



Spectrum Community Guidelines

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SPECTRUM AT VAL VISTA COMMUNITY GUIDELINES

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SPECTRUM AT VAL VISTA COMMUNITY GUIDELINES

I. INTRODUCTION

The Community Guidelines provide an overall framework and comprehensive set of standards and procedures to allow the residential community to develop and progress in an orderly and cohesive manner. They establish criteria for design, style, size, location and mode of architecture, design and mode of landscaping, site improvements, colors, materials and the construction and modification of improvements.

To the extent that any local government ordinance, building code or regulation requires a more restrictive standard than the standards set forth in the Spectrum at Val Vista Rules or the Declaration, the local government standards shall prevail. To the extent that any local government standard is less restrictive than these Rules or the Declaration, the Declaration and Rules (in that order) shall prevail.

Community Philosophy

The regional context of Spectrum at Val Vista, along with the current and anticipated market demands, offer an opportunity to create a community which strives to meet the needs of the residents as well as those of the Town of Gilbert.

The planning and design reflects a commitment to creating a community and neighborhoods based on timeless principles. Fundamentally, the goal is to create a superior living environment, serving the recreational, educational, retail, and housing needs of the residents.

The Town of Gilbert has a rich agricultural history and has been an integral part of the valley's growth and success. The Spectrum at Val Vista, through its community design and landscape framework, strives to exude those characteristics which make Gilbert special.

The primary identity of the Spectrum at Val Vista will be established at the community level. At this level, the physical design of the landscape and other modifications will create continuity and unifying elements for the Spectrum at Val Vista. We strive for environmentally wise landscape design and management.

II. APPLICATION AND APPROVAL REQUIREMENTS

A. General

Pursuant to the Declaration, any owner wishing to:

- construct or install improvements, including items visible over the rear yard wall

- modify or add to existing improvements, including painting

- install a pool, spa, or other water features,
- Construct or install walls, fences, or hard, permanent materials such as paving, brick, masonry, wood trim, concrete, rocks, flagstone, outdoor barbecues, fireplaces, or other inert material ("hardscape").
- Front yard landscape installations or modifications, unless it is being originally installed by the Builder.
- Rear yard landscape for lots with view fencing
- alter grading or drainage,
- install lighting, or
- add awnings or sunscreens

is required to submit an application and such other materials as set forth in Section C hereof (a "Review Request") to the Design Review Committee, as described below, and receive approval prior to commencing construction. There are no exemptions or automatic approvals, except to repaint the exterior of a structure in its existing color, if the color was previously approved by the committee.

It shall be the responsibility of all owners to comply with all standards and procedures within these Community Guidelines, as well as all requirements of the Declaration and any applicable Supplemental Declaration.

B. Committee Structure

Architectural and design review and control for The Spectrum are handled by a Committee established by the Board of the Spectrum at Val Vista Community Association, Inc. ("Association"). The Design Review Committee has been established to monitor, review and control the development of The Spectrum.

1. **Design Review Committee.** The Design Review Committee shall review plans and specifications. The Board shall enforce these Community Guidelines and may create additional design standards and review procedures. The Design Review Committee has exclusive jurisdiction over original construction, initial landscape installation, modifications, additions, and alterations made to lots, to structures and landscaping on lots. After a lot and its structures and landscaping have been completed according to approved plans, the Design Review Committee must review all proposed changes to the exterior of the structure and the lot. The Board of Directors appoints members of the Design Review Committee.
2. **Professional Services.** The Board may send landscape plans, for private residences, to an Architect for a professional review. Fees related to this professional review will be payable by the homeowner upon submittal of said plans.

C. **Submittal Procedures**

The following procedures shall apply to owners when submitting Review Requests to the Design Review Committee.

1. An application (attached) requesting review by the committee is required for all Review Requests. The application shall include the following information:
 - a) Owner's name, mailing address and telephone number.
 - b) The Neighborhood and street address of the lot.
 - c) The nature of the request. Such request shall be limited to:
 - i. Review and approval of initial plans.
 - ii. Re-submittal for previously conditionally approved or denied plans
 - d) A brief description of the proposed construction or modification.
 - e) Planned completion date for the construction or modification proposed in the Review Request.
 - f) An acknowledgment that the owner is responsible for scheduling all work in a timely manner and for complying with any approval issued by the appropriate committee.
 - g) The name, address, email address, and telephone numbers of owner's agent, or representative or subcontractor (if applicable).
2. In addition to the application the owner shall submit plans for the proposed construction or modification as follows:
 - a) For changes or additions to the home, the owner shall submit two sets of floor plans for the site, including the plot plan and a copy of the floor plans and elevation. On such plans, owner shall draw the proposed changes or additions to the exterior elevation. If owner has a photograph of another house or a picture from a magazine that will assist the Design Review Committee in its review, such photo should be submitted. The application should contain a description of the materials owner plans to use in such changes or additions. If the change or addition affects the roof or roofline, a roof plan should also be submitted. A building section may be requested depending on the complexity of the change or addition. The Design Review Committee may require that plans be prepared by architect or engineer depending upon the nature of the request. A fee may be charged to the applicant when professional assistance is required.

- b) For all other improvements, changes or additions to the lot or the home, including, but not limited to, construction, installation, or modification of walls and fences, ancillary equipment, signage, pools, play equipment, awnings, sunscreens, grading, drainage, and irrigation systems, the owner shall submit a site plan drawn to scale showing the location, height, and dimension of the proposed improvement, change, or addition, the property line of the lot, the setback requirements, any easements, the footprint of the home and driveway, sidewalks, decks, patio, walls, and existing landscaping. The owner shall also submit a detailed description of the proposed improvement, change, or addition, the purpose of the proposed improvement, change or addition, construction specifications, material and color samples, if appropriate, and any additional information or clarification requested by the appropriate committee. Copies of all necessary permits, fees and applications shall also be submitted. A fee may be charged to the applicant when professional assistance is required.
- 3. The committee may request additional information and clarification of the information given if deemed appropriate by the committee. For example, the committee may request that large color samples be painted on key exterior walls prior to completing a project. The panel samples can be observed by the committee at various times during the day to ensure their trueness of color under different levels of sunlight. Until all requested information is provided to the committee, the Review Request shall be deemed incomplete.
- 4. All Review Requests should be addressed to the Spectrum at Val Vista Community Association, Inc. at such address as designated by the Board.
- 5. All documents contained in the Review Request shall be submitted in duplicate.

D. Review Procedures

- 1. The Design Review Committee shall review all requests without hearings and based solely on the information contained within the Review request; provided, however, the Design Review Committee, their committee members and authorized agents may at any time request additional information or review a lot for compliance with the Declaration, these Community Guidelines and any approved plans for construction or modification.
- 2. The Design Review Committee will reference these Community Guidelines in reviewing requests. Although these Guidelines address a broad range of exterior building and site conditions, they are not intended to be all-inclusive. A committee only in accordance with the Declaration may permit variances to these Community Guidelines.

3. As soon as possible following receipt of a complete Review Request, the committee shall respond to the owner. The committee's decision shall be rendered in one of the following three forms:
 - a) "Approved" - The entire document submitted is approved in total.
 - b) "Approved with Conditions" - The document submitted is partially approved. Only those items that have been approved may be started.
 - c) "Not Approved" – The entire document submitted is not approved and no work may commence.

E. Implementation of Approved Plans.

1. All work must conform to approved plans. If it is determined by a committee that work completed or in progress on any lot is not in compliance with these Community Guidelines or any approval issued by a committee, such committee shall notify the Board. The Board shall notify the owner in writing of such noncompliance within 30 days of inspection, specifying in reasonable detail the particulars of noncompliance and shall require the owner to remedy the same. If the owner fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance, then such noncompliance shall be deemed to be in violation of the Declaration and these Community Guidelines.
2. The committee may impose for any approval a maximum time period for the completion of any new construction or modification. The owner may request an extension of such maximum time period not less than three days prior to the expiration of the maximum time period, which the committee may approve or disapprove, in its sole discretion.
3. If construction is not completed on a project for which plans have been approved within the period set forth in the approval or within any extension approved by the appropriate committee, such approval shall be deemed withdrawn, and such incomplete construction shall be deemed to be in violation of the Declaration and these Community Guidelines.

F. Appeal of "Not Approved" and "Conditionally Approved" Decisions

Any owner shall have the right to appeal a decision of the Design Review Committee by resubmitting the information, documents and fees set forth in the Declaration; however such appeal shall be considered only if the appellant has modified the proposed construction or modification or has new information which would, in the committee's opinion, warrant reconsideration. If an owner fails to appeal a decision of a committee or if the committee after appeal again rules in a manner aggrieving the appellant, the decision of the committee is final. The filing of an appeal does not extend any maximum time period for the completion of any new construction or modification, including the period for completion of initial landscaping.

G. **Building Permits**

If the plans submitted by an owner require a building permit, it is the responsibility of the owner to obtain such permit. The approval of any committee is not a guarantee that the Town of Gilbert will approve such plans. If the city requires Design Review to the plans, the appropriate committee must approve such modifications.

H. **Fees**

The Board may establish and charge reasonable fees for review of applications. Any fee payments shall be made at the time of request and prior to review by the appropriate committee. All fees shall be made payable to the Spectrum at Val Vista Community Association, Inc. and will be non-refundable.

I. **Enforcement**

In the event of any violation of these Community Guidelines, the Board may take any action set forth in the By-Laws or the Declaration. The Declarant or the Board may remove or remedy the violation and/or seek injunctive relief requiring the removal or the remedying of the violation. In addition, the Declarant or the Board shall be entitled to recover the costs incurred in enforcing compliance and/or impose a fine, which fine shall not exceed 10% of the cost of achieving compliance, against the lot upon which such violation exists.

III. **COMMUNITY GUIDELINES**

Architectural Character: Modifications to, Additions to and Maintenance of Existing Homes.

1. The architectural design of any and all additions, alterations and renovations to the exterior of an existing home shall strictly conform to the design of the original home in style, detailing, materials and color.
2. The height of any addition to an existing home shall not be higher than the original roofline.
3. All additions to an existing home shall be built within the setback lines originally established for The Spectrum, regardless of more lenient requirements of any local governmental authority.
4. All materials used in the maintenance, repair, addition to and alterations of an existing home shall be consistent with those materials used in the original construction of the home as to color, composition, type and method of attachment. The Design Review Committee may allow substitute materials if such materials are deemed by such committee to be compatible with the theme of the community.
5. When additions, alterations or renovations are performed to an existing home, the established lot drainage shall not be altered. All new or altered

roofs shall drain to the ground solely within the deeded lot area. No roof may drain directly onto a neighboring property.

6. Mirrored surfaces and all treatments, which change ordinary glass into a mirrored surface, are prohibited. Gray or bronze tinted glass is recommended to minimize reflectivity. Clerestory windows are recommended over skylights for their cooling principles and solar effectiveness. Non-mirrored window tinting is permitted, but must be approved.
7. Bright untarnished copper and other metallic surfaces shall be treated to reduce reflections.
8. All maintenance and repairs of existing homes shall be consistent with the requirements set forth in the Governing Documents for the Spectrum.

Accessory Buildings

There shall be not less than 10' between a permitted accessory building and the main building.

Ancillary Equipment

All ground-mounted pool, spa and water feature equipment shall be adequately screened from street view and from the view of neighboring property, including lots, Common Area, or appurtenant property, by a wall at least one foot higher than the equipment to be screened. Such screening structures shall be considered an integral part of the architecture and shall match as closely as possible the design, color and exterior texture of the home. Screening structures shall be set back from the equipment according to manufacturer's recommendations or, if no recommendations are available, shall be placed a minimum of three feet away from the equipment, to allow for adequate air circulation around the equipment, but may not trespass on a neighboring lot without the written approval of the owner of such lot. If the setback requirements for a lot would prohibit the construction of a screening structure as provided herein, a landscape buffer may be approved by the committee as an alternative.

All air-conditioning units must be ground-mounted. The top of any unit may not exceed 36" from finished floor grade.

Antennas/Satellite Dishes

The Federal Communication Committee Rule prohibits Associations from restricting the use of antennas intended to receive direct broadcast satellite service that is one meter (39 inches) or less in diameter. However, the Association may impose reasonable restrictions on the safety and other specific parameters allowed by the FCC Rule.

The Association must be notified of the installation of a satellite dish, antenna, or Direct TV equipment. Only one antenna or satellite dish is permitted per home. Outside installation is allowed only if the Design Review Committee approves the written specifications for location attachment, safety and screening, in compliance with the following standards:

1. Antenna or satellite must be properly bolted and secured in a workmanlike manner.
2. Antenna or satellite must be located behind a solid wall, fence or perennial landscaping to the greatest extent reasonably possible, to prevent it from being seen from any street, common area or neighboring home; and shall not be higher than the fence or landscaping that is screening it from view.

The location, installation and screening requirements are based on aesthetics, non-interference with reception, preservation of property values and safety, including avoidance of injury or property damage from improperly installed or otherwise dangerous antennas or dishes.

If an owner demonstrates to the association's reasonable satisfaction that the association's rule impair that particular owner's reception, then the association will need to make exceptions to its rule on a case by case basis to accommodate the owner in receiving unimpaired reception. Making an exception for one home does not mean that exception has to be allowed for other homes when the exception is not needed for unimpaired reception by these other homes.

If it becomes necessary to mount the satellite dish or antenna to the home, the association may require the dish, wiring and/or pole to be painted to match the home.

The installation of individual satellite dishes or antennas for apartments and condominiums will not be permitted. Developers will be required to provide a master system for the multi-family dwellings.

Barbecues, Fire pits and Fireplaces

Built-in barbecue units, fire pits and/or fireplaces must be contained within the rear yard patio or courtyard and must be designed as an integral part of the home. Chimney elements should not obstruct views from inside the house or from adjacent properties. To achieve this, the chimney element on fireplaces must be setback a minimum of 10 feet from any side view fence panel. Both gas and wood burning types of kivas are acceptable.

Basketball Goals/Hoops

Pole mounted and portable basketball goals are approvable by the Design Review Committee. Backboards shall not be attached to the house, garage, or roof. Basketball poles must be black, white, or painted to match the color of the body of the exterior of the house.

All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. constitute grounds for fines and/or removal. Backboards must be of a predominantly neutral color (gray, black or white) or match the color of the body of the exterior of the home. Clear plexi-glass backboards are acceptable. Only nylon or similar cord nets are acceptable. Metal or chain nets are prohibited. Portable basketball hoops shall always be weighted down, standing upright, and positioned on the interior of the driveway so that if it fell over it would not impede on any neighboring property. Courts may not be painted or permanently outlined on the driveway. Lighting for night use of the equipment is prohibited.

Depending on location, basketball goals may be considered for installation in the rear yards. Guidelines listed above pertain to rear yard basketball goals.

Colors

Colors should be deep, muted tones chosen to blend with the natural colors of the vegetation and mountains as seen from a distance. Colors vary greatly when exposed to sunlight during different times of day. Although colors may look acceptable in the shade, they can be highly reflective in sunlight. Choose exterior colors in natural light, rather than indoors under artificial lighting, as shades selected under artificial lighting do not represent their true color value.

Decorations

Personal yard decorations are permitted, provided they minimally affect the overall appearance of the yard, blend with the general surroundings, and would not be offensive to the general public. Decorations should be kept to a minimum, and be easily removable. The Board of Directors and the Architectural Review Committee reserves the right to require removal of decorative items in front yards based on size, quantity, color and location and any other criteria that the Board may determine.

Seasonal and Decorative Flags

Seasonal and decorative flags which are house mounted below the roofline do not require approval. Seasonal flags must be removed within 30 days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc. constitute grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

Decorative Art on Houses

Decorative art on houses shall be neutral in color and may be limited in number, so as to not dominate the appearance of the home. Dimensions of decorative art shall be no greater than three feet in length, width & height.

Water Features, Statuary, Etc.

Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Design Review Committee, except on lots with view fencing. Any items installed in the rear yard must not exceed the wall or fence height. For front yard consideration, these items must be reviewed and approved by the Design Review Committee prior to installation. Water features may not exceed 8 feet in height. It is recommended that water features be chlorinated. The Committee reserves the right to limit the size and quantity of statuary in the front yard, as well as rear yards with view fencing. All water features and statuary must be approved by the Design Review Committee.

Driveway Extensions/Additions

Driveway Extensions will be considered on a case by case basis due to varying lot configurations and sizes. As a general rule, **ONE** of the driveway extension options below may be considered:

- Exterior driveway extension in side yard may be permissible up to 3'.
- Interior driveway extension in front yard may be permissible up to 2'.
- Driveways may be extended, on one or both sides, flush to the garage walls

In all cases, driveway extensions must be installed in concrete in a finish to match the existing driveway, so that it appears as an original installation.

Due to the size of the lots, no driveway additions will be permitted. Granite must be raked when back gate is accessed for storage, etc.

Flag Poles

Only one free standing flagpole shall be permitted per Lot. Installation shall be a minimum of ten (10) feet from any property line. Height of the pole from grade level of the Lot shall not exceed the rooftop of the member's home. Flagpoles may only display up to two of the following flags, the American flag, Military flag, the POW/MIA flag, the Arizona State flag, the Gadsden flag, or an Arizona Indian Nations flag and the size of the flag shall not exceed four (4) feet by six (6) feet in dimension. Lines, lanyards and metal clips are not permitted to disturb the peace of the neighborhood and shall be shrouded or tied in a manner that will eliminate noise caused by being windblown. When lighting is installed, all due care must be taken to use a fixture and bulb wattage that will not cause a nuisance to neighboring Lots.

All flags and flagpoles shall be maintained in good condition in accordance with community standards and the American flag or Military flag must be flown in accordance with the Federal Flag Code. In addition, home mounted flags are permitted.

Gates

No gates to access the Common Areas shall be permitted. Side yard access gates must be designed, constructed and finished to match gates on lots within the Neighborhood in which the lot is located. Consideration should be given to heavy duty steel jambs and gate frames. Automatic closures are required on gates leading to pool areas.

Holiday Decorations

Given the wide range of ethnic and religious backgrounds of the membership of The Spectrum, the Association will not regulate the types of decorations to be displayed. However, the Committee has determined to regulate the period of time decorations can be displayed. Therefore, seasonal decorations may be displayed from November 15 to January 15 and no earlier than one week before and no later than one week after any nationally recognized holiday not falling within the previously mentioned timeframe.

Hoses

All visible hoses should be stored on a housing mechanism, such as hose reels, or in a decorative terracotta type pot.

Irrigation

The use of underground drip irrigation systems rather than traditional spray type systems is encouraged for irrigating landscape areas. Spray irrigation should be limited to turf areas because of its inefficiency and the effect it has on the microclimate.

Landscape Installations and Modifications

Front yard landscaping is generally installed by the Builder. However, if modifications or additions are necessary in the front yards, an approved Plant Materials List is available from the Association.

The community rock color is the 5/8" minus Apache Brown, which is available from Kalamazoo Materials, 602-795-7395, or other building material suppliers. Homeowners wishing to upgrade their rock may also select 1/2" or 3/4" minus or screened Apache Brown. All other granite colors must be submitted to the Association for approval. Color selection should be complimentary to the community walls and architecture. Natural gold and deep brown pigments may be considered. Purples, greens, white, pink and red colors may NOT be used.

Rear yards that have view fencing require full landscape and design review prior to installation. **A Professional Services Fee may be required to be paid with this request.** Please contact the association for verification.

The Association's intent is to be a little more flexible with the plant/tree selection in rear yards. However, it is strongly recommended (especially for view fencing lots) that homeowners utilize landscape material from the approved Plant Materials List. These plants are subject to specific characteristics due to cold tolerance, soil conditions, or other special microclimatic needs. The approved Plant Materials List is available for fax or email by contacting the Community Manager.

Rear yards with private, block walls do not need to submit for approval of landscape plans, unless they include other items listed in these Community Guidelines (i.e. swimming pool, gazebo, fire pit, play equipment, etc.). In general, any item that is visible above the rear yard fence line needs to be reviewed.

When selecting trees for rear yards, please consider the ramifications of the species and its placement. Many trees are messy. Placing them too close to an adjacent lot or common area may burden your neighbors with unexpected clean-up. Such debris can also damage pool cleaning equipment in neighboring yards. Further, some trees have large root systems that may eventually cause upheaval in block walls. If a tree ever becomes a nuisance, the Association, at its sole discretion, may require that the tree be removed at the homeowner's expense. Further, any subsequent costs for clean-up or repair to neighboring property due to unapproved and/or poorly placed trees will also be the homeowner's financial responsibility.

At this time, all Olive trees and Red Gum & Blue Gum Eucalyptus trees are prohibited from use at the Spectrum. Citrus trees are acceptable in the rear yard, provided they are planted with sufficient room for growth, and are maintained with adequate shaped grooming.

Lighting

Lighting has the power of being a very strong design element, as well as an element that can provide direction. It is intended to add another level of beauty and integrity to the landscape. State of the art lighting equipment utilizes glare shields and low wattage bulbs that conceal the source of light and eliminate glare. Emphasize down lighting as opposed to up lighting. Down lighting has less impact on the night sky, as light is cast downward, rather than spilling in to the nighttime sky. In general, landscape lighting or low-level path lighting should serve as the primary form of exterior lighting.

All lighting fixtures must be incandescent or halogen lamps less than 50 watts. Colored lamps are not allowed. Excessive lighting is discouraged. However, where accent or access lighting is desired, low voltage lighting is preferred because of its ability to produce dramatic lighting effects using extremely low wattage lamps. Use lighting in moderation as needed to produce reasonable and safe visibility for access or accent.

1. All lighting should be low level and recessed to shield the source of the light.

2. The maximum height of any outdoor lighting source shall be 12" above finished grade at the base of the light standard.
3. Spotlights and floodlights are prohibited unless activated by a motion detector.
4. Integrate exterior wall, fence or building mounted light fixtures, including spotlights and floodlights, into the architecture of the house. Design light fixture enclosures to conceal the fixture and direct the light downward.
5. No post lights will be permitted.

Shrubs can be used to conceal landscape lighting fixtures. Junction boxes must be placed below grade to minimize daytime visibility of the hardware.

Noisy Animals

It is unlawful to keep or harbor any animal which by frequent, habitual or continued noise shall cause an annoyance or inconvenience to a neighbor or to people passing to and from upon the streets or sidewalks. No violation will be issued nor shall there be a fine levied for violation of this section unless there are at least two complaining witnesses from separate households.

Patios and Courtyards

Patios and courtyards should be designed as an integral part of the architecture of the home so they can be shaded and protected from the sun by the walls of the home. A Town of Gilbert Building Permit will be required prior to commencement of construction. Patio Covers shall meet or exceed original standards as designed and installed by the builder or developer of the subdivision. Colors, material and texture must match the existing body of the home.

Patio Furniture and Patio Storage

All patio furniture on frontporches and rear patios with a view fence must be classified as outdoor patio furniture. No couches, recliners, indoor tables, etc. will be allowed. All patio furniture must be neatly placed on the patio/porch. Furniture should be chosen appropriately based upon the size of the patio/porch, so as not to create a cluttered look. Benches and bench swings are acceptable. The Board reserves the right to require the removal of furniture, if it deems, at its sole discretion, that the furniture does not meet the desired standards of the Association.

Patios and porches are not to be used for storage. All toys, bicycles, strollers, sporting equipment, etc. must be stored out of sight when not in use.

Pigeon Netting/Spikes

Pigeon netting and/or spikes will be considered case by case.

Pools

Consideration should be given in designing pool and spa areas to provide privacy for the owner and neighbors. Pools and spas must be sunken below grade using retaining garden walls provided appropriate drainage provisions are made. Pools and spas should be located within rear yards only. Spas may be above ground, provided they are hard-shelled and adequately screened from street view and the view of neighboring property, including lots and Common Area.

All pool/spa equipment shall be screened from street view and neighboring views, including lots and Common Area. All swimming pools and spas shall be enclosed as required by applicable law. Pool and spa drains must connect to the street. They cannot be drained onto open space or any other property.

Architectural submittals for pools must include specifications on any wall demolition for construction access and subsequent restoration.

Prohibited Structures

The following structures shall be prohibited in The Spectrum:

- Clothes lines or clothes poles
- Detached garages and workshops
- Tents of a permanent nature
- Temporary Shade Structures (except by permit)
- Any prohibited structures set forth in Exhibit B – "Use Restrictions and Covenants"

Rain Gutters

Rain gutters may be added to residences to prevent erosion of landscaped areas. All gutter installations must be configured to the appropriate Roof Drainage Plans for specific homes and elevations, and they must be painted to match the home.

Ramadas and Gazebos

All ramadas and gazebos must be detached from the existing home. The height of any ramada or gazebo shall not exceed 12'-0" above the floor level of the existing home. The size of such structure shall not exceed 150 square feet of area. To ensure an open, airy appearance, no side of any ramada or gazebo may exceed 25% residential construction materials. In other words, at least 75% of each side must be open. All ramadas and gazebos shall be constructed of stable, non-deteriorating materials and shall be compatible with the design, color, and materials of the existing home. As necessary, a Town of Gilbert Building Permit must be received prior to commencement.

Screening/ Shade Devices

Screens and shade devices must appear as an integral part of the building elevation even though they may be installed after the building is completed or occupied. Materials must complement the architecture of the home and the Neighborhood in which the home is located. Brightly colored awnings, colored window shading, steel or plastic shutters or wall mounted shading devices (inside or out) are not permitted. Window screening is permitted; however, screen fabric must be dark brown or black with frame painted to match color of home. Most screening and shading needs can be handled with properly placed landscaping.

"Security" and Screen Doors

Security and screen doorframes must match or complement the color of the home. Screen fabric must be dark brown or black. "Invisible" roll screen doors with black or dark brown screens are approvable for doors visible from street elevations.

Sidewalks

Sidewalks installed for the use of facilitating trash container storage in the rear yard will be permitted under the following conditions:

- The sidewalk must be made of concrete, with a finish to match the existing driveway (pavers will be considered)
- The sidewalk cannot be wider than 3'
- The sidewalk must be a minimum of 1' away from the foundation of the home. At a minimum, this buffer must be landscaped with granite to match the front yard granite.
- The sidewalk must travel from the side gate (on double gates from the single gate closest to the home) straight down to form a 90 degree angle to connect with the driveway , not more than 2' from the garage front.
- Meandering sidewalks will be considered case by case.
- The side gate must be on the driveway side of the home - no front yard crossing.
- Sidewalks for homes with side entry garages will be considered case by case.

Signage

A "For Sale", "For Lease" or "For Rent" sign may be placed in any combination indoors or outdoors on that Member's property and maintained in conformity with such specifications (including reasonable restrictions as to size) that the Board of Directors may adopt. The signs must be professionally rendered. No poster type, hand-written signs will be permitted. No other signs, including directional signs, may be placed throughout the community.

Signs are discouraged within the community unless otherwise approved. One "security" sign may be installed in the front yard of a residence. The sign must be no

greater than 100 square inches, no higher than eighteen inches tall and placed no more than two feet from the foundation of residence. No other service signs are permitted, including pool construction signs. No signs may be placed in the common areas or attached to the Declarant Walls. (With the exception of signs installed by the Declarant or Builder pursuant to the sale of homes.)

Solar Energy Devices

The Association may adopt reasonable rules regarding the placement of solar energy devices.

Storage Sheds

Storage sheds in the rear side yard may be considered. Plans regarding the size, color and materials of the shed will be considered on a case by case basis.

Storage sheds located in rear yards with private block fencing may be of any style, colors, materials, etc., provided it is not visible over any fence-line.

Storage sheds taller than the fence-line or located in rear yards with view fencing, must be a close match to the home in appearance, color, etc. In any case, the color of the roofing and walls must be a close match to the color of the home. Any type of permanent storage facility must be constructed to match the home and may have electric capabilities, provided it is installed by a professional and properly permitted. Metal structures are prohibited.

When necessary, a Town of Gilbert Building Permit will be required prior to commencement of project.

Swing Sets/Play Equipment

Swing sets are permitted, provided they do not exceed twelve (12) feet in height and the highest platform does not exceed eight (8) feet in height. Further, all equipment shall be at least five (5) feet from any party wall. Wooden play sets shall either be painted to match the color of the home or be maintained with a natural non-colored wood preservative. Metal play/swing sets will be permitted, in their original color, provided they are maintained free from flaking paint, rust, etc. Canopies are acceptable. If options are offered, it is preferable that the canopies be of a solid, neutral color, or a color that complements the color of the home.

Trampolines with security netting/cages are permitted and shall be placed at least five (5) feet from any party wall. Trampoline cages/nets are acceptable, provided the maximum height of the cage does not exceed eight (8) feet. Spectrum recommends that for safety and aesthetic appeal that the Trampoline be installed at ground level.

Trash – Bulk Trash

Bulk trash must be stored at the end of the owner's driveway (away from utility transformers) no earlier than the Sunday prior to the collection week. No trash shall be placed in common area or cul-de-sac medians.

Trash – Containers

No garbage or trash shall be stored in a yard except in covered containers. Containers may be placed out at dusk the night prior to collection and must be out of view by dawn the day after collection. Trash containers shall be stored in rear yards or within garages.

Walls and Fences

The vision for walls within the Spectrum embraces the philosophy of "minimum visual impact." Walls may be used where needed for screening, providing privacy, enclosing pools and spas, and for retaining.

No alterations, changes or additions shall be allowed to walls constructed by the Builder or Declarant for or adjacent to any lot without the prior written approval of the Design Review Committee. Wall design may require the services of a structural engineer and/or civil engineer.

1. Unless installed by the Builder, no courtyard wall (wall attached to home) shall be greater than 3' above finished grade elevation nor be constructed in the front yard of any lot closer than twenty feet to the front yard property line.
2. Decorative walls (free-standing walls) shall not exceed 2'6" in height and must be setback a minimum of 10 feet from the edge of the sidewalk or, if no sidewalk is located on the lot, a minimum of 15 feet from the back of the curb. Height is measured from finished grade along the exterior side (street side) of the enclosure.
3. All wall surfaces shall be masonry, stucco or wrought iron. Acceptable wall materials are described below. Wall materials shall be selected to reflect the character of the home and Neighborhood in which the lot is located.
4. Masonry must match the existing masonry used by the Builder for constructing walls within the Neighborhood in which such lot is located or shall be stuccoed and/or painted to match the home on the interior sides and the common community wall on the exterior sides.
5. Stucco shall be applied to exterior wall surfaces to cover completely all masonry joints and concrete block. A minimum of a two-coat application is required.
6. Wrought iron must match existing wrought iron both in style and color used by the Builder or Declarant in the Neighborhood in which such lot is located.

7. If a wall is to be built on a common property line, letters from neighboring homeowners must be obtained stating their agreement to the construction or modification of the wall. Such letters shall be obtained prior to and enclosed with the submittal of a Review Request to the appropriate committee for an owner-constructed wall or any addition or alteration to Declarant-constructed wall located on common property lines.
8. No chain link or similar material shall be used as fence material on lots in the Spectrum. The Builder or Declarant may utilize any temporary fencing material it deems necessary to protect its construction sites and maintenance yards.
9. Variances in wall height may be granted by the Committee for walls adjacent to public rights-of-way.
10. Unless otherwise specified, maximum height of walls shall be measured from the finished ground elevation on the highest side of the submitted wall.
11. Cut or fill slopes along the exterior of the wall shall be smooth and taper gradually to match existing grades.
12. Retaining walls, which are partially below the finished grade or walls used as planters, shall be properly moisture-proofed to avoid unsightly water staining.

Window Coverings

Although the Association prefers to have appropriate window coverings at all times, during the initial 90 days of occupancy, temporary window coverings will be tolerated. Items such as sheets and blankets are acceptable temporary coverings.

Acceptable permanent window coverings include items such as: mini-blinds, shutters, vertical blinds, curtains and drapes. Proposals for stained, painted, or etched windows will be considered on a case by case basis.

No foil or reflective material may be placed in windows at any time. No sheets, blankets, flags, banners, etc. will be permitted to hang in windows.

IV. NONLIABILITY FOR APPROVAL OF PLANS

The Declaration contains a disclaimer of liability or responsibility for the approval of plans and specifications contained in any request by an owner. PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, YOU SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE DECLARANT OR DESIGN REVIEW COMMITTEE TO EXPLAIN IT TO YOU.

V. CHANGES AND AMENDMENTS TO THE COMMUNITY GUIDELINES

The Community Guidelines may be amended as follows:

- A. The Declarant or the Board of Directors of the Association may propose changes to these Community Guidelines. Additionally, any owner may submit to the Design Review Committee proposed changes to these Community Guidelines for review and consideration.
- B. Such amendment shall be distributed or posted within the Property.
- C. All amendments shall become effective upon adoption by the Board of Directors. Such amendments shall not be retroactive to previous work or approved work in progress.
- D. In no way shall any amendment to these Community Guidelines change, alter or modify any provision of the Declaration, any Supplemental Declaration or the Articles or By-Laws of the Association.

Capitalized terms that are not defined in these Community Guidelines shall have the same meaning as set forth in the Declaration.

THE SPECTRUM AT VAL VISTA ARCHITECTURAL SUBMITTAL FORM
3303 S. Lindsay Rd., Suite 124, Gilbert, AZ 85297
(480) 726-8080 office * (480) 726-8081 fax

This Application is to be submitted with drawings or plans for modification consideration.

OWNER'S NAME _____ PHONE NUMBER _____

MAILING ADDRESS _____ CELL NUMBER _____

EMAIL ADDRESS _____ NEIGHBORHOOD NAME _____
(Country Gate, Charisma, etc.)

PROPERTY ADDRESS _____ LOT # _____

1. Nature of Request:

- _____ Initial review of plans
- _____ Re-submittal for previously conditionally approved or denied plans

2. Description of Proposed Construction or Modification (check one or more of the following):

- a) () Addition or alterations to existing home
- b) () Hardscape plans (hard, permanent materials, such as paving, brick, masonry, wood trim, concrete, rocks, flagstone, outdoor barbecue, fireplaces, or other features)
- c) () Walls, gates and/or fences
- d) () Pools and/or spas
- e) () Initial rear yard landscape installation
- f) () Landscape modifications
- g) () Other on-site improvements/additions. Please specify:

Back yard wall configuration (check one) _____ view fence _____ private, block wall

As required by the Spectrum at Val Vista Community Guidelines, attached hereto are our plans for the proposed construction or modification.

I anticipate that the proposed construction or modification described in the attached plans will be completed within _____ days/months from the date that I receive approval from the appropriate committee. I understand that, if the proposed construction or modification is approved, I will be responsible for scheduling all work in a timely manner, for completing the work within the time period specified in the committee's approval, and for complying with the approval issued.

I UNDERSTAND AND ACKNOWLEDGE THAT NO WORK MAY COMMENCE PRIOR TO THE APPROVAL OF THE APPROPRIATE COMMITTEE AND THAT I WILL BE LIABLE FOR ALL COSTS NECESSARY TO BRING ANY NONCONFORMING WORK INTO COMPLIANCE WITH THE DECLARATION AND THE COMMUNITY GUIDELINES AND FOR SUCH OTHER PENALTIES AS PROVIDED IN THE DECLARATION AND THE COMMUNITY GUIDELINES.

If you have any questions or need further information, you may contact me at the address and telephone number above or my subcontractor or representative below, (provide name, address, email and telephone number): _____

Date: _____

Owner's Signature: _____

ANY APPROVAL ISSUED DOES NOT RELIEVE THE OWNER FROM THE REQUIREMENTS OF THE DECLARATION, THE CITY OF GILBERT, AND THE COMMUNITY GUIDELINES.

ACTION TAKEN BY THE DESIGN REVIEW COMMITTEE:

- Approved by the Architectural Committee
- Approved by association Consent
- Conditionally Approved (the documents submitted are partially approved; only those items that have been approved may be started)
- Not Approved (the entire document is not approved, and no work may commence. Owner must resubmit the application with more information or changes to obtain approval)

COMMENTS:

Authorized Signature

Date

Approval by a committee does not alleviate the responsibility of the owner to obtain any necessary governmental approval or permit.