitted for approval, providing the following guidelines are met. ** Hardscapes in the front yard must have prior approval.**

PLACEMENT - All turf, plant materials and sprinkler components should be kept a minimum of twenty-four inches (24") away from the foundation of the Dwelling Unit and any exterior concrete, including patios, driveways, perimeter walls, and walks (other than sidewalks). No plastic liner or ground cover of any type should be installed within thirty-six inches (36") of the foundation or exterior concrete. Trees and bushes that will become large and/or have extensive root systems should be planted a minimum of four (4) to six (6) feet away from the foundation, exterior concrete and fences.

GRANITE - Decomposed granite used in Blossom Hills Two shall be Desert Spice, Desert Tan or another neutral earth tone and screened 1/2" to 5/8" in size.

Granite shall be installed with a minimum two (2) inch thick layer. All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth.

River run rock of an "earth tone" color is also permitted, but shall be three inches (3") to six inches (6") in diameter. Not more than ten (10) percent of the front yard landscape may be river run rock.

BOULDERS - Use of boulders to create a natural setting is permitted subject to the following criteria:

Boulders must be "surface select" granite boulders and must be buried with one-third of the boulder being underground. Boulders shall be installed in a naturalistic manner and integrated within the landscape including other boulders or landscape materials such as plants, decomposed granite and contouring.

TURF – Turf is permitted in front and back yard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least five (5) feet are 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.

Turf must be overseeded and remain green year-round, including back yards with view fencing (unless specifically waived by the Association).

Turf coverage should comply with any applicable City of Phoenix Ordinances.

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

IRRIGATION - All landscape irrigation must be underground, automatic and low water use drip systems, except for turf or flowerbed areas, which may use spray systems. Overspray onto sidewalks and streets are strictly prohibited. Great care should be taken to avoid spray of walls, fences and other structures that may cause damage and void any warranty.

LANDSCAPE LIGHTING - Landscape lighting shall be low-voltage only. Landscape lighting must be controlled with an electric clock or photo-cell device. Light sources must be shielded from view.

Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from the Lot line. Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

PROHIBITED PLANT MATERIALS - The following vegetation types and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights and weed-like characteristics of excessive growth, high water demands or other similar traits. Under no circumstances is it permissible to plant a prohibited plant or allow it to remain within the front yard or back yard of any Lot within the Community, unless specifically noted below.

1. Olive trees (*Olea Europaea*) other than the "Swan Hill" variety
2. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortadena Selloana*)
3. Oleanders other than the dwarf or petite variety (*Nerium Oleander*) and *Thevetia* species
4. Mexican Palo Verde (*Parkinsonia aculeata*)
5. All varieties of Mulberry trees
6. Eucalyptus (all varieties)
7. *Dalbergia Sissoo* (Sissoo or Indian Rosewood)

FINE GRADING & MOUNDING - Fine grading is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the Dwelling Unit. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the applicable grading and drainage plan. Every effort should be made to make the mounding appear natural.

WATER FEATURES, FOUNTAINS - Items such as water features and fountains are permitted within back yard areas and do not require approval by the Architectural Committee, except on Lots with view fencing. Water features and fountains to be located in the front yard or in the back yard of Lots with view fencing must be approved in advance of installation by the Architectural Committee. Water features and fountains Visible From Neighboring Property may not exceed five (5) feet in height and must be earth tone in color. It is recommended that water be chlorinated.

HARDSCAPE - The Architectural Committee must approval any hardscape items proposed for front yard installation. Only hardscape items that will be Visible From Neighboring Property in the back yard will require approval. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls and decorative walls.

All visible portions of the Lot within the Community are subject to the following guidelines:

- Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition.
- All dead and dying plants must be replaced with same species or other appropriate plants.
- Yard tools, equipment and general storage items should be stored out of sight when not in use.
- Parking of vehicles of any sort in a back yard shall require screening from view of neighboring property at all times.
- Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. must be approved by the Architectural Committee prior to installation.

- HH. MAINTENANCE OF LANDSCAPING** - Each Owner of a Lot shall properly maintain and keep neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material all landscaping located on (i) Owner's Lot; (ii) any public right-of-way or easement area which abuts or adjoins the Owner's Lot and which is located between the boundary line of his Lot and the paved area of any street, sidewalk, bike path or similar area, except the area between the curb and the sidewalk which is the Association responsibility, (unless otherwise directed by the Board); and (iii) any non-street public right-of-way or easement area adjacent to his Lot (unless otherwise directed by the Board); provided, however, that such Owner shall not be responsible for the maintenance of any areas over which the Association assumes the responsibility in writing or the City of Phoenix, Maricopa County or any other municipality or other governmental agency or entity having jurisdiction over such property assumes responsibility. Proper maintenance of landscaping shall include, without limitation, removal and replacement of dead landscaping, subject to the Architectural Committee Rules.

Landscaping and irrigation between back of curb and sidewalk is the responsibility of the Association.

- II. OVERHEAD ENCROACHMENTS** - No tree, shrub or planting of any kind on any Lot or other property shall be allowed to overhang or otherwise to encroach upon any sidewalk, street, bicycle path or pedestrian way from ground level to a height of eight feet (8') without the prior approval of the Architectural Committee.
- JJ. STREET PARKING** - Street parking is permitted between the hours of 6:00 AM and 6:00 PM. All street parking outside of this time frame will be strictly enforced and met with violations and/or fines in accordance with the Association's enforcement policy. Street parking of commercial and inoperable vehicles are not allowed. Overnight parking is strictly prohibited.