# **Countrywalk Estates**

**Design Guidelines** 

and

**Community Rules** 

Presented to HOA Board: December 2019

# Countrywalk Estates - Design Guidelines and Community Rules

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### INTRODUCTION

Countrywalk Estates was carefully planned and constructed with the intention of creating a quality living environment. Since 2007 when the Homeowners Association (HOA) Board of Directors was given the responsibility for attending to the affairs of the residents at Countrywalk Estates, it has always been the goal to achieve excellence through careful planning and financial stability.

A Declaration of Covenants, Conditions and Restrictions recorded in the official records of Pinal County, Arizona, **January 2, 2005** as document number **2003-0732864** and subsequent amendments of May 2010 (the CCR's) established a uniform development plan for Countrywalk Estates. Each home or property owner (collectively, "Member") in Countrywalk Estates this subject to these CC&R's. In accordance with the CC&R's, the Countrywalk HOA Board has adopted the enclosed *Design Guidelines and Standards* (Rules) to evaluate all improvements in Countrywalk Estates and ensure they are architecturally consistent within the community.

Pursuant to Article 111, Sections 4.1 A through Z of the CC&R's, the HOA Board has adopted the following *Community Rules* These rules are intended to supplement and summarize certain components of the CCR's which all Members should be familiar with. In the event of a conflict between these Rules and the CC&R's, the CC&R's shall supersede over any provisions contained in the Rules.

### COMMUNITY ORIGANIZATION

Countrywalk Estates is a planned Community, therefore an organization has been created to oversee the ongoing development of the community. Every property owner at Countrywalk Estates is a Member of the Countrywalk Estates Community Association which is responsible for the maintenance and management of all Common Areas, related facilities, and administration of construction activities by Members in accordance with *Design Guidelines*. The HOA Board of Directors manages the affairs of the Association.

The HOA Board can adopt rules and regulations governing the use of the Common Areas and employ a management firm to assist in the operation of the Association.

A professional management company is retained by the Board to implement community policies set forth by the Board. The management company responds to all Members' concerns regarding violations and enforcement of the CC&R's and overall operation of the community. The Board maintains the ultimate responsibility for the management of the Association.

### CHAPTER ONE - DESIGN REVIEW PROCESS

### **DESIGN REVIEW PROCESS**

The requirements, objectives, standards and procedures contained in these guidelines are all intended to establish and maintain a harmonious community image for Countrywalk Estates. Through these *Design Guidelines* and design review process, a consensus is achieved between individual aesthetic judgment and the broader interests of community standards.

The CC&R's require the written approval of the Board before any change to a site or building exterior of a property is made. Members must contact the management company to obtain the necessary submittal information and forms.

No new construction, landscape, remodeling or exterior changes, including changes in exterior is to occur on any Lot or exterior of any property without the prior written approval of the Board.

It is the Members responsibility to ensure that any proposed construction is coordinated with and approved by the Board and other local, state and federal government agencies. The Board and Association assume no responsibility for obtaining these reviews and approvals.

The Board may, at its option, grant variances from the *Design Guidelines*, which have been established for Countrywalk Estates. Variances will be granted when it does not interfere with the CC&R's only in extenuating circumstances. All requests for a variance must be accompanied by full documentation including what the variance entails and the reason the proposed variance is justified. Any activity permitted by the variance must not conflict with the CC&R's and have adverse effect upon other Members with the high quality of life intended for the Countrywalk Estate community.

### **GUIDELINES & STANDARDS**

### **General Principles**

One of the responsibilities of the Board is to ensure consistent application of the *Design Guidelines*. The *Design Guidelines* promote those qualities in Countrywalk, which enhance the attractiveness and functional utility of the community.

### Relationship of Structures & Site

Treatment of the site must relate harmoniously to adjacent sites and structures that have a visual relationship to the proposed construction.

### **Maintenance**

All landscaping must be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses, and removal of trash. Dead trees/plants must be immediately removed and replacement of dead tree(s) or plant materials (other than annuals) must be replaced within reasonable period within an appropriate planting season.

### **Design Compatibility**

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties and the neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color, and construction details.

### Workmanship

The quality of workmanship evidenced in construction must be equal to or better than that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and even create safety hazards. The Board assumes no responsibility for the safety or liability of new construction by virtue of design or workmanship. Members are encouraged to use licensed contractors.

# SUBMISSION REQUIREMENTS

A Member must have written approval from the Board prior to making any improvements or exterior changes to any part of their Lot.

A completed submittal must be provided to the Board care of the Management Company and include: a black or blue line drawing on minimum 8.5" x 11" sheets, legible, drawn to scale that includes a site plan showing the location, details and drawing of the improvement(s). Depending on the approval requested, the drawing shall include, but not limited to, site plan, Lot dimensions, the location and dimensions of the structure or modification, setbacks from all property lines, elevations, paint colors and manufacturer numbers, tile and stone samples of landscape materials, plant species and sizes.

A building permit from the City of Casa Grande is required by any Member, Lotowner or authorized agent who intends to construct, enlarge, alter, repair, move, convert or replace any electrical, gas, mechanical or plumbing .system. The work to be done is regulated by International Residential Code: irc r105.1 which includes, but is not limited to, pools, spas, ramadas, room additions, patio covers or similar structures. It is the Member's responsibility to acquire all required City of Casa Grande permits prior to construction. It is recommended that approval be received from the Board to avoid design and delay prior to submittal to the City of Casa Grande.

Once the submittal (which includes the Landscape/Architectural Submittal Form) has been reviewed by the Board, there are three possible findings: approved, approved with conditions, or denied.

- 1. If approved, the Landscape/Architectural Submittal Form will be signed and dated by the Board and returned to the Member with an entry into the Member's file.
- 2 If conditionally approved, Member does not need to resubmit, but all conditions on the Board letter must be complied with.
- 3 If the plan has been denied, the Landscape/Architectural Submittal Form will be itemized with the reasons for denial. The Member then has the option to revise the plans and resubmit drawings to the Board with a new Landscape/Architectural/Submittal Form. The Member must have written approval by the Board before starting any improvement or exterior change. If a plan is denied, this is also reflected in the Member's lot file at the management company.

It is the Member's responsibility to submit the Landscape/Architectural Submittal Form for written approval. If the contractor is submitting plans, the Member must still fill out the Landscape/Architectural Submittal Form completely. The Board has the option of contacting the Member about possible conflicts or for more information. A copy of the plans will be returned to the Member, with the original plans kept on file at the management company.

The Board typically responds to all Design Review submittals within thirty (30) days of receipt. This includes re-submittals. If you do not receive a response within thirty (30) days, please call the management company for a status report. Remember you must have written approval before proceeding with a proposed project.

The Board's word and all work associated with submittal must be completed within six months from the approval date, unless otherwise approved by the Committee.

# APPEAL PROCESS

Any Owner or Member aggrieved by a decision of the Board may appeal the decision. The CC&R's do not obligate the Board to accept or allow an appeal. However, The Board may allow one (1) appeal providing the appeal is received within thirty (30) days of the decision and that the Owner or Member has modified the original submittal or has new information that would warrant reconsideration Petitions or surveys will not be accepted.

#### CHAPTER TWO - LANDSCAPE & HARDSCAPE

### **REQUIREMENTS**

Minimum landscape quantities discussed in this section apply to all front yards. Minimums will also apply to rear yards that are open any common green belt areas or otherwise "Visible from Neighboring Property".

- 1. Landscape and hardscape installations, whether new or modifications of an existing plan, must be submitted and receive written approval from the Board prior to installation.
- 2. At least one (1) tree is required for the front yard. Minimum of three (3) plants in the front yard.
- 3. Citrus trees are not permitted in front yards!
- 4. Concrete, decorative pavers or brick are allowed as borders between natural grass turf and granite areas. Flagstone would be considered on a case-by-case basis only.
- 5. All sidewalks, new and resurfaced, require prior written approval from the Board.
- 6. Yard Ornamentation in front yards will need approval from the Board. All lots at Countrywalk Estates are graded to drain from the rear yard to the street. No Member is allowed to alter grade without prior approval from the Board.
- 7. Members are required to have exterior architectural and landscape modifications approved before beginning any work.

### CHAPTER THREE - BUILDING & SITE REQUIREMENT

### <u> ANTENNA & SATELLITE DISHES</u>

Dishes are considered on a case by case basis.

- 1. The device (and any associated equipment) shall be mounted inside the roof structure of the home.
  - \*If Criteria 1cannot be satisfied, the device (and any associated equipment) shall be mounted in the rear or side yard of the lot and as low to the ground as possible without precluding an acceptable quality signal.
- 2. Front yard or fence mounting of an antenna/satellite dish is prohibited.

3. Under no circumstances may a device be mounted on, in, over or otherwise encroach upon an open space, tract, and common area or neighboring property. The mounting of any device must comply with all applicable safety ordinances and code.

### ARBORS/ PERGOLAS

Front yard arbors and pergolas are considered on a case-by-case basis and must be submitted to the Board for approval.

### **CONSTRUCTION ACTIVITIES**

No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any Lot, Parcel, or open space, tract or common area so as not to inconvenience neighbors. All construction equipment and building materials stored on any Lot or Parcel during construction of improvements must only be stored in areas approved by the Board. (Check with Management Company for approved locations.)

### **DECORATIVE FOUNTAINS & WATERFALLS**

All fountains and waterfalls located in the front yard must be submitted to the Board for approval.

# **DECORATIVE\_POTS & LANDSCAPE CONTAINERS**

No more than four (4) decorative pots and landscape containers are to be located in the front yard, made from concrete, ceramic, wood, clay, metal or similar hardscape.

### **DRIVEWAYS**

Driveways must not be expanded, painted, or textured without the prior written approval of the Board.

### **FLAGPOLES & FLAGS**

No flagpole or flag will be installed without prior written approval of the Board. A flagpole shall be limited to a height of fourteen feet (14') in residential areas and have a minimum setback of sixteen feet (16') from any property line. Flagpoles must only display the flag of the United States of America (USA), or as otherwise allowed by law. All flags and flagpoles must be maintained in good condition in accordance with community standards and the USA flag must be flown in accordance with the Federal Flag Code. **Per Arizona Revised Statute 33-11108.** 

### **GATES (ACCESS)**

Gates are not allowed on any fence that would allow access to the green-belt common areas.

### **GATES (DOUBLE)**

Upon prior written approval of the Board double gates may be installed to allow wider access ways to rear yards. Double gates must be of the same type, design and color as the originally installed single gates, unless otherwise approved by the Board.

# GAZEBOS. RAMADAS & SIMILAR SHADE STRUCTURES

Members must receive approval from the Board prior to construction. Installation in the front yard is prohibited. Back yard installation is allowed within these guidelines. Request for any variances are to be submitted to the Board.

- 1. Maximum square footage: 144 sq. fl. (12x12)
- 2 Maximum height above grade: 8 feet
- 3 Color is to match the color of the house (at minimum, deemed reasonable to blend in with the Community.)

### **LIGHTING**

Decorative holiday string lights must not be installed more than 45 days prior to a Holiday and shall be removed no later than 30 days after the Holiday. <u>Holiday lighting does not require approval</u>.

# **LOT GRADING**

Any grade change of a Lot requires prior written approval by the Board.

### **PAINTING**

Any exterior color application (original or new color) for any structure located on a Parcel or Lot (including, but not limited to, house, trim, stucco walls and entry gates) is not permitted without the prior written approval of the Board. Original and existing house colors must also be submitted for approval to verify compliance with this section, and to update the Member's lot file.

Identical or similar exterior paint colors (as solely determined by the Board) are permitted; however, this request will not be permitted on Lots next to each other or in a location across the street from one another. It is a requirement of the CC&R's that a Member obtain written approval prior to any exterior painting.

The color selection must be compatible with, and not depart from, the existing color theme of the subdivision. The approved colors for the house body, fascia, and accent locations must have a flat or satin finish. The garage and other exterior doors must be painted with a flat or semi-gloss finish.

Any time a Member is filing an Architectural Submittal form to the Architectural Committee for review, and requesting consideration for painting the exterior of a home, the following must be provided:

- 1. A sample for each of the colors must be included with the submittal (include manufacturers color code; & color name)
- 2 Member must also provide a color photograph illustrating the exact location of where each sample is to be applied (i.e. house body; fascia; pop outs; garage doors; entry door; etc.).

# ROOM, PATIO COVERS, & ACCESSORY STRUCTURES

All additions to a home, including patio covers, shade structures and other building structures must be submitted to the Board for written approval prior to construction. To be considered by the Board, a proposed addition to a single family home cannot be higher than its existing roof line. Any alteration or addition to a residence must match architectural details, window, colors, materials (stucco and roof tile) and setbacks of the homes in the subdivision and, in particular, those of the immediate neighborhood. New landscape plans (addition of trees, shrubs, etc.) compatible with the neighborhood may also be required.

It is the Member's responsibility to obtain a City of Casa Grande Building Permit <u>after written approval</u> by the Board. A copy of this permit must be submitted to the management company to be retained in the Member's lot file.

### **SIDEWALKS**

Sidewalks must be no wider than three feet (3') unless otherwise approved in writing by the Board. Maximum walkway width to a side yard gate is three feet (3'), with a maximum flare width of five feet (5') at the point where the sidewalk meets the driveway. The maximum walkway width to the front door is six feet (6') with a maximum flare width of ten feet (10') at the point where the walkway meets the driveway.

# CHILDREN AT PLAY I CAUTIONARY SIGNS

Homeowners may place professionally manufactured signs in residential play areas. These signs must be within 50 feet of the children playing and must also be removed no later than one hour after play time has ended.

# FOR SALE or LEASE & LEGAL

No signs which are Visible from Neighboring Property, shall be erected or maintained on any lot, open space or common area except: "For Sale" or "For Lease", only on the front yard of property.

### **GARAGE SALES**

Garage sale signs do not require approval providing they are put up no more than one day in advance of the sale and removed by dusk the day the garage sale ends.

### **SECURITY**

Ground mounted signs indicating the presence of a security system do not require approval providing they do not exceed one square foot (l' sq. ft.) in size.

# SOLAR EGERGY DEVICES INSTALLATION GUIDELINES

The objective of the Guidelines provided herein is to define requirements for Solar Energy Devices, as defined by A.RS. Section 44-1761 that are installed on residences and other structures within an Association. These guidelines are intended to encourage such devices while, at the same time, protect values by ensuring that Solar Energy Devices are visually consistent with the existing architecture, including colors of the Countrywalk Estates community. All Solar Energy Devices, as with all improvements or exterior alterations, must receive prior written approval of the Board.

<u>Visual/v Acceptable:</u> Installation of solar devices must meet the intent of the Countrywalk Estates Guidelines and be consistent with the existing architecture of the community. Visually Acceptable means that the installation meets these requirements as judged solely by the Board.

# STONE APPLICATIONS

Exterior application of stone will be considered on a case-by-case basis by the Board. Stone applications must be approved by the Board prior to submittal to the City of Casa Grande for an installation permit.

# STORAGE SHEDS

Metal or other rear yard storage sheds detached from the house with a footprint of eighty square feet (80 sq. ft.) or less are allowed when they are lower than the homes surrounding block wall and cannot be seen or otherwise Visible from Neighboring Property. Board approval is not required in these cases. Any accessory structure greater than eighty square feet (80 sq. ft.) and all permanent additions to a home including patio covers and buildings must be submitted to the Board for written approval prior to construction.

# SWIMMING POOLS & SPAS

Pools and spas must not be backwashed into drainage ditches, common landscaped areas, drainage ways, or streets. In the event a hole is made in a wall to backwash into prohibited areas, the Association may repair the wall and other related damage and cleaned up at the Members expense.

If a Member is required to empty their pool or spa for repairs or other modifications, pool water must be discharged into sewer cleanout located on the Member's property, per City of Casa Grande adopted policy.

### **WALLS**

# Front Yard Courtyards:

Front yard courtyards and retaining walls must be approved by the Board.

### **Exterior Walls:**

When exterior walls are in need of repainting, prior approval by the Board must be obtained. Management Company has the correct paint number code.

### Interior Walls:

On Lots which are Visible from Neighboring Property, and on common greenbelt areas, any changes to the fences interior colors must have prior approval by the Board.

### WINDOW COVERINGS

#### Exterior:

Window coverings such as awnings, sunscreens, roll shades, and similar must be approved by the Board prior to installation.

#### Interior:

No reflective window covering materials, including but not limited to aluminum foil, reflective screens or glass, mirrors, sheets, blankets, newspapers or similar type items, shall be installed or placed upon the inside of any windows of any residence or other structure.

# YARD ART/ORNAMENTATI ON & SCULPTURES

The goal of any landscape improvement is to promote a pleasing and harmonious neighborhood character. Individual expression is permissible so long as it does not detract from this goal. The Board has final approval on yard art, ornamentation and sculptures in the front yard.

# CHAPTER FOUR - SPORTS & RECREATIONAL (Play) EQUIPMEN

# BASKETBALL GOALS

Portable basketball goals or backboards may be kept on a lot. Prior approval by the Board must be obtained.

When not in use, Basketball Goals and Backboards shall be stored either in the garage or the back yard.

An in-ground Basketball pole and goal may be allowed in rear and side yards, inside the six foot (6') high block wall, as approved by the Board.

# PLAY STRUCTURES

- 1. Children's play structures may be erected in rear yards and must be kept maintained and in good condition.
- 2. Structures (metal or wood) visible from neighboring property must remain natural or be painted to match the home.

# PORTABLE SPORTS EQUIPMENT

Portable sports equipment such as, but not limited to, hockey nets and tether balls are allowed and do not require written approval from the Board. However, when not in use, they must be stored so is not to be visible from neighboring properties.

### **TRAMPOLINES**

Trampolines much be placed in back yard and are prohibited in front yards.

# CHAPTER FIVE-COMMUNITY RULES

# GENERAL PROPERTY RESTRICTIONS

Members, when deciding to rent/lease out a home in the Countrywalk Estate, are responsible for the inclusion of a provision in the lease agreement requiring the renter/lessee to comply with the CC&R's and these Rules. As property record holders, members are ultimately responsible for all compliances with the CC&R's and these Rules on their property.

Businesses that generates excessive or unsafe traffic will be allowed and must follow the City of Casa Grande zoning laws.

# BACKWASHING, DUMPING. LITTERING

Dumping, littering and backwashing swimming pool or spa filtering systems onto the common area green-belts or streets is strictly prohibited. (Please see p. 9 Swimming Pools & Spas) This includes, but is not limited to, natural grass turf and other landscape debris. Violating this rule could result in a fine subject to Board discretion. Members are responsible for the actions of their contractors, tenants and guests.

# **BUILDING REPAIRS**

No building structure or improvements shall be permitted to fall into a state of disrepair. Each Member is responsible at all times for keeping their homes and structures in good condition and adequately painted or otherwise finished. In the event any home or structure is damaged or destroyed, the Member is responsible for the immediate repair or reconstruction. Construction materials and vehicles may be temporarily stored in areas approved by the Association. Please verify with the Management Company.

### **MACHINERY & EQUIPMENT**

Only machinery or equipment used during the period of approved construction shall be placed, operated or maintained upon any Lot.

### **PETS**

Members are allowed to keep a reasonable number of generally recognized house or yard pets based on the Casa Grande City ordinance. They are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Animals cannot be kept or raised for commercial purposes. Also, no structure for housing such animals may be visible from neighboring property. Pets must remain on leashes at all times as stated in the City of Casa Grande ordinance. All Members must clean up after their pets!!!

# **RECYCLING & TRASH CONTAINERS**

No garbage or trash shall be kept on any Lot except in covered containers approved and supplied by the City of Casa Grande. In no event shall such containers be stored so as to be visible from neighboring property except to make available for collection within twelve (12) hours prior to collection and after collection. Trash and recycling containers must be stored so that they are not visible, either in the backyard or in the garage.

### WATER HOSES

Hose in front yards must be placed in hose beds, boxes, pots, etc. after use.

# **VEHICLES**

# Inoperable Vehicles:

Inoperable vehicles (including unregistered or outdated vehicle registration) must be parked, maintained or stored in the backyard or garage.

# Parking:

Per Article 4, Section 4.1 (U) of the CC&R's, it is the intent of the Association to restrict on-street parking as much as possible. Vehicles of all Members, lessees and residents, and their guests and invites should be kept in garages and residential driveways of the Member. See the Management Company for any extenuating circumstances.

# Trucks. Trailers. Campers & Boats:

Inoperable or unregistered vehicles, mobile home, recreational vehicle, trailer, travel trailer, camper shell, boat or similar equipment may be parked, maintained or repaired on any Lot provided it is in the backyard behind the lot gate and fence.

# Prohibited Use Areas:

All motorized vehicles, including ATV's, motorcycles, go-carts, and similar vehicles are prohibited from entering onto any open space or common green-belt areas, paths, and/or walkways.

# VIOLATION ENFORCEMENT

One of the most sensitive issues in a planned community is the enforcement of the CC&R's and other which are violated either knowingly or unknowingly, it's Members. The Board adopted and updated a Fine Policy effective July 31", 2013, (reference "Policy and Procedures for Imposition of Monetary Penalties at Country Walk Estates" on Page 16). The intent of the Fine Policy is to provide the management company with a tool that encourages Members to take any and all corrective action necessary in order to comply with the CC&R's and other rules in a timely manner. However, the Board recognizes the fact that violation enforcement utilizing the Fine Policy will not always guarantee Member compliance. Therefore, the Board may choose to take legal action only if required, to ensure that violation are resolved. While cooperation and building community with our Members is the goal at Country Walk Estates, there are occasions when the Board may take action to protect the rights of all Members and the community as a whole.

In the event the Association seeks to enforce compliance with or recover damages for any violation or noncompliance with the- CC&R's, the Articles, Bylaws, Design Guidelines or these Rules, the offending Member shall be liable for and shall pay to the Association, upon demand, all costs, including attorneys fee, taxable costs and incidental expenses, Incurred by the Association, whether or not a lawsuit Is filed, the matter is settled or the offending Member voluntarily corrects the violation. If the offending Member fails to pay the forgoing costs, the Association may take additional action to secure payment, including legal proceedings or the use of a collection services company, the costs of which must be paid by the offending Member. In addition to the foregoing remedies, if a judgment is obtained in favor of the Association (either for the nonpayment of the for-going costs or violation or noncompliance with the Association's governing documents) and against the offending member, the Association shall be entitled to all costs incurred, includes attorneys, fees, taxable costs and incidental expenses, as part of the judgment.

### Dear Member:

One of the many benefits of living in a master Planned Community like Countrywalk Estates is architectural control to promote the harmonious relationship between structures, vegetation, topography and overall design of the community. In accordance with Article Ill, of the Declaration of Covenants, Conditions, Restrictions (CC&R's).

No improvements, alterations, repairs, excavation, grading, landscaping or other work which in any way alters the exterior appearance of any property within **Countrywalk Estates**, or the improvements located thereon, from its natural or improved state shall be made or done without the prior approval of the Board. No building, fence, wall, residence or other structure shall be commenced, erected, maintained, improved, altered, or made without the prior written approval of the Board.

The Landscape/Architectural Submittal Form is available by contacting the Management Company and must be submitted to the Board for approval. Please note that accurate, to scale drawings of the proposed structure, modification or improvement must be attached to this form indicating lot dimensions, the location of the structure or modification and the distances from all perimeter walls. Also include color samples, names and identification numbers along with the manufacturer of any exterior paint to be reviewed for possible approval.

A building permit from the City of Casa Grande is generally required for, but not limited to, pools, spas, ramadas, stone applications, room additions, patio covers or similar structures. It is the Member's responsibility to acquire all required City permits prior to construction. To avoid design changes and delays, it is strongly recommended conceptual design approval be received from the Board prior to submittal to the City. Please be advised, the Board may take up to 30 days after receipt to forward a written decision.

Your cooperation in submitting for approval prior to installation is greatly appreciated. Should you have any questions regarding your submittal, please feel free to contact the Association at the above phone number.

Sincerely,

The Countrywalk Estates Home Owners Association