

ARTICLE 1
Specific Architectural Guidelines

Any plans submitted before the effective date of these updated Architectural Guidelines will be subject to the prior version of the Architectural Guidelines. Any plans submitted as of the effective date of these updated Architectural Guidelines, including, but not limited to, new construction, improvements, additions, revisions, renovations, replacements, repairs, etc., shall comply with these updated Architectural Guidelines.

Some Lots may have specific restrictions and easements (e.g., Preservation Easement), which may have additional restrictions that shall prevail over these Architectural Guidelines when in conflict.

The CC&Rs and applicable local, state, and federal laws shall take precedent to the extent they are more restrictive than any conflicting Architectural Guidelines.

1. Air Conditioners and Heat Pumps

All heat pumps and air conditioning units (e.g., refrigeration, evaporative coolers, etc.) visible from the street or public right of way shall be ground mounted and screened with approved materials from view of streets and neighboring properties.

2. Antennas and Satellite Dishes

ANTENNA RESOLUTION AND POLICY

I. Introduction

Ahwatukee Custom Estates Management ACEMA, Inc. ("ACEMA") is governed by the declarations recorded in Maricopa County, Arizona Recorder. Article II, Section 13 of the Declarations regulates antennas and other devices for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. The Federal Communications Commission supersedes CC&R Article II, Section 13. ACEMA hereby adopts this Resolution and Policy to regulate the installation, use and maintenance of satellite dishes and antennas that are governed by rules established by the Federal Communications Commission. While this Resolution and Policy applies to all Owners, tenants, and occupants within ACEMA, the Owner of a particular Lot is ultimately responsible for compliance with this Resolution and Policy.

II. Types of Antennas

- a. This Resolution applies only to the following types of antennas listed in the FCC Rule:
 - i. Direct Broadcast Satellite ("DBS") antennas one meter in diameter or less, and designed to receive direct broadcast satellite service, including direct-to-home satellite service, or receive or transmit fixed wireless signals via satellite, may be installed, while DBS antennas larger than one meter are prohibited outside the dwelling without the written approval of the ACEMA Board of Directors ("Board").
 - ii. Multi-point Distribution Service ("MDS") antennas one meter or less in diameter or diagonal measurement, designed to receive video programming services (wireless cable) or to receive or transmit fixed wireless signals other than via satellite, may be installed, while MDS antennas larger than one meter are prohibited outside the dwelling without the written approval of the Board.
 - iii. Antennas designed to receive local television broadcast signals ("TVBS") may be installed. Masts higher than twelve feet (12') above the roof line are prohibited outside the dwelling without the written approval of the Board.
 - iv. Antennas designed to receive and/or transmit data services, including Internet access may be installed. Masts higher than twelve feet (12') above the roof line are prohibited outside the dwelling without the written approval of the Board.

- v. If the FCC expands the types of antennas that fall under the FCC Rule, this Resolution and Policy shall encompass those antennas as well.
- b. All other antennas, except the ones listed above, are prohibited outside the dwelling without the written approval of the Board.

III. Location and Installation

If the antenna is one of the three types allowed to be installed without prior written approval from the Board, the antenna must still comply with the following regulations:

- a. No antenna may encroach upon the Common Area or the property of another Owner.
- b. An antenna must be placed inside the dwelling if an acceptable signal quality may be received from any place within the dwelling. If not the dwelling, then antenna must be placed in the back yard if an acceptable signal quality may be received from that location. If not the back yard, then the antenna must be placed in the side yard if an acceptable signal quality may be received from that location. If not the side yard, then the antenna must be placed on the back or the back-sloping portion of the roof of the dwelling if an acceptable signal quality may be received from that location. If not the back or back – sloping portion of the roof, then the antenna may be placed on the back or side part of dwelling under the roofline. If not the back or side part of dwelling under the roofline, then the antenna may be placed on the front or the front- sloping portion of the roof of the dwelling if an acceptable signal quality may be received from that location.
- c. The antenna must be shielded from view from the street and neighboring properties to the maximum extent possible if an acceptable signal quality may be received. If necessary to shield the antenna from view, ACEMA may require that the antenna be shielded by reasonably priced screening materials or landscaping that complies with ACEMA’s design requirements.
- d. Antennas, masts, and any visible wiring must be painted to match the color of the structure to which they are installed, provided the painting does not interfere with acceptable quality signal and does not void the manufacturer’s warranty.
- e. To the extent that it does not create an unreasonable expense, wiring for the antenna shall follow the edges of the structure to which it is installed, shall not be laid across roofing shingles or tiles, but instead along the edge of the roof, and shall not be installed diagonally.
- f. The antenna must comply with all applicable city, county and state laws, regulations, and codes. ACEMA must be provided with a copy of any applicable governmental permits.
- g. Installation must be pursuant to the manufacturer’s instructions.
- h. To protect against personal injury and property damage, an antenna may not be placed in a location where it may come into contact with a power line.
- i. To protect against personal injury and property damage, all antennas must be properly grounded and secured.
- j. To protect against personal injury, antennas may not block or obstruct any driver’s view of an intersection or street.
- k. If the antenna is attached to a mast, the following regulations apply:
 - i. Mast height shall be no higher than necessary to receive acceptable signal quality.
 - ii. Masts that extend more than twelve feet above the roof line must be approved by ACEMA before installation and the application (Exhibit G & H) must include a detailed description of the method by which the mast is secured and an explanation regarding the necessity of such a mast.

- iii. Masts must be installed and painted to match their surroundings.
- iv. Masts must not encroach upon the Common Area or another Owner's property.
- v. To protect against personal injury, masts installed upon a roof may not be installed nearer to the Lot line than the total height of the mast and antenna.
- vi. To protect against personal injury and property damage, a mast may not be installed so that it would touch a power line if it fell.

IV. Maintenance

- a. The Owner is responsible for all costs associated with the installation and maintenance of an antenna.
- b. The Owner is responsible for all damage caused by or connected with the antenna.
- c. The Owner must hold ACEMA harmless and indemnify ACEMA if someone is injured by the antenna.
- d. The Owner shall keep the antenna in good repair so that it does not violate any portion of this Resolution and Policy.
- e. The antenna is permitted for as long as it is necessary to receive service; once the antenna is no longer being used to receive service, it must be removed from the exterior of the dwelling.

V. Notification

- a. An Owner must complete the notification form attached as Exhibit G and submit a copy of the completed form to ACEMA within five (5) business days after installing an antenna allowed pursuant to this Resolution and Policy.
- b. If requested by ACEMA, the Owner must establish a mutually convenient time to meet with a representative of ACEMA to review and discuss the antenna.

VI. Enforcement

- a. In the event of a violation of this Resolution and Policy, ACEMA may bring an action for declaratory relief with the FCC or the Maricopa County Superior Court after notice and an opportunity to be heard.
- b. If an antenna poses a serious, immediate safety hazard, ACEMA may seek injunctive relief to compel the removal of the antenna.
- c. ACEMA shall be entitled to recover its reasonable attorney's fees, costs and expenses incurred in the enforcement of this Resolution and Policy.

VII. Severability

- a. If any provision of this Resolution and Policy is ruled invalid, the remainder of these rules shall remain in full force and effect.
- b. If the FCC modifies its rules, the modified rules shall be incorporated into this Resolution as if fully set forth herein.

3. Architecture Style

- a. No earth-covered or underground homes will be approved.
- b. No siding covered homes, regardless of the material, will be approved.
- c. The exterior of the building shall be stucco, brick and/or stone.

4. **Back Yard Accessories** - Back Yard Accessories include, but are not limited to play structures, trampolines, exercise equipment, etc. Excluded from this section are freestanding patio umbrellas and basketball standards. *(Refer to Exhibit D for instructions to prepare for onsite inspection by Board representatives.)*

Plans for all Back Yard Accessories that will be visible from the street or neighboring yards require approval of the Board. *(See Exhibit D for instructions to prepare for onsite inspection by Board representatives.)*

a. **Trampoline** type equipment:

- i. Colors of any parts of these units (including trampoline safety nets and brackets) that are visible above any fence/wall must be dark green or black.
- ii. All structures must be maintained at the same standards established for all properties and dwellings, including setback requirements under the City and County code.
- iii. The maximum height of the unit cannot exceed two (2) feet above the adjacent fence/wall. In the case where the difference in fence/wall height is greater than two (2) feet, due to natural hillside grade, the height of the highest fence/wall will be used for this measurement.

b. **Play Structures** [including Playhouses]:

- i. The maximum footprint of any play structure deck (whether elevated or not) may not exceed one hundred (100) square feet. Maximum deck height of seven (7) feet above ground level and the maximum height of the play structure roof or canopy cannot exceed twelve (12) feet above ground level. In the case where the difference in fence/wall height is greater than two (2) feet, due to natural hillside, the height of the highest fence/wall will be used for this measurement.
- ii. The minimum distance away from any fence adjacent to a neighbor's Lot is ten (10) feet, except in neighborhoods requiring a fifteen (15) feet setback.
- iii. The play structure shall be positioned so that the deck portion is toward the interior of the Lot and away from the neighbor's fence/wall.
- iv. Colors for units must compliment or match the dwelling's main color or trim. Canopies must compliment or match the dwelling's main color or be a neutral desert color. Wooden structures may remain natural in color. Roof materials must match the main dwelling if over eight (8) feet above grade.
- v. All structures must be maintained at the same standards established for all properties and dwellings, including setback requirements under the City and County code.

c. **Exercise Equipment** batting cages, etc.

- i. The maximum height of the unit is eight (8) feet above ground level and cannot exceed two (2) feet above the adjacent fence/wall. In the case where the difference in fence/wall is greater than two (2) feet, due to natural hillside, the height of the highest fence/wall will be used for this measurement.
- ii. The minimum distance away from any neighboring fence adjacent to a neighboring Lot is ten (10) feet.
- iii. Colors of any parts of these units that are above the lowest fence/wall height must be dark green or black.
- iv. No ancillary lighting is permitted on this equipment.
- v. All structures must be maintained at the same standards established for all properties and dwellings.

5. **Basketball Goals or Similar Structures** - All basketball goals or similar structures must be submitted for approval. All basketball goals or similar structures must be mounted on a freestanding support post of an approved color. Basketball Goals or similar structures will be considered for approval, provided that they are placed, erected or

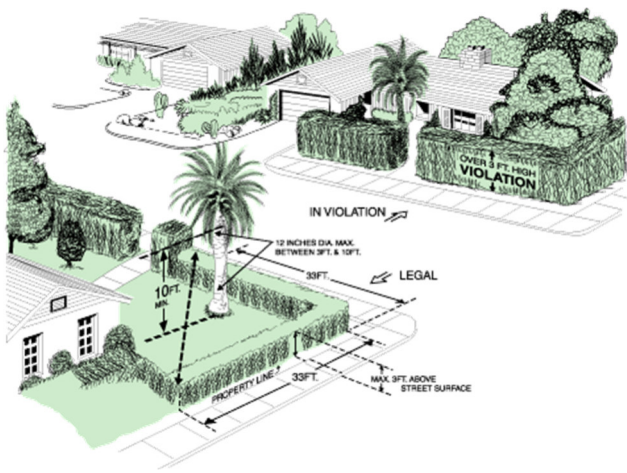
maintained no nearer to the front property line than the walls or attached open porch or balcony of the dwelling erected on the Lot and no closer to the side and rear Lot line than the setback specified in the recorded CC&R's for the subdivision or five (5) feet, whichever is greater. Some subdivisions have amended CC&R's with more restrictive wording that shall prevail over these Guidelines.

6. **Cameras** –Security cameras shall not violate the privacy of the neighboring Lots, especially any fenced areas, such as a neighbor's back yard. Small, hardwired cameras are preferred. Cameras with solar panels shall be installed in such manner that solar panels are as least visible from the street and neighboring Lots as practical.
7. **Construction Dumpster/Construction Fence** - A construction dumpster must be placed and maintained on the construction site at the pouring of the foundation and remain on the Lot during construction. It is required for all new construction and for major renovations. It should be of sufficient size and quality to contain trash, construction material and debris, and the Lot owners shall prevent trash and construction material and/or other debris from becoming scattered on other properties in the subdivision. Dumpsters are not permitted on the streets or right of way. A construction fence at least six (6) feet in height of chain link material must be erected around the perimeter of the Lot to contain all construction materials, equipment, and debris during construction.
8. **Construction Vehicles** - No vehicles will be allowed to trespass on adjoining properties.
9. **Detached Accessory Structures**
 - a. As per City of Phoenix zoning ordinance 706(A), no detached accessory structures or swimming pools are allowed within the front yard.
 - b. **Guest House, Casita, and Similar Structures used for sleeping or living purposes** – (See *Exhibit C*) These shall be limited to single story structures. No upper decks will be allowed. Structure design shall be harmonious with dwelling and exterior landscape. Structures may not exceed 12'6" in height above approved finished floor of the approved structure. The structure must conform to the minimum side setbacks specified in the CC&R's and City of Phoenix zoning ordinance, whichever is more restrictive. See *Exhibit E* for setback details.
 - i. The following Subdivisions: ACE, ACE 2, ACE 3, and ACE 4 shall set back a minimum of 30 feet from the rear Lot line.
 - ii. The following Subdivisions: ACE 5, ACE 6, ACE 7, ACE 8, ACE 9, ACE 10, ACE 11, ACE 12, Desert Ironwood Estates, HS-1 Units I & II, HS-4, and The Heights shall set back a minimum of twenty-five feet from the rear Lot line.
 - c. **Ramada, Cabana, Pergolas, Pool House, and Similar Structures NOT used for sleeping or living purposes** - These shall be limited to single story structures. No upper decks will be allowed. Structure design shall be harmonious with dwelling and exterior landscape. Structures may not exceed 12'6" in height above approved finished floor of the approved structure. The structure must conform to the minimum side setbacks specified in the CC&R's and City of Phoenix zoning ordinance, whichever is more restrictive, and it must be set back a minimum of ten (10) feet from the rear Lot line. See *Exhibit E* for setback details.
 - i. Detached Accessory Structures (Not used for sleeping or living purposes) with a height of eight (8) feet or less may have a minimum side and rear setbacks of three (3) feet from the property lines.
10. **Driveways** - Driveways must be composed of materials such as concrete, crushed granite minimum three (3) inch thick, tile, paver, or brick. Asphalt is not acceptable.
11. **Drainage and Grading Requirements** - No plan may change the property's natural drainage flow without the express approval of the Board and the City of Phoenix. Before commencing construction, it is recommended that your architect or engineer consult with City of Phoenix engineers with respect to drainage requirements and soil tests. A drainage and grading plan, stamped by an Arizona registered civil engineer, must be submitted to the Board as part of the plan submittal process for approval consideration before submitting it to the City of Phoenix for approval.

12. **Fireplaces, fire pits or features in Backyard** - Plans for stand-alone backyard fireplaces (not part of a Ramada, cabana, or pool house) must be submitted for Board approval. *(See Exhibit D for instructions to prepare for onsite inspection by Board representatives.)*
- a. The maximum chimney height, if at least ten (10) feet from nearest adjacent fence, is eight (8) feet above ground level and cannot exceed two (2) feet above the adjacent fences.

The maximum chimney height, if at least twenty (20) feet from nearest adjacent fence, is ten (10) feet above ground level and cannot exceed four (4) feet above the adjacent fences.
 - b. The Board will decide on a case-by-case basis those situations where grade variations affect maximum chimney height guidelines. In a situation where the difference in fence height is greater than two (2) feet, due to natural hillside grade, the height of the highest fence will be used for this measurement.
 - c. Colors must compliment or match the dwelling's main color or trim scheme.
 - d. These structures must be maintained at the same standards established for all properties and dwellings.
13. **Exterior Finishing Touches**
- a. Dormer vents, roof jacks, anything protruding from the roof (e.g., chimney caps, spark arresters, metal flashings, anything metal and all utility services, solar conduits, and/or junction boxes) must be painted to match or compliment the exterior of the home.
 - b. Any applicable parts of improvements (buildings, dwellings, walls, etc.) not covered by brick or stone veneer, shall be finished with stucco, and painted to match the dwelling.
 - c. Decorative hardware on the garage doors, such as hinges and handles, are permitted and can be dark metal colors, including black.
14. **Fences and/or Decorative Walls**
- a. As per CC&R's, which are incorporated in full as if fully set forth herein:
 - Lots in **Subdivisions ACE, ACE 3, ACE 4, ACE 6**, the following shall apply:
 - *Except as approved by the Board of Directors of ACEMA, no solid wall, fence, or hedge over thirty (30) inches in height shall be erected or maintained nearer to the front property line than the walls, attached open porch or balcony of the dwelling erected on the Lot. No side or rear wall or fence, other than the wall of a building constructed on the Lots, shall be more than six (6) feet in height above finished grade elevation.*
 - Lots in **Subdivision ACE 2**, the following shall apply:
 - *Except as approved by the Board of Directors of ACEMA, no solid wall, fence, or hedge over thirty (30) inches in height shall be erected or maintained nearer to the front property line than the walls, attached open porch or balcony of the dwelling erected on the Lot. No side or rear wall or fence, other than the wall of a building constructed on the Lots, shall be more than six (6) feet in height above finished grade elevation.*
 - *On Lots 4856 through 4865 and 4878 through 4881, no solid wall, fence, or hedge over thirty (30) inches in height shall be erected, placed, or maintained on or nearer to the rear property line than twenty-five (25) feet.*
 - Lots in **Subdivision ACE 5**, the following shall apply:
 - *Except as approved by the Board of Directors of ACEMA or City of Phoenix zoning authorities, no solid wall, fence, or hedge over thirty (30) inches in height shall be erected or maintained nearer to the front property line than the walls, attached open porch or balcony of the dwelling erected on the Lot. No side or rear wall or fence, other than the wall of a building constructed on the Lots, shall be more than six (6) feet in height above finished grade elevation.*

- Lots in **Subdivision ACE 7**, the following shall apply:
 - *Except as approved by the Board of Directors of ACEMA, no solid wall, fence, or hedge over thirty (30) inches in height shall be erected or maintained nearer to the front property line than the walls, attached open porch or balcony of the dwelling erected on the Lot. No side or rear wall or fence, other than the wall of a building constructed on the Lots, shall be more than six (6) feet in height above finished grade elevation.*
 - *On Lots 5591 through 5599 no solid wall, fence, or hedge over thirty (30) inches in height shall be erected, placed, or maintained on or nearer to the rear property line than twenty-five (25).*
 - Lots in **Desert Ironwood Estates**, the following shall apply:
 - *Front, side, and rear setbacks, along with any other building restrictions and limitations not specifically addressed in the Declaration, shall be governed by the City of Phoenix Zoning Ordinance. In addition, on those Lots through which the Preserve Easement Line runs, the rear Lot line shall be left undisturbed in its natural desert state free from any structures or improvements of any kind, including without limitation, perimeter fences.*
 - Lots in **Subdivisions ACE 8, ACE 9, ACE 10, ACE 11, ACE 12, HS-1 Units I & II, HS-4, and The Heights**, the following shall apply:
 - *Except as approved by the Board of Directors of ACEMA, no solid wall, fence, or hedge over thirty (30) inches in height shall be erected or maintained nearer to the front property line than the walls, attached open porch or balcony of the dwelling erected on the Lot. No side or rear wall or fence, other than the wall of a building constructed on the Lots, shall be more than six (6) feet in height above finished grade elevation. Except as planned or erected by Presley Development Company of Arizona, or as approved by a majority of the Board of Directors of ACEMA and consented to in writing by the owners of all adjacent Lots, no wall, fence, hedge, or other improvements of any nature shall be built, erected, placed or permitted to remain on Lots [in ACE 8] adjacent to Phoenix South Mountain Park (the “Park”) or Lots burdened by a preservation easement within the twenty-five (25) feet of such Park or preservation easement, at a height greater than two and one-half (2-1/2) feet, provided however, a wrought iron fence may be constructed upon the two and one-half (2-1/2) foot fence but not to exceed a height of six (6) feet measured from the developer-graded ground elevation to the highest point of the wrought iron fence or fence posts.*
- b. City of Phoenix Zoning Ordinance, Chapter 7, section 703A, paragraph 2a:
For Lots fronting on a public street, private access way or private drive, no fence or freestanding wall (not supporting a building or structure) within or bounding the required front yard, shall exceed a height of 40 inches.
- c. City of Phoenix Code, Chapter 31, section 13: Obstructing visibility at intersections.
On all corner Lots at public street intersections in any area zoned as residential there shall be no fence, wall, hedge or other landscaping higher than three feet, nor any obstruction to vision other than a post, column or tree not exceeding one foot in its greatest cross-sectional dimension between a height of three feet and a height of ten feet above the established grade of either street within that triangular area (obscured sight triangle) formed by the Lot lines on the street side of such Lot and a diagonal line joining points located at distances from the point of their intersection. Local Intersecting Public Street - 33 feet Distance Measured Along Each street.



- d. Matching the City of Phoenix Zoning Ordinance and the code, the Board will approve fences and walls within the front yard setback up to forty inches in height; and thirty-six inches in height for the corner Lots along each street, thirty-three feet from the corner.
- e. In the front setback, the fencing pilasters must be forty-eight inches or less in height and the decorative ironwork between the pilasters be no more than forty inches in height; and thirty-six inches in height for the corner Lots along each street, thirty-three feet from the corner. The height measurements for pilasters must be taken from grade in the area immediately adjacent to and surrounding the pilaster(s). The height of a light fixture on top of a pilaster is not included in this measurement, but the height of the light fixture must not be more than 25% of the height of the pilaster.
- f. Fences and walls within or bounding a required rear and side yard, the height shall not exceed six (6) feet from finished grade, including the top of the retaining walls. Some Lots may have additional specifications and restrictions for rear wall and fencing as per CC&R's.
- g. If the fence or wall height on Lots slope substantially from one side to another, the fence must be "stepped down".
- h. In the case of hedges in the space between the front property line and the front of the dwelling that runs parallel to the street, they must not exceed forty inches; and thirty-six inches for the corner Lots along each street, thirty-three feet from the corner.
- i. In the case of hedges in the space between the front property line and the side of the dwelling that are not parallel to the street, they must not exceed sixty inches and they must not block neighbors' view of nor access to their driveways. In other words, this applies to hedges in the front yard not directly in front of the dwelling.
- j. Hedges will require a formal submittal and will be subject to *administrative* approval.
- k. Prior to the construction of any fence, decorative wall or retaining wall, plans indicating location of the fence, top of footing elevation(s), height, location of and gate size and materials to be used shall be submitted to the Board for approval. For purposes of elevation, finished grade shall be defined as grade that existed at time of completion of Lot development by The Presley Companies or Labriola Development.
- l. The Lot owner is responsible to verify property lines prior to construction.
- m. Any dispute between owners with respect to the construction, repair or rebuilding of a common party wall, party fence or retaining wall with respect to the sharing of the cost thereof, is considered a civil matter to be resolved between Lot owners.
- n. Both sides of all block wall fences must be desert beige in color or painted to match exterior of the home or another approved color.
- o. The following perimeter fencing materials, while not meant to be an all-inclusive list, are specifically prohibited: Plastic, Wood, Bamboo, Cyclone (chain link, except as may permitted around sport courts in ACE 9), metal sheet, or Corrugated Metal.

- p. The preferred material for fencing is decorative wrought iron. The preferred color for wrought iron fence in the front yard is black. Wrought iron fence in the backyard may be painted black, or other complimentary dark colors or matching body or trim colors of the dwelling.
- q. Any fences or walls previously installed by The Presley Companies or Labriola Development shall not be removed, altered, or painted (except repainted original color) without prior written approval of the Board.
- r. All solid wall fences must provide for drainage in accordance with the established drainage pattern referenced in the CC&R's and may be accomplished with adequate decorative block or other acceptable method as per approved City of Phoenix grading and drainage plans.
- s. Walls and fences must also comply with City of Phoenix regulations.

15. **Finished Floor Elevation**

The finished floor elevation (FF) will be considered for approval taking into account the following:

- a. The approved subdivision plat with engineer established FF elevations.
- b. FF elevations of neighboring dwellings. (New construction)
- c. Special grading and drainage requirements of the Lot.
- d. On-site inspection.
- e. City of Phoenix drainage and grading requirements.

16. **Freestanding Permanent Flags and Flagpoles** - Specific plans detailing the height, type (material), location and color of the flagpole must be submitted for Board approval.

- a. One flagpole will be permitted per Lot.
- b. The height of the flagpole may not exceed the height of sixteen feet above the natural grade.
- c. No more than one flag shall be displayed on the flagpole at one time.
- d. The only flag(s) that can be displayed on the flagpole are the Flag of the United States of America and flags representing any currently active branches of the U.S. military.
- e. The U.S. flag must be flown in accordance with the U.S. flag code.

17. **Garage Doors**

- a. Changing garage door style and/or color will require a submittal for approval.
- b. Aluminum, steel, wood and resembling wood garage doors without glass, traditional and carriage style are allowed.
- c. Shutter system garage and glass doors are not allowed.
- d. New or replacement garage doors shall complement the architectural style of the house.
- e. Garage doors can be painted to match the home's body or trim colors.
- f. Faux wood finish and other approved paint colors, including painting the garage doors two (2) colors (one color for the garage door body and one color for the "pop-out trim" on the garage doors) will be considered for approval.

- g. Garage door decorative hardware such as hinges and handles are allowed and can be black or oil rubbed bronze finish. Other colors can be submitted for consideration.
18. **Grading of Lots** - Each Lot is to remain in its natural desert state and no grading, cutting, or adding of fill to any Lot will be approved by the Board except in connection with actual and approved construction upon the Lot. To limit the amount of dust created by construction processes, all Lots must be watered down immediately before and during grading, cutting, or adding of fill.
19. **Landscaping** - Front yard landscaping must be completed within 90 days of receiving certificate of occupancy. Until the landscape is completed, the Lot must be kept weed free. Allergy generating, pollen producing plants such as olive trees (*Olea European*) and all varieties of Mulberry are discouraged.
- a. Ground Cover: Front, side, and back yard, to the extent visible from the street, shall be covered by rock, crushed granite, lawn, or artificial lawn. Thin or bare ground shall not be permitted. Lots with preserve easement shall keep the designated area as per required natural state. Samples of the rock, granite and artificial lawn shall be submitted for approval. Only high quality, realistic-appearing, artificial lawn will be approved.
 - b. Front yards should be designed to maintain high standards and values of the Ahwatukee Custom Estates. Newly developed Lots and major landscape re-design shall submit plans for approval.
 - c. Front yards with only ground cover, crushed granite or lawn in the entirety shall not be allowed.
 - d. Landscape designs that add significant beauty and value to the property and the neighborhood are encouraged.
 - e. Maintenance.
 - i. Trees and plants shall be kept in a neat manner to maintain a healthy appearance consistent with the condition of the landscaping as originally approved. Appropriate landscape maintenance such as: watering, leaves raking/blowing-removal, pruning, trimming, lawn mowing, manicuring, gravel raking, adding gravel to bare areas, replacement of dead trees & plants etc. shall be done regularly.
 - ii. Dead trees shall be removed, and stumps shall be ground down. Replacement trees or alternatives shall be planted in that area.
 - iii. Dead plants shall be removed and replaced.
 - iv. Dead tree limbs shall be removed.
 - v. Dead lawn shall be repaired, replaced, switched to an artificial lawn, or turned into another landscape design. Submittal required for approval.
 - vi. Weeds shall be removed.
 - vii. Dead palm tree fronds and dead seed pods shall be removed.
 - f. Retaining walls shall be concrete block or concrete; stucco & painted or veneered with stone (if dwelling is brick, then matching brick can be used on the retaining walls). Submittal for approval is required.
 - g. Landscape Water Feature:
 - i. All water features require submittal for approval.
 - ii. Fountains and waterfalls will be considered if their style/design is harmonious with the surroundings and add value.
 - iii. Water features are to be kept in operational and clean condition, free of mineral buildup.
20. **Lighting** - All types of electrical lighting and illumination are subject to the following limitations:
- a. All lighting and illumination shall conform to the appropriate governmental ordinances as well as the following guidelines.
 - b. Warm and soft white light is preferred.

- c. **Light trespassing is not permitted.** Outdoor lighting fixtures shall be arranged and shielded so that lighting shall not shine or reflect onto adjacent Lot.
- d. Spotlights located on the building shall be painted to match the building. Cut sheets are required for approval.
- e. No lamp or lighting or illumination device or reflected overflow light shall light a neighboring property in excess of 0.75-foot candles of projected brightness, measured at the top of the property fence or higher. Outdoor light bulbs should not exceed 750 lumens.
- f. Outdoor light fixture design and styles shall complement the architectural style of the building. Decorative sconce fixtures and light fixtures on posts do not need to be painted to match the building colors as long as they complement the building. Cut sheets are required for approval.
- g. **Lighting of Preservation Easements on Hillside Lots shall not be permitted.**
- h. Each lighting or illumination device shall be set back from the nearest property line a minimum of ten (10) feet or a distance equal to or greater than the height of the device above the natural or excavated grade. No light device shall exceed a height of eighteen (18) feet above the natural or excavated grade, whichever is lower. An EXCEPTION to this Guideline is granted as follows:
 - i. A lighted entry marker may be placed on each side of a driveway entrance. The total height of the marker and light shall not exceed four (4) feet above finished grade adjacent to the driveway. The light source shall not exceed 375 lumens.
 - ii. Low Voltage Landscape Lighting:
 - The following types of light fixtures that are allowed include, but are not limited to, the following: Up Lights, Path Lights, Wall Lights, Step Lights, Spotlights, Flood Lights and under Water Lights. The color of the light fixture and the shield, housing or trim, including exterior soffit lights, shall be compatible with the color of the building. The color and style of the landscape fixture should complement the landscape. Plastic light fixtures are not permitted. Durable fixtures are appropriate. Cut Sheets for each type of lighting must be submitted with all plan submittals.
 - Driveway and Pathway Lighting define the edges of the driving and walking surface. They shall be spaced appropriately and not exceed a height of twenty-four (24) inches. Height variance may be granted up to thirty-six (36) inches if appropriate for the design and style.
 - The following light sources shall be close to the ground and shall not exceed the equivalent projected brightness of six hundred lumens:
 - 1. All lighting or illumination of landscaping.
 - 2. Accent or aesthetic lighting of buildings or structures.
 - 3. Any illumination device that directs light above a horizontal plane.
 - Transformers, if outdoors, shall be low to the ground and painted matching the building color. In addition, if possible, they should be hidden by soft scape (e.g., shrub).
 - Certain low voltage landscape down lighting may be submitted for Board approval.
 - iii. **Security Lighting** – Security lighting that is an integral part of the main residence shall be shielded or hooded with an opaque cover so that the light source and reflecting device is not visible from off the property and shall not be higher than roof eave. All measurements should be taken to minimize reflective glare. Each security/safety light is limited to the equivalent projected brightness of 1100 lumens and shall not exceed a time limit of five (5) minutes of activation per sensor activation.
 - iv. **Lighting to Illuminate Game Courts or Play Areas** - Must be submitted to the Board for approval. All court lighting must have automatic timers with a 60-minute maximum limit and must be turned off by 10:00 p.m.

21. **Lot Coverage Percentage** – Shall be governed by the City of Phoenix and not ACEMA.
22. **Maintenance of Property to prevent the appearance of abandonment or unattended Lot** – Each owner shall maintain the dwelling, associated improvements and landscaping in a manner consistent with maintaining with the property values and high standards that exist within Ahwatukee Custom Estates. Improved Lots shall be kept free of debris and weeds. Not allowed are the following: rust, cracks, rot, paint peeling, visible broken parts, missing parts, worn out, ripped, etc., on any improvements on the Lot.
23. **Painting** - Any future repainting or redecorating of exterior surfaces resulting in a change of the originally approved color scheme will require one of the following actions:
 - a. If the new color for body and trim falls within the Approved Color Palette maintained at the Property Manager's office (see Exhibit F) or identical previously approved color and is not the same or similar color of houses on adjacent properties, the project may be administratively approved. Submittal form shall be submitted.
 - b. If the new color for body and trim does not fall within the Approved Color Palette maintained at the Property Manager's office, the proposed color scheme shall be submitted for Board approval.
 - c. If the new color is custom, paint two samples on letter size paper and mail them to the management company.
 - d. The body and trim paint finish shall be flat or one level above it.
 - e. Wrought iron fences, light fixtures, etc. may have a reflective paint finish.
24. **Paint Color Scheme** - The plans and specifications for new construction must also include the detail of the exterior color scheme, including all exterior surfaces. The Board has an approved color palette to choose from. Any other colors require Board approval.
25. **Pools and Pool Water Features (including Pool Accessories)**
 - a. No pools or spas in the front yards. The distance to the water line shall be placed no closer to the rear Lot line than ten (10) feet or as per variance.
 - b. The pool deck within the setback area must be a minimum of five (5) feet below the top of the nearest existing fence.
 - c. The maximum height of pool accessories is eight (8) feet above ground level and cannot exceed two feet above the adjacent fences (in the case where the difference in fence height is greater than two (2) feet, due to natural hillside grade, the height of the highest fence will be used for this measurement).
 - d. Colors for pool accessories must compliment or match the dwelling's main color or trim. Wooden structures may remain natural in color.
 - e. Pool accessories must be maintained at the same standards established for all properties and dwellings.
26. **Portable Restroom** - A portable restroom must be placed and maintained on the construction site inside the construction fence and remain on the Lot during construction. Consideration for existing neighbors will be appreciated in placing the portable restroom. Submittal for approval is required.
27. **Roofing Materials and Colors** - All flat roofs must have surrounding parapet walls, which will cut off all views of the roof from any angle at ground level. Further, the Board will require that the built-up roof be painted or covered with gravel in a color that compliments the color of the house. White foam roofs will be considered for approval for use on a flat roof surface when the parapet blocks the view of the roof surface from neighboring Lots. Tile and shaker shingles are the preferred roofing materials for pitched roofs. The use of standard asbestos, asphalt, composition, or wooden shingles, is prohibited.

28. **Signs** – No advertising signs or billboards whatsoever, except:
- Such signs may be required by legal proceedings.
 - Not more than two (2) residential identification signs each of a combined total face area of seventy-two (72) square inches or less.
 - One “for sale” or “for rent” sign, not exceeding five (5) square feet.
 - Security signs may not exceed one hundred square inches. A metal sign is allowed on metal post a maximum of one square inch, no higher than twenty inches to top. Signs may not be mounted on a wall or on fencing.
29. **Skylights** - Skylights on sloping roofs are discouraged. When permitted, they must be tinted gray or bronze to minimize their visibility and reduce any objectionable glare. All metal components are to be painted to match the color of adjacent roofing materials. Skylights may be white only where screened by a parapet and not visible from adjacent Lots.
30. **Solar Units**
- Solar units submitted for approval on flat roofs will be considered; it is preferred that they are concealed by screening which is an integral part of the structure of the home (e.g., parapet walls). Flat plate collectors will be considered for approval on any pitched roof of the home provided they are in the same plane as the roofing materials, i.e., an integral part of the roof. Installation of solar units on pitched roofs visible from the street or neighboring Lots is discouraged as it takes away from the building’s architectural aesthetics.
 - Solar panels for independent equipment (e.g., security cameras with solar panels) shall be as least visible from the street and neighboring Lots as practical.
31. **Tennis Courts/Sports Courts** - The CC&R’s specify that construction on any Lot be for the purpose of residential use. Therefore, a Lot may not be used solely for a tennis court. Overhead tennis/sport court lights are prohibited unless two (2) Lots are legally joined and adjacent to each other and have an address on the same street. *(Refer to Exhibit D for instructions to prepare for on-site inspection by Board representatives.)*
32. **Ventilators** - Turbine type ventilators will not be allowed.
33. **Windows** - Windows shall not have reflective coating. When replacing a window with the same style, size, and color (like for like), submittal is not needed. When replacing windows with a different style, color or shape, submittal for approval is required. Insect screens, if present, shall not be painted. Only the frame of the insect screen may be painted to match the window frame.
34. **Window Treatments**
- All exterior window treatments for shade or security must be submitted for approval prior to construction or installation. A major consideration in this approval process will be if or how such installations affect neighboring homeowners.
 - Internal window treatments such as drapes, shutters, shades, and blinds are acceptable forms of window coverings. Decals, sheets, blankets, newspaper, foil posters, pictures, etc. are not acceptable forms of internal window covering.

ARTICLE 2

Items Not Needing Approval

The following improvements, repairs, and replacements are not subject to submittal approval as they would be considered: (1) approved by the initial application, provided that the listed conditions are met and are compliant with the CC&R’s listed above; or (2) not regulated by the CC&R’s. Anything not listed in this section will need an approval from the Board:

- Replacement of Existing Air Conditioners and Heat Pumps.** All exposed heat pump and air conditioning units (e.g., refrigeration, evaporative coolers, etc.) shall be ground mounted and screened with approved materials from view of streets and neighboring properties in previously approved location(s). Roof installations are not allowed.

2. **Interior Renovations.** None of the construction materials, supplies and equipment will be kept on the exterior of the building, anywhere on the Lot and/or street (e.g., dumpster, Porta-A-Potty, storage containers, construction vehicles, building supplies, tools, and equipment, etc.). All aspects of the construction will follow the CC&R's and Code, and construction noise will be in compliance with the City of Phoenix Code of Construction Hours. The Lot must be maintained and kept clean at all times. Submittal for approval will be required if the construction requires something on the exterior of the building during the construction (e.g., dumpster, Porta-Potty, etc.)
3. **Minor Landscaping.** Limited to softscape (plants, shrubs, trees, etc.), without any changes to the grading and drainage, such as replacing dead trees, shrubs, and plants; and adding additional trees, shrubs, and plants to the existing landscape. Adding matching ground cover to existing ground cover to hide bare areas. However, major landscape changes including but not limited to hardscape installations (driveway, walkways, retaining walls, water features) and/or changes to grading and drainage and/or drastic removal soft scape without replacement will require submittal for Board approval.
4. **Roof Repairs.** Minor repair to the roof without changing the current roof tile and the current appearance of the roof. Replacement of the roof requires submittal for Board approval.
5. **Garage Door Replacement.** If a garage door replacement is needed, the homeowner may replace the garage door with the same approved (style, design, and color) garage door. If the homeowner wishes to change the garage door to a different style and/or color, then submittal for Board approval is required.
6. **Regular Repairs and Maintenance of Previously Approved Items and not in conflict with current guidelines.** Repair, maintenance, and replacements (like for like) of previously approved items not need submittal if they meet current Architectural Guidelines. If in doubt, ask.

ARTICLE 3 **Administrative Approval**

The following improvements, repairs, and replacements are subject to administrative review and approval by the management agent designated by the Board, provided that the listed conditions are met and are compliant with the CC&R's listed above. Anything not listed in this section will need an approval from the Board:

1. **Painting.** Any repainting of exterior surfaces using the Approved Color Palette maintained at the Property Manager's office (see Exhibit F), which is not the same or similar color of houses on adjacent properties may be administratively approved if colors are used appropriately: Body colors shall be used on the body of the home and trim colors shall be used only on the trim components of the home. Architectural pop-outs are not trim. If the homeowner wishes to use the designated colors on different surfaces and/or different colors, then Board approval is needed.
2. **Snake Fence.** Installation of ½" x ½" or ¼" x ¼" galvanized steel mesh fence over the wrought iron fence and/or wall openings to prevent rattle snakes accessing the Lot, small dog escaping, etc.
3. **Dumpster.** Any dumpster in connection with improvement of the property as specified in CC&R's.
4. **Portable Restroom** - A portable restroom must be placed and maintained on the construction site inside the construction fence and remain on the Lot during construction. Consideration for existing neighbors will be appreciated in placing the portable restroom.

ARTICLE 4 **Projects Requiring Board Approval**

No structure, including but not limited to buildings, fences, walls, or other improvements, attached or detached from other structures, shall be erected, placed, altered, or maintained on any lot until the construction plans and specifications and a plan showing the location of the location of the structure or plot plan have been approved by the Board of Directors.

ARTICLE 5
Architectural Review Committee and Authority

The Board may establish an Architectural Review Committee (ARC) to aid and promote harmonious development and maintenance of changes. For the benefit of all homeowners, the Board may empower the ARC to: (1) review plans and specifications for compliance; and (2) recommend that the Board approve or deny plans and specifications. The ARC and the Board shall have the right to take into consideration the suitability or the proposed building or other structure; the materials of which it is to be built, the site upon which it is proposed to erect the same; the harmony with the surrounding thereof; and the effect of the building or other structures as planned on the outlook from the adjacent or neighboring property. The Board has the right to deny plans, specifications or drainage and grading plans, which in its sole opinion and discretion, are not suitable or desirable for aesthetic or other reasons as set forth in the CC&R's. The homeowner or homeowner's designated agent is encouraged to participate in the review process, attend meetings and collaborate with the ARC.

No member of the Board, or any committee of the Board, or any officer, or the Manager, shall be personally liable to any owner, or to any other party, including the Board, for any damage, loss of prejudice suffered or claimed on account of any act, omission, error, or negligence of the Board, the Manager or any other representative or employee of the Association, or any committee, or any officer of the Association, provided that such person has, upon the basis of such information as may be possessed by him, acted in good faith, without willful or intentional misconduct.

In the event of an inconsistency between these Guidelines and the Declaration of Covenants, Conditions and Restrictions, the Declaration of Covenants, Conditions and Restrictions shall control. Any waiver of any of these controls shall not be construed as a waiver of any other architectural control or any of the provisions of the CC&R's.

Failure to exercise any of the guidelines stipulated herein for any one property owner shall not be a waiver of the right to enforce these guidelines for any subsequent property owner.

The Board may change any guidelines previously adopted by the Board from time to time by a majority vote.

ARTICLE 6
Submission Process

1. Application Forms and Plan Submittal Form

Of necessity, plans will have to be approved by the applicable governing authority (i.e., the City of Phoenix). *Therefore, it is advisable that your designer, architect and/or builder be cognizant of the City of Phoenix requirements.* It is recommended that plans be approved by the Board prior to submission to the City of Phoenix to preclude having to resubmit to the City of Phoenix for any changes that the Board may require. If the City of Phoenix makes any changes to plans that had been previously approved by the Board, the Board must be notified by the homeowner before construction begins. The Board may then accept the changes made by the City of Phoenix or it may withhold approval based on CC&R's and/or Architectural Guidelines.

Obtain the applicable Application Forms from the management company. Completed Application package must be submitted for initial review by the management company. The management company will ensure that all required documents including a complete set of plans (electronic, PDF format), twenty scale, are in the Submittal.

A complete submittal package includes the following:

1. Application with Signed Acknowledgement of ACE Guidelines.
2. Signed Acknowledgement of City of Phoenix Construction Hours.
 - Signed Acknowledgements by the owner and the builder are required to demonstrate that they have received information on the City of Phoenix Code Section 23-14 (h), which sets out restrictions on construction hours.
3. Signed Adjacent Neighbor Acknowledgement Form, if required by CC&R's for certain walls/fences.
4. Original Plot Plan – This is the original plan with existing contours provided by Presley Companies in 20 scale (1 inch = 20 feet) or equivalent in electronic PDF form.

5. Finished Floor Elevation and D&G of adjacent Lots, if applicable. Note, this is required for new construction and additions.
6. Drainage & Grading Plan stamped an Arizona Registered Civil Engineer in 20 scale (1 inch = 20 feet), if applicable in electronic PDF format. Required for new construction, additions, pools, and other major improvements/projects which may potentially impact drainage.
7. Owner may assign an agent for the construction project by completing and submitting an Agent Assignment Form. If the owner assigns an agent for the construction project, the agent shall have all of the owner's rights to interact with ACEMA, but the owner will still be ultimately responsible for compliance with the CC&R's and these Guidelines. If the owner does not designate an agent, the Association will only communicate with the owner regarding the project.
8. Photos, if applicable.
9. Cut sheets for materials, if applicable.
10. Paint information, if applicable.
11. **Plans.** Development Building Plan in twenty scale with the following information: Complete full-size Plans (electronic, PDF) showing the following:
 - a. Locations of all existing and proposed buildings, fences, decorative walls, gates, and other structures to be installed along with setbacks, easements, ROW, etc. All vertical exterior walls must lie inside the required setbacks (see Exhibit E for ACE Building CC&R's Setbacks). ACE setbacks may be more stringent than the City of Phoenix.
 - b. The proposed finished floor elevation as measured from a defined property pin adjacent to the curb. (If your home has multiple elevations, be sure to include all elevations.)
 - c. The square footage of the project.
 - d. Locations of exterior heat pumps and/or air conditioning units must be ground mounted and screened.
 - e. Locations of any other exterior mechanical equipment.
 - f. All elevation views (4 sides) of the home.
 - g. Descriptions of materials (cut sheets) for roofing, composition of structure, exterior color schemes, fences, gates, wrought iron, etc.
 - h. Submission Requirements for **Pools and Water Features (including Pool Accessories)** – (see Exhibit B for instructions to prepare for on-site inspection by Board representatives.) - The following items describe this submission:
 - i. The location of the pool spa on the Lot. No pools or spas will be considered in the front yards. The distance to the water line shall comply with side setbacks contained in the CC&R's recorded on the subdivision and shall be placed no closer to the rear Lot line than ten (10) feet.
 - ii. Finished floor elevation(s) of the pool deck, house finished floor, and top of fence. The pool deck within the setback area must be a minimum of five (5) feet below the top of the nearest existing fence.
 - iii. Location and concealment of pool equipment in accordance with the CC&R's recorded on the subdivision.
 - iv. Location of any pool accessories including, but not limited to, slides, water features, fire features, shade features, nets, diving boards, etc.

- v. The maximum height of pool accessories is eight (8) feet above ground level and cannot exceed two feet above the adjacent fences (in the case where the difference in fence height is greater than two (2) feet, due to natural hillside grade, the height of the highest fence will be used for this measurement).
- vi. Colors for pool accessories must compliment or match the dwelling's main color or trim. Wooden structures may remain natural in color.
- vii. Locations of all existing and proposed buildings, fences, decorative walls, gates, and other structures to be installed along with setbacks, easements, etc.

Sufficient detail must be provided such that the Board can visualize exactly what you plan to build. Lack of adequate information may result in disapproval of your plans. Also note that no home may be more than two (2) stories above approved finished floor height, and the maximum height of the home may not be more than thirty feet (measured to the roof peak, exclusive of chimneys) above approved finished floor height.

No changes in or deviations from such plans and specifications once approved shall be made without written approval of the Board. The Board's approval of the plans does not mean that it has passed judgment on the structural soundness of the project. The Board will notify the homeowner of its approval or denial by letter. Approvals are not valid unless received in writing.

12. **Submission Locations** - The plans must be submitted to Cornerstone Properties, 4523 E. Broadway Road, Phoenix AZ 85040. Once all the required information is submitted, the CC&R's provide the Board 30 days to review the plans and respond.

Appeal Process

If the homeowner is dissatisfied with the Board's decision and wishes to appeal it, the homeowner must provide to the Board written request to do so within 14 days of the denial. In the appeal, the homeowner must include an explanation, with specificity, as to how their plans and/or specifications meet the applicable CC&R's, Architectural Guidelines and/or other applicable governing authorities (e.g., City of Phoenix) that were a reason for denial. Please be advised the Board cannot approve plans and specifications that are prohibited by the CC&R's applicable to your Lot. In addition, the Board does not intend to approve plans and specifications that are prohibited by the City of Phoenix, to the extent the Board is aware of the restriction. For example, if the CC&R's state twenty feet building setback, but the City of Phoenix zoning has twenty-five feet building setback, then the ARC and the Board will not approve improvements less than 25 feet building setback. However, if the City of Phoenix issues a variance, then the twenty feet building setback will be honored. The appeal shall be submitted to: Ahwatukee Custom Estates Board of Directors, Cornerstone Properties, Inc., 4523 E Broadway Road, Phoenix, AZ 85040.

ARTICLE 7 **Review Process**

Improvements and Alterations

1. An on-site inspection is normally required – See Exhibits at the end of this document.
2. Following the on-site inspection, the Board will vote to approve or deny the plans and the results of the inspection.

Homeowner attendance at both steps in this process is helpful as there are usually questions. Architects and builders are also welcome.

The Owner is required to contact Cornerstone Properties, in writing, to request the project, Board Compliance Review inspections:

1. **Initial inspection** – Site review and compliance of **building setbacks** for front, sides, and rear of home. Confirmation of no off-site drainage issues, etc.

2. **Completion of Construction** – The last on-site inspection will be scheduled upon the completion of construction of those items **approved** on the development plan (“Final Inspection”):
- a. The homeowner must contact the Association, in writing, to request Final On-Site Construction Inspection upon completion of construction.
 - b. The homeowner will be notified of the Final Inspection and either the homeowner or their designated agent (pursuant to homeowner completed Agent Assignment) will have the opportunity to attend.
 - c. Within thirty (30) business days after the Final Inspection, the Association shall either: (1) create a written report that homeowner will receive, which will specify any deficiencies, violations, or unapproved variations from the approved plans (“Deficiencies), to the extent any; or (2) approve the project as completed. If the Association identifies any Deficiencies, the homeowner shall make corrections and comply with the approved plans.

ARTICLE 8
Abandonment of Project

A project or improvement will be deemed to have been abandoned if commencement of construction on the project begins and substantial construction ceases for a period of 120 days. Within 30 days from the day construction ceases, the Association shall issue a written notice to the Owner of the Board’s intent to determine the improvement and/or project abandoned. If substantial construction does not recommence on the improvement or project within 90 days from the date of the notice, the Board will deem the improvement and/or project abandoned. This provision does not excuse an Owner’s obligation to complete construction in a timely manner under the CC&R’s and these Guidelines.

ARTICLE 9
Approval Expiration

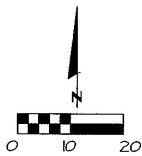
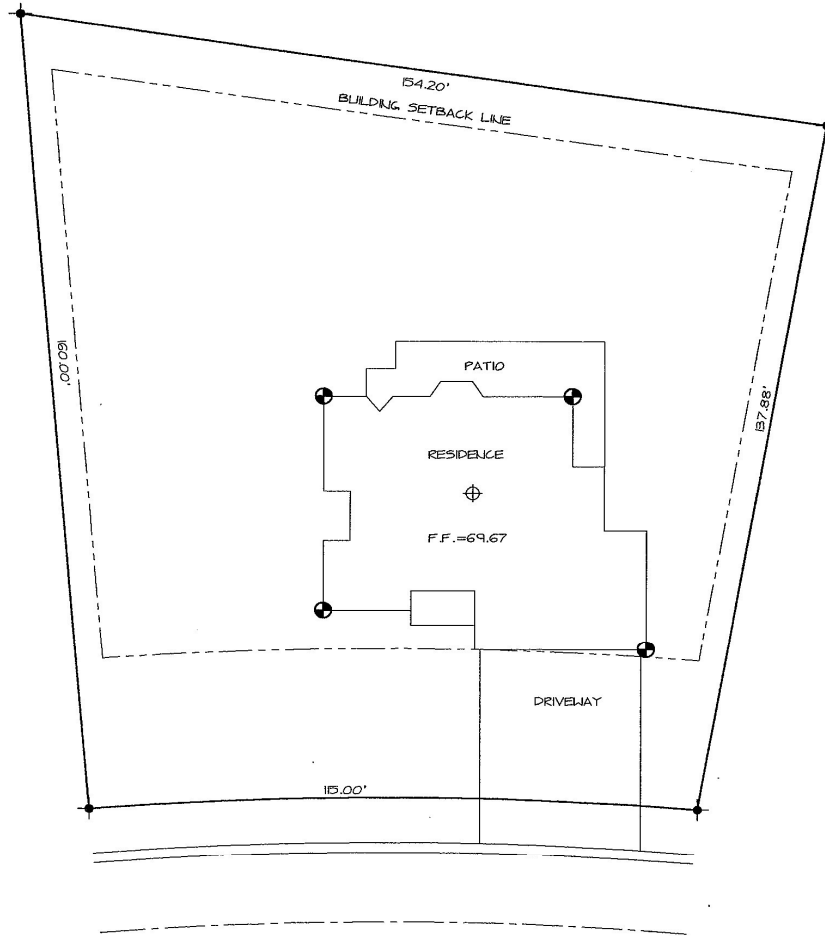
Please note that if construction is not started within one year from the approval date, the plans must be resubmitted.

ARTICLE 10
Construction Period

The Board expects that all new home construction will be completed within 24 months of the approval date, regardless of the date construction begins. All other projects are to be completed within 12 months of the approval date, regardless of the date construction begins.

- Any interruption in construction in excess of 60 days requires written notification to the Board and Board approval.
- Any extensions to these timetables must be approved by the Board.
- Completion of the project requires notification to the Board to schedule a final inspection.

EXHIBIT A



LEGEND

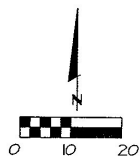
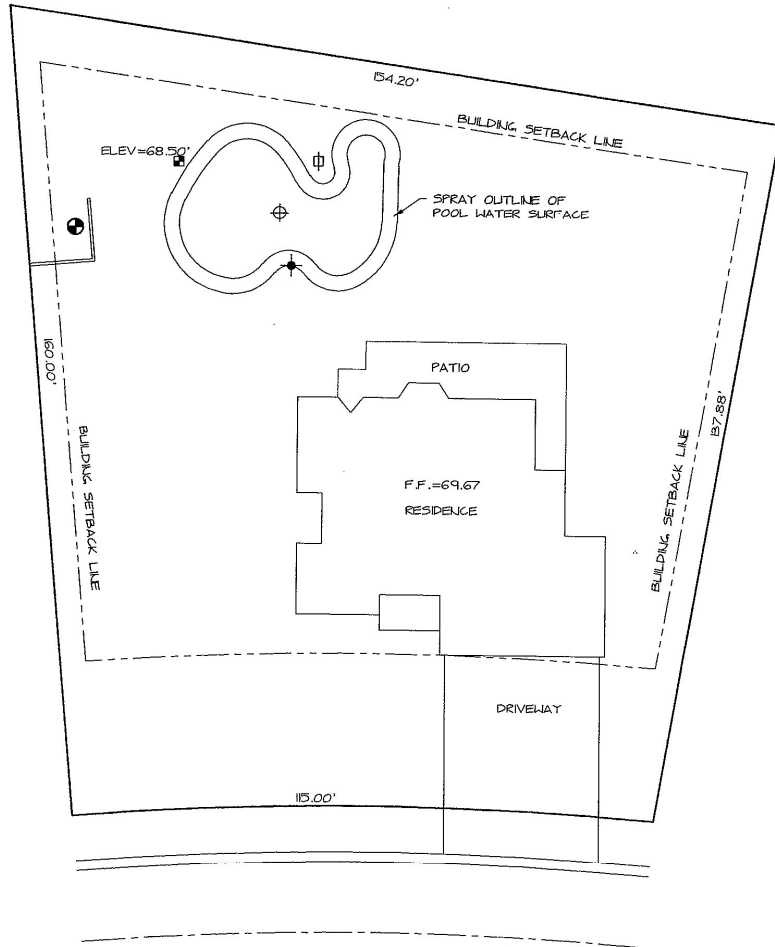
- ⊕ FIELD HOUSE CORNER STAKE WITH F.F. ELEV. MARK AND STAKE
- ⊕ APPROXIMATE CENTER OF HOUSE STAKE WITH F.F. MARK AND STAKE
- ⊕ TAGGED PROPERTY CORNER PIN
- PROPERTY LINE
- - - BUILDING SETBACK LINE

MINIMUM FOR STAKING COMMITTEE FIELD REVIEW, SEE ARCHITECTURAL GUIDELINES FOR ADDITIONAL PLOT PLAN SUBMITTAL REQUIREMENTS.

**SAMPLE PLOT PLAN
AHWATUKEE CUSTOM ESTATES**

ADDRESS:		OWNERS:	
UNIT:	LOT:	DATE:	

EXHIBIT B



LEGEND

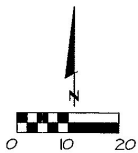
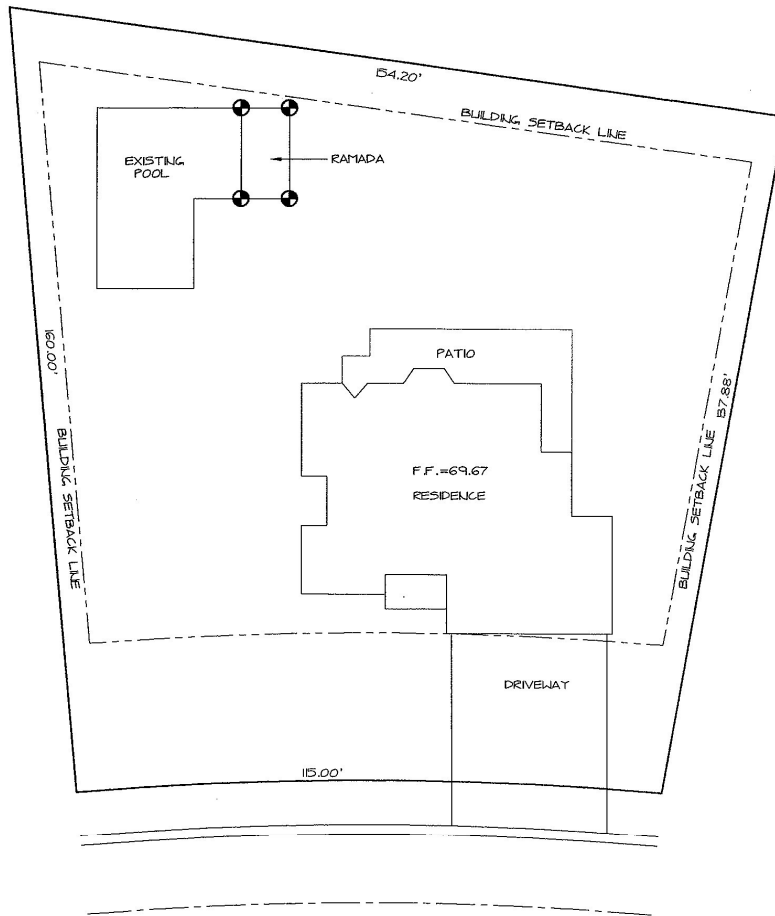
- ◻ STAKE LOCATION OF POOL EQUIPMENT
- ⊕ APPROXIMATE CENTER OF POOL
- ⊕ POOL KOOL DECK ELEVATION WITH PATIO REFERENCE ELEVATION MARKER
- SPRAY PAINT POOL OUTLINE
- ⊕ APPROXIMATE LOCATION OF WATERFALL OR SPA
- ◻ LOCATION OF ANY RAISED AREA WITH ELEVATION ABOVE KOOL DECK

MINIMUM FOR STAKING COMMITTEE FIELD REVIEW, SEE ARCHITECTURAL GUIDELINES FOR ADDITIONAL PLOT PLAN SUBMITTAL REQUIREMENTS.

**SAMPLE POOL ADDITION PLOT PLAN
AHWATUKEE CUSTOM ESTATES**

ADDRESS:	OWNERS:	
UNIT:	LOT:	DATE:

EXHIBIT C



LEGEND

- ⊕ STAKE LOCATION FOR RAMADA, CABANA, POOL BATH HOUSE, OR SIMILAR STRUCTURES. ONE OF THE STAKES MUST HAVE LINE WITH ELEVATION REFERENCE.

NOTE

ALL STRUCTURES MUST ADHERE TO THE HEIGHT LIMITATIONS SET BY THE ARCHITECTURAL GUIDELINES.

MINIMUM FOR STAKING COMMITTEE FIELD REVIEW, SEE ARCHITECTURAL GUIDELINES FOR ADDITIONAL PLOT PLAN SUBMITTAL REQUIREMENTS.

**SAMPLE POOL ADDITION PLOT PLAN
AHWATUKEE CUSTOM ESTATES**

ADDRESS:	OWNERS:	
UNIT:	LOT:	DATE:

EXHIBIT D

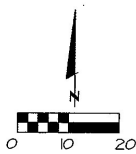
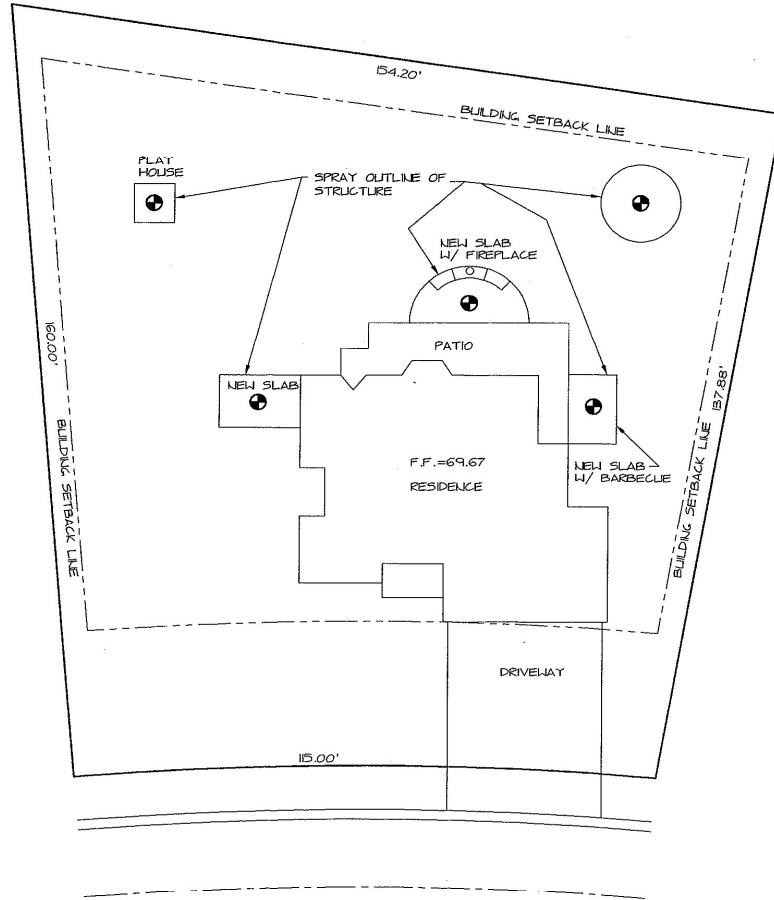
Back Yard Accessories, e.g., Sport Courts, Play Houses, Fireplaces, Barbecues,
Trampolines, etc.

Ahwatukee Custom Estates Management Association (ACE)

The ACE Board reviews and must approve any Back Yard Accessory such as a back yard fireplace or similar structure. In order for the Board to give approval consideration to a structure's location, the Board's Staking Committee (hereinafter referred to as Committee) field checks the proposed location of the structure. The Committee makes its recommendations at the Board meeting where the plans receive formal approval consideration. The attached Sample Plot Plan pictorially describes staking requirements for field review by the Committee as outlined below:

- A rough outline of proposed back yard accessories, e.g., sport court, play house, fireplace, barbecue, trampoline, etc. shall be spray-painted on the ground.

EXHIBIT D



MINIMUM FOR STAKING COMMITTEE
FIELD REVIEW. SEE ARCHITECTURAL
GUIDELINES FOR ADDITIONAL PLOT
PLAN SUBMITTAL REQUIREMENTS.

LEGEND

⊕ STAKE LOCATION FOR SWINGSSET,
TRAMPOLINE, PLAY HOUSE, CONCRETE
PAD OR SIMILAR STRUCTURES.
ONE OF THE STAKES MUST
HAVE LINE WITH ELEVATION
REFERENCE.

— SPRAY PAINT STRUCTURE OUTLINE

NOTE

ALL STRUCTURES MUST ADHERE TO THE
HEIGHT LIMITATIONS SET BY THE
ARCHITECTURAL GUIDELINES.

**SAMPLE BACKYARD STRUCTURE PLOT PLAN
AHWATUKEE CUSTOM ESTATES**

ADDRESS:		OWNERS:	
UNIT:	LOT:	DATE:	

EXHIBIT E

**AHWATUKEE CUSTOM ESTATES MANAGEMENT ASSOCIATION, INC.
BUILDING SETBACKS**

SUBDIVISION	ZONING	INCLUDED LOTS	CITY OF PHOENIX				ACE CC&R's		
			Lot Coverage %	F	R	S	F	S	SAS
ACE	R1-18	4565-4619	25	25	30	10	30	10	15
ACE 2	R1-18	4851-4898	25	25	30	10	30	10	15
ACE 3	R1-18	4812-4850	25	25	30	10	25	10	15
ACE 4	R1-18	4899-4975	25	25	30	10	30	10	15
ACE 5	R1-10	4976-4995	40	25	25	3/10	20	7	10
ACE 6	R1-10	5545-5585	40	25	25	3/10	20	3/10	10
ACE 7	R1-10	5586-5649	40	25	25	3/10	25	10	10
ACE 8	R1-6	6501-6597	40	20	25	3/10	30	10	10
ACE 9	R1-10	7000-7011	40	25	25	3/10	30	10	15
ACE 10	R1-10	7101-7119	40	25	25	3/10	30	10	15
ACE 11	R1-6	6790-6798	40	20	25	3/10	20	5	10
ACE 12	R1-10	1-8	40	25	25	3/10	20	-	10
D.I.E.	R1-6	9601-9615	40	20	25	3/10	Governed by City ordinance		
HS-1 UNIT I & II	R1-10	5259-5296	40	25	25	3/10	20	7	10
HS-1 UNIT II	R1-6	5297, 5298, 5299	40	20	25	3/10	20	7	10
HS-4	R1-8	5300	40	20	25	3/10	20	*	10
HS-4	R1-8	5306-5306	40	20	25	3/10	20	3	10
HS-4	R1-8	5307	40	20	25	3/10	20	*	10
THE HEIGHTS	R1-10	1-3	40	25	25	3/10	30	10	15

* Lot 5300 shall not be closer than three feet to the side Lot 5301 and not closer than seven feet to the side Lot 5297

* Lot 5307 shall not be closer than three feet to the side Lot 5306 and not closer than seven feet to the side Lot 5296

If at any time there is a conflict between the City of Phoenix setback ordinance and the CC&R's, the more restrictive setback will take precedence. The Board may issue a variance if the proposed setbacks meet the City of Phoenix zoning setbacks or if the City of Phoenix issues a variance; and, if the proposed plans will have positive impact on the Lot and surrounding area.

EXHIBIT F

AHWATUKEE CUSTOM ESTATES MANAGEMENT ASSOCIATION, INC

Approved Exterior Paint List

BODY COLORS:

1. DEC 738 Travertine
2. DE6115 Practical Tan (DE3200 Summit)
3. DEC715 Sandal
4. DE6116 Dover Plains (DE3199 Stone Half)
5. DE6206 Desert Suede (SP2230 Pueblos)
6. DEC764 Inside Passage
7. DEC748 Oyster
8. DEC747 Sahara
9. DEC721 Slopes
10. DEC6128 Sand Dune (DE3204 Native Tan)

TRIM COLORS:

1. DEC772 Navajo White
2. DEC716 Stonish Beige
3. DEC717 Baked Potato
4. DEW311 French White
5. DEC718 Mesa Tan
6. DE6208 Tuscan Mosaic (DE3183 Jamaican Earth)
7. DE6129 Rustic Taupe (DE3206 Bag Boy)
8. DEC765 Bone
9. DEC720 Cliff's View
10. DE6115 Practical Tan (DE3200 Summit)

EXHIBIT G

AHWATUKEE CUSTOM ESTATES MANAGEMENT ASSOCIATION, INC

Notice of Installation of Antenna on Lot

Homeowner(s): _____

Address: _____

Phone: (Day) _____ (Evening) _____

Type of Antenna: _____

Direct broadcast satellite 18-inch Other Size _____

Television broadcast

Multi-point distribution service Size _____

Internet Size _____

Company Performing Installation: _____

Identify Installation Location: Front Patio Rear Yard Roof Side Yard

Other Indicate "other:" _____

Date Installation Performed: _____

Please indicate the method of installation: _____

Will the installation follow all ACEMA guidelines (which include manufacturers' guidelines and applicable building codes)? Yes No

Please be available to meet with us to discuss the antenna installation. At this meeting, you will need to provide information supporting the necessity for non-routine installation.

Is a mast necessary for reception? Yes No If yes, is the mast required to extend more than twelve feet (12') above the roofline or extend to a height greater than the distance from the installation to the Lot line? Yes No If yes, you must complete the form for mast installation.-

I will comply with all ACEMA's rules for installing, maintaining, and using antennas. I assume liability for any damage to ACEMA and other Owners' property that occurs due to antenna installation, maintenance, and use.

Print Name: _____

Signed: _____ Date: _____

EXHIBIT H

AHWATUKEE CUSTOM ESTATES MANAGEMENT ASSOCIATION, INC

Notification Form for Installation of Oversized Masts

Is a mast extending more than twelve feet above the roofline required for your antenna? Yes No

Is a mast extending higher than the distance from the installation to the Lot line? Yes No

If you responded “yes” to either question, please provide your reasons why such a mast is necessary. Include a detailed drawing of the installation plans, including:

- Description of the antenna and mast.
- Exact location of the mast and antenna installation.
- Description of the manner and method of installation.
- The total height of the mast and the height it will extend beyond the roofline. *(Include an explanation of why the mast must extend to this height.)*
- Manufacturer specifications regarding the installation of the mast.

Please provide a copy of the certificate of insurance of the contractor installing the antenna and the mast. will comply with all ACEMA’s rules for installing, maintaining, and using antenna masts. I assume liability for any damage to ACEMA or other Owners’ property that occurs due to mast installation, maintenance, and use.

Print Name: _____

Signed: _____ Date: _____

Address: _____

Phone: (Day) _____ (Evening) _____