

SIGNAL BUTTE MANOR COMMUNITY ASSOCIATION

COMMUNITY RULES AND ARCHITECTURAL GUIDELINES

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RULES AND REGULATIONS

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COMMUNITY ORGANIZATION

Every resident of Signal Butte Manor is a member of the Signal Butte Manor Community Association (the "Community" and the "Association" respectively), the entity responsible for the management of all common areas and related community facilities as well as administration of the affairs of the Community. The Association was created by the recording of the Declaration of Covenants, Conditions, Restrictions, and Easements (the "CC&R's") with Maricopa County on January 23, 1997. The CC&R's set forth procedures, rules, and regulations that govern the Community. These Community Rules and Architectural Guidelines are an extension of the CC&R's and are designed to be used in harmony with them.

The Association's Board of Directors (the "Board") is charged with responsibility for overseeing the business of the Association. The Design Review Committee (the "Committee") was established by the Board to review all improvements within Signal Butte Manor including new construction and modifications to existing properties. The Association has adopted architectural guidelines and standards to guide homeowners as they plan modifications to their property, and to assist the Committee in its evaluation of proposed construction activities.

ARCHITECTURAL REVIEW PROCESS

Any change, addition, or modification to a site or a building exterior of a residential property requires the prior written approval of the Committee. Residents with proposed changes should contact the Association's Property Management Company or visit the Community web site to obtain the necessary architectural guidelines and submittal documentation.

Simply stated, no new construction or remodeling, including changes to the exterior color of the structure, is to occur on any lot or exterior of any home without the prior approval of the Committee. The Committee is responsible for ensuring that the harmonious, high quality image of Signal Butte Manor is implemented and maintained. Each submittal will be reviewed by the Committee and will be returned either approved, denied, or with a request for more information. Homeowners may appeal the decisions of the Committee to the Board, in which case, the decision of the Board shall prevail. The Committee may also seek Board input before approving or denying an application for approval to make changes to a homeowner's property,

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all counties, local, state and federal government agencies. The homeowner is also responsible for ensuring that all required permits are obtained, inspections performed, and that the proposed construction complies with all applicable municipal Codes, Rules or Regulations. The Committee, the Management Company and the Association assume no responsibility for obtaining these reviews and approvals, and approval by the Committee of additions to or modification of the homeowner's property does not waive the homeowner's responsibilities in this regard.

GENERAL PRINCIPLES

The purpose of the Committee is to ensure the consistent application of the Design Guidelines. The Committee monitors any portion of any lot or parcel which is visible from other lots or parcels, the street, or Association common areas. This would include backyards which are visually open to other lots or Association common areas. The Design Guidelines promote those qualities in Signal Butte Manor that enhance the attractiveness and functional utility of the Community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the Community.

Prior Approval Required

Failure to obtain prior approval from the Committee does not relieve the homeowner of the need to file an application for approval from the Committee. Homeowners that proceed without prior approval assume the risk that the late filed request may be denied, as well as any and all costs associated with that denial. It may not be presumed that construction completed prior to obtaining approval will automatically be approved by the Committee.

Protection of Neighbors

The interest of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, light and air, and other aspects of design, which may have a substantial effect on neighboring properties. As a result, an application for Committee approval for any project that visually impacts neighbors should generally be accompanied by documents from those neighbors indicating that they do not object to the proposed project.

Design Compatibility

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties and the Signal Butte Manor Community as a whole. Compatibility is defined as harmony in style, scale, materials, colors, 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 create safety hazards. The Association and the Committee assume no responsibility for the safety or livability of new construction by virtue of design or workmanship. Committee approval notwithstanding, the homeowner is responsible for ensuring that the quality of construction is consistent with this principle. Should it subsequently be determined after construction that the level of quality is not up to Community standards, the homeowner may be required to remove, repair or replace the unacceptable work at the homeowner's expense.

In general, any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure. Any such addition or alteration requires approval of the Committee prior to construction.

Additional Living Space

Additions that increase interior living space must conform in materials and design with the existing house structure, including having a tiled roof, stuccoed exterior, and windows and doors that match or are compatible with the doors and windows originally installed in the house.

Patio Covers and Storage Sheds

Other structures, such as covered patios, should be compatible in architecture with the existing house and be painted to match the existing structure. Roofing materials on such structures include roll roofing where the roofing color is compatible with the color scheme of the Community. Backyard storage sheds that are detached from the house will be considered provided they are lower than the home's surrounding wall or fence so as not to be visible from neighboring property. Storage sheds which are taller than the surrounding wall may be permitted if the visual impact is kept to a minimum, match color of the house and if neighbors immediately affected indicate their support for the shed.

Paint Colors

A key element in the Community is its earth tone color scheme. In addition to the primarily brown color used on perimeter walls, nine different color schemes were employed during the construction of Signal Butte Manor. These colors constitute the basic colors for the Community, although other colors may be approved for use by the Committee.

Because the manufacturer of the paints originally used is no longer in business, the Committee has established a portfolio of original color schemes to assist residents who wish to repaint their homes in the original color scheme. The Committee has also defined the perimeter wall color that should be employed when painting approved perimeter wall modifications or repainting the existing perimeter wall. The Committee will, from time to time, update the portfolio to reflect other paint combinations that are compatible with the Community color scheme.

Generally, homeowners may repaint their homes using any of the color schemes in the portfolio without first obtaining Committee approval. However, so that Association records are kept current, homeowners will be required to notify the Committee that such repainting is being done using the Paint Notification Form available on the Community's web site or available from the Community's Property Manager.

Homeowners wishing to employ a color scheme not yet included in the portfolio, including the mixing of individual colors from various approved color schemes, must submit a request to the Committee before painting. Applications should include color chips from the paint manufacturer for each color proposed. As new color schemes are approved, they will be added to the portfolio to allow the simplified procedures for use by other homeowners.

Homeowners are not required to purchase paint from the manufacturer noted in the portfolio. However, the paint employed must be color matched, to the extent practical, to the colors in the portfolio. The homeowner is solely responsible for any mismatch, and may be required to repaint the structure if colors are noticeably different from those in the portfolio.

Shutters, Awnings, and Other Building Modifications

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Shutters, awnings and other building modifications provide each homeowner the opportunity to personalize the appearance of their home by adding architectural detail and a splash of color. The use of shutters, awnings and other such building modifications generally require prior Committee approval. Colors shall be approved by Committee.

Satellite Dishes

Satellite dishes are permitted within Signal Butte Manor. However, any "dish" larger than one meter (39 inches) may not be visible above the fence line to streets, neighboring property and common areas. Those homes with "view" fencing must locate the "dish" in the best possible location so as to minimize the visibility from neighboring property and common areas.

Roof and Wall-Mounted Equipment

Except for solar collectors, no devices of any type, such as evaporative coolers or air conditioning units shall be placed on any roof. Electrical boxes, panels, conduits and cables, or irrigation controllers attached to the home are to be painted to match the adjacent surface. Any rooftop solar equipment should, to the extent practical, be installed so as to minimize the visual impact to neighbors and the Community as a whole, must be integrated into the roof structure, and requires advance approval by the Committee.

Outdoor Lighting

The installation of any lighting visible by neighbors over perimeter walls or visible from the street requires prior Committee approval. Such lighting would include, but is not limited to visible spotlights; post lamps; yard and garden lighting; and the lighting of the American Flag and all other flags permitted by law or as may be approved by the Committee, in conformance with the Federal Flag Codes requirements. Lighting that is not visible over perimeter walls, such as ground mounted yard or garden lights in rear yards, does not require Committee approval. However, all lighting shall not be directed toward streets, common areas, or neighboring property.

LANDSCAPING

Minimum Landscaping Requirements

To preserve the look of the Community, a minimum number of plants and trees are required on the visible portion of each lot. Every lot must contain a minimum of one tree and two plants. Desert adapted plants should be used where practical.

Lawns on the visible portion of the lot are also allowed with prior Committee approval. Lawns should not cover the entire lot. Rather, granite should remain on a portion of the lot where the required shrubs will be located, or for such approved alternatives as flower beds, pots or other plantings consistent with our desert environment. A suitable durable border, such as concrete curbing, should be installed to separate the grass and granite areas.

Outdoor Fireplaces

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Outdoor fireplaces may not exceed fence height.

Maintenance

All landscaping shall 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. Trees should be regularly pruned to maintain a visible trunk, a well-shaped canopy, and to ensure that branches do not obstruct sidewalks. A homeowner's failure to adequately maintain the property may result in the Association hiring an outside contractor to perform the work, at homeowner's expense.

Granite

Granite should be used to cover all visible areas except for lawns or where approval has been specifically granted for an alternative covering. The granite should be maintained at all times so as to retain a consistent and acceptable appearance. The color and size of granite may not be changed without prior Committee approval. Where a homeowner proposes to change either the color or size of granite, specific provisions should be made, such as the use of curbing, to separate the new granite from any other existing granite, including that on a neighbor's property.

Curbing

Decorative curbing provides definition and separation of different areas of a homeowner's property, such as between a lawn and planting areas. It may also be used to separate one homeowner's property from that of a neighbor. Curbing should be permanent in nature, constructed of concrete, mortared brick, or similar permanent material. Loose bricks, timbers, etc., are unacceptable. Curbing may only be installed with prior Committee approval. Curbing that will be placed on a property line in common with a neighbor requires that neighbor's written consent.

Ornamentation

The utilization of non-living objects such as decorative curbing, seating, low walls, or permanent ornaments in the landscape must be harmonious with the character of the neighborhood and must be approved by the Committee. Individual expression is encouraged so long as it does not detract from this goal. Temporary holiday decorations are permitted but must be removed no later than 30 days after the event they represent.

Swimming Pools

Prior to construction of a swimming pool, a homeowner should contact the Management Company to coordinate the point of construction access to assure damage to common landscaped areas and common perimeter walls is avoided. In most cases, residents will be advised to enter through the side yard wall, from the front of their homes. Any opening which affects a common Association wall shall require an architectural submittal and a deposit for such work, refundable after walls and landscape are repaired and returned to their original condition. The Committee may also require the Association to replace and repair any common wall that has been affected to insure continuity within the Community with the ability to charge back to the member for labor and materials.

In addition to the requirements of these guidelines, pool construction is also governed by the Codes of the City of Mesa. The homeowner is fully responsible for abiding by the City's requirements,

including but not limited to obtaining all necessary approvals, permits, and inspections. Approval of the installation of a pool by the Committee does not relieve the homeowner from compliance with the City's requirements.

Consistent with City of Mesa Codes, pools may not be backwashed into the drainage ditches, natural washes, common landscaped areas, drainage-ways or streets. All backwash water is to be retained on the owner's lot. If necessary, a hole should be dug and filled with rocks to provide for the needed capacity.

Swimming pool fence requirements and other safety requirements such as self closing gates and window and door locks, are also regulated by the City. The City should be contacted to determine the safety requirements for your pool. For safety reasons, all openings in walls must be securely covered during construction to prevent children from entering and being injured.

Pool plans will not need prior approval unless there is a feature (pool slide or other structure) which would be visible above the top of the wall. All pool equipment shall be screened from view of neighboring property, streets and common area with walls which match the architectural character and color of the house or the existing wall. IF POOL EQUIPMENT IS PLACED NEAR VIEW FENCING, SPACE MUST BE ALLOWED TO ACCOMMODATE THE SCREENING WALL.

Flagpoles and Flags

1. Display of the American flag is encouraged and permitted within Signal Butte Manor if the flag is hung from a mounted pole bracket no longer than six feet in length mounted at an angle on the house or garage. In addition, the flag of the State of Arizona or of an Arizona Indian Nation, flags denoting the various branches of the United States military, and POW/MIA flags may be similarly displayed. A maximum of two flag brackets may be installed per residence except as provided below. Only one flag, measuring no more than 3'x 5', may be suspended from each bracket mounted pole.
2. A single flagpole may be installed in any suitable location on a residential lot, but only with the prior written approval of the Signal Butte Manor Homeowners Association or its Architecture Committee. If a flagpole is installed, the number of mounted pole brackets that may also be installed on the residence is reduced to one. Flagpoles shall be no more than 20 feet in height, may not cause a noise nuisance of any kind, and must be properly maintained. A maximum of two flags, of the types described above, each no larger than 4'x6', may be hung from the flagpole.
3. All displays of the American flag within Signal Butte Manor must be in a manner consistent with the Federal Flag Code. Similar treatment shall also be afforded to any other displayed flag.

Basketball Goals

1. Basketball poles and bases must be black or painted to match house or trim color.
2. Whether pole mounted or portable, basketball goals must be centered between the front wall of the garage and the back edge of the sidewalk adjacent to the street, and must face the driveway.
3. Backboards may either be made of clear Plexiglas, be of a neutral color (black, grey, white), or be painted to match the house or trim color.

4. Permanent, portable, or temporary basketball goals are acceptable.
5. Basketball goals must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. constitute grounds for fines or removal.
6. Only nylon or similar cord nets are acceptable. Metal chain nets are not acceptable
7. Homeowners with basketball goals are fully responsible for ball containment on their property, as well as for the prompt repair or replacement of any damage caused to neighboring property attributable to the use of the basketball goal.

As used herein, the term basketball goal shall refer collectively to any base, pole, backboard, net, etc. associated with permanently installed or portable equipment.

Lots with basketball goals that do not meet these requirements will be assessed fines in accordance with the Association's Rules, and/or the homeowner may be directed to remove the basketball goal at the owner's expense.

Driveways

Driveways may not be expanded without the prior approval of the Committee. All driveways must be kept clean and clear of debris, oil, rust and other stains. A minimum two-foot colored paver or landscape separation is suggested between the driveway and any expansion. No additional, but separate, driveway may be added to the side of the property opposite the driveway leading to the garage doors.

Clotheslines

Clotheslines or other outside facilities for drying clothes are not permitted unless they are placed exclusively within a fenced yard and not visible above the top of the block wall or otherwise concealed.

Window Coverings

No reflective materials, including, but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type items, or temporary window coverings such as newspapers or bed sheets shall be installed or placed upon the outside or inside of any windows of any house without the prior written approval of the Committee.

No enclosures, drapes, blinds, shades, screens, awnings, or other items affecting the exterior appearance of a house shall be constructed or installed in any home without the prior written consent of the Committee. The Board has given blanket approval to all off-white or white, shutters, mini-blinds, and vertical blinds installed on the interior of windows. All others shall require advance approval by the Committee.

Planters and Walkways

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Planters, paved walkways and other hardscape features visible from neighboring property must be reviewed and approved by the Committee. Surface textures and colors are to match or otherwise coordinate with the paint color and materials of the house. The use of stamped or textured concrete for sidewalks may be permitted where the color and texture is compatible with the color of the house, coordinates with the color of the granite, and is consistent with the color palette of the Community.

Ramadas and Gazebos

Ramadas and gazebos may be erected in rear yards only subject to prior review and approval by the Committee, subject to the following guidelines:

- 1) Maximum square footage (under roof area) is 120 square feet
- 2) Maximum roof height is 10 feet at the highest point
- 3) The structure must be set back a minimum of 7 feet from any perimeter wall
- 4) The structure must be painted to match the house color and maintained in good condition
- 5) Any roof tile must also match the tile of the house
- 6) Lighting of the structure must be approved by the Committee prior to installation

Play Structures

Play structures may be erected in rear yards only upon prior review and approval by the Committee, subject to the following guidelines:

1. May be erected in rear yards only and structures must be set back a minimum of 5 feet from any perimeter wall
2. Maximum height allowed to top support bar or highest point of structure, is 8.5 feet
3. Maximum height of any deck/platform is to be 4 feet above ground
4. The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans
5. The Committee will take the appearance, height and proximity to neighboring property into consideration
6. Any shade canopy must be a solid tan or earthtone color
7. Submit a brochure or picture if possible
8. Neighbor's visually impacted by a play structure should provide written notice that they do not object to the structure
9. The appearance of all structures must be maintained

Gates

Gates should be maintained at all times. Slats may not be replaced with a different material or removed in part to facilitate visibility from the back yard. Broken or missing slats should be promptly replaced, and slats should be periodically treated with a suitable transparent waterproofing material to maintain their appearance. Unless a different color has been approved, all metal parts should be repainted black as necessary to prevent rust and otherwise maintain an attractive appearance.

All new or replacement gates should be of the same type, design, and color as the gate originally installed by the builder, although consideration may be given by the Committee to applications for alternative designs and colors. With Committee approval, double gates may be

installed to allow wider accessways to yards. Shrubs, trees or other plants should be located between the house and the double gates, where possible.

Gutters and Downspouts

Gutters and downspouts may be considered for approval. The finish on same must match the adjacent surface of the home in color. High-quality materials that offer long life are recommended, as the homeowner will be required to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of material to be used, warranty by the manufacturer, and the name and telephone number of the installer.

Screen and Security Doors

Screen doors and security doors must be approved in advance by the Committee. All doors should be constructed of high quality materials, such as wrought iron, and be in a color that matches or coordinates with the body of the house. Overly ornate designs are discouraged. Pictures or brochures should be submitted with any request for approval.

Perimeter Walls

Perimeter walls are employed throughout the Community to define and separate each homeowner's property from that of a neighbor's or adjoining property. Perimeter walls should be maintained at all times to ensure their stability, and the visible exterior should be painted, using the color originally applied by the builder, as needed to maintain an acceptable appearance.

Generally, the height of a perimeter wall should not be raised. However, if a homeowner wishes to increase the height of a perimeter wall, prior approval of the Committee is required.

Any application for approval to modify, extend or raise the height of a perimeter wall should include:

1. A plot plan or other drawing showing the portions of the wall to be modified.
2. Documentation from neighbors who may share the perimeter wall indicating that they do not object to the modification. Where the wall is in common with Community property, in making its decision the Committee will address the Community's interests with respect to the proposal.
3. A statement that visible exterior portions of the wall will be painted to match the exterior color of perimeter walls throughout the Community.

In all instances, the modification should follow accepted practices with respect to materials, workmanship, and construction standards for such walls. Raising the height of a perimeter wall may also be subject to the provisions of Mesa City Code, and may also require the City's written approval. It is the homeowner's responsibility to be informed about these requirements and to obtain any necessary City approvals. Approval by the Committee of an application to modify a perimeter wall does not imply that the homeowner is relieved of these requirements.

COMMUNITY RULES

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The following Community Rules summarize some of the common provisions found in the CC&R's as well as rules established by the Board. Cooperation on the part of all residents in following these rules will make living at Signal Butte Manor an enjoyable experience.

General Property Restrictions

Owners may rent only the entire lot or dwelling unit. Rental must be made only to a single family. No gainful occupation, trade or other non-residential use may be conducted on the property for the purpose of receiving products or services related to such usage. Owners must receive Board permission to apply for any re-zoning, variances or use permits.

Trash/Recycling Containers and Collection

No garbage or trash shall be kept on any lot except in covered containers as provided by the City. These containers must be stored out of sight except for days of collection.

Pets

Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Animals cannot be kept or raised for commercial purposes, and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Dog runs must have prior approval of the Committee. Dogs must remain on leashes at all times while on Association property. All owners must clean up after their pets.

Machinery and Equipment

No machinery or equipment of any kind shall be placed, operated or maintained upon any lot or any street.

Garages and Driveways

The interior of all garages situated upon the Property shall be maintained by the respective Owners or Occupants thereof in a neat and clean condition. Such garages shall be used for parking vehicles and storage only, and shall not be used or converted for living or recreational activities. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry and exit of vehicles or persons. All driveways on Lots shall be of concrete construction. Detached garages shall not be permitted.

Vehicles, Campers and Boats

No motor vehicle classed by manufacturer rating as exceeding 3/4 ton, mobile home, travel trailer, camper shell, boat, or other similar equipment or vehicle may be parked, maintained or repaired on any lot or on any street so as to be visible from neighboring property. Temporary parking of recreational vehicles, boats and similar equipment will be permitted, if it is apparent that the item(s) are being loaded or unloaded. All motorized vehicles, including ATV's, motorcycles, go-carts and similar vehicles are prohibited from entering onto any common areas. No commercial vehicles shall be parked on streets or lots in the Community. Vendors may park for a reasonable amount of time while rendering a service.

Parking

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The Community's CC&Rs specifically describe the kinds of vehicles that may, and may not, be parked within the community. Please consult the CC&Rs for full details. Generally, the CC&Rs provide:

1. Vehicles of homeowners and their guests, including private, non-commercial cars and pickup trucks up to one ton are to be parked in the garage, residential driveways.
2. There is no parking in the private roadways of Signal Butte Manor. Neither inoperable vehicles nor those with expired tags shall be parked in driveways. No vehicle shall be parked on landscaped areas such as on the grass or granite. These provisions do not preclude the temporary parking of recreational vehicles, boats and similar equipment where it is apparent that these vehicles are being loaded or unloaded
3. Where advance notice is not practicable or is otherwise not provided, and the violation is noted by the Property Management Company during an inspection of the Community, the homeowner will receive a violation notice or the vehicle may be towed at owners expense.

Building Repair

No building or structure shall be permitted to fall into a state of disrepair. The owner of every home or structure is responsible at all times for keeping the buildings in good condition and adequately painted or otherwise finished. In the event any building or structure is damaged or destroyed, the owner is responsible for immediate repair or reconstruction. Roofs must be kept in good repair at all times.

Common Areas

The Association maintains common areas throughout the Community for the use and enjoyment of residents and their guests. After use, residents should ensure the area is ready for use by others, such as by disposing of all trash, cleaning up after pets, etc.