

Remington Acres Estates Design Guidelines

July 26, 1994

PURPOSE

The purpose of the Design Guidelines is to ensure consistent high quality development and market success thus protecting the investment of those who locate within Remington Acres Estates and assuring the residents of a high quality development. The guidelines have been prepared for use as a framework to express the community character and provide a basis for evaluating improvements within the community.

The procedures for the preparation and approval of plans are provided to assist you in working with the Architectural Control Committee, "Committee". There exists for Remington Acres Estates a Declaration of Establishment of Covenants, Conditions & Restrictions, "CC & Rs", which establishes certain restrictions and provides that the homeowner must submit architectural and site plans to the Committee prior to initiation of any construction. The Committee may appoint an Approving Architect to advise them and the property owners regarding proposed construction plans..

GOALS AND OBJECTIVES

The following goals/objectives form the basis for these guidelines:

1. Protection of property values and enhancement of investment;
2. Establish neighborhood unification and reinforcement with the development of landscape;
3. Create a sense of community and lifestyle for a development;

POLICIES AND GUIDELINES:

ADMINISTRATION

Development at Remington Acres Estates will be administered and enforced by the Homeowners Association. All construction will comply with applicable provisions of the Pima County Building Code, the various related mechanical, electrical, plumbing and grading ordinances, and other applicable codes and policies of the County or any other codes and ordinances as applicable. Should the provisions of these Design Guidelines conflict with or be inconsistent with other present or subsequently adopted ordinances of Pima County, the provisions of the County will prevail.

AMENDMENTS

Amendments to the Design Guidelines may be made in accordance with the CC & Rs

Remington Acres Estates L in Guidelines

GENERAL IMPLEMENTATION

The Homeowners Association will be responsible for the general administration and implementation of Remington Acres Estates. Responsibilities which these Design Guidelines assign to the Homeowners Association will pass on to those individuals or organizations with binding provisions in sales or contract.

ARCHITECTURAL GUIDELINES

The intent of the Architectural Guidelines is to achieve continuity and a standard of quality. Individual residences within Remington Acres Estates will be regulated with emphasis on age, styles, accessory structures, colors and materials that are compatible and harmonious.

INDIVIDUAL LOT IMPROVEMENTS & REGULATIONS

SITE PREPARATION: Site planning and architectural design should be responsive to the terrain and should minimize grading. In general, approaches to architectural design and site planning which will maximize the remaining natural terrain and vegetation and minimize grading will be encouraged. Graded, cut and fill areas and other disturbed areas should be re-planted with desert vegetation, including irrigation as necessary, to blend with surrounding areas.

ZONING: Pima County zoning governs all development, except as further restricted by the Remington Acres Estates CC&Rs, and the requirements contained herein.

SITE DEVELOPMENT: No site clearing, grading or building will occur on any lot until Development Plans and Architectural Plans are submitted and approved by Committee. All home or lot improvements must be approved by the Board of Directors, "Board". Any digging must be approved in advance. Costs for repairs to damaged utility lines will be the individual owners responsibility. Site development will conform to the natural topography, preserving terrain and natural vegetation, including Palo Verde and Mesquite trees with a minimum diameter of 3 inches. Adhere to Arizona's Native Plant Law.

UTILITIES: All utilities to new construction will be underground.

DRAINAGE: Natural drainage will be preserved wherever possible. Minimize alterations to natural drainageways and prevent soil erosion. All drainage will exit from any lot in a manner identical to the original run-off. Drainage from driveways will be retained on-site so that the off-site quantity and rate of flow will not be greater than the original hydrological conditions at any exiting point.

INDIVIDUAL HOME IMPROVEMENTS & REGULATIONS

The character of Remington Acres Estates will be consistent with the characteristics of any well kept urban neighborhood. All homes to be located within the community must be new or not more than three (3) years old and at lease a doublewide of not less than 1,000¹³³ Square feet of heated and cooled living area, unless otherwise approved by the Board of Directors.

If home modifications and improvements require building permits from Pima County, it is the responsibility of the individual owner to obtain required permits;

All air conditioning compressors and units are prohibited within the front yard.

For exterior colors no bright colors will be used;

Small amounts of accent colors may be used, from the same range of colors;

No reflective building materials will be used;

Aluminum foil in windows or doors is not permitted;

All architectural building projections; including chimney flues, vents, gutters, downspouts, utility boxes, porches, railings, and stairways will match the main color of the structure;

All exposed gutters, downspouts, and sheet metal will be painted;

Roof, wall and window mounted heating or cooling units are prohibited;

Roofing will consist of shingle style materials. All other types of roofs are prohibited;

All homes are to be permanent. Wheels and hitch must be removed within 60 days and replaced by a skirting of HUD approved material.

Storage sheds and accessory buildings will be of similar materials as the main house;

Carports, garages, and patio covers will be of similar materials as the main house. Facia boards and other trim will be the same color as the main residence. The minimum size of a carport or garage is 11' x 20'.

SETBACKS : Minimum setbacks for homes will be:

Front: 40' (or as designated on each lot by the Board)

Side: 20'

Rear: 50' (or as designated on each lot by the Board)

Site walls: 0'

ACCESSORY BUILDING MATERIALS: Construction of accessory structures must be approved by the Committee before construction and must match the main residence.

ROOF MATERIALS: White or reflective roofs are permitted only if not visible from any other site.

BUILDING HEIGHT: Building height of all structures must be approved by the Board before construction.

Remington Acres Estates Design Guidelines

WALLS AND FENCES: All walls and fences will be considered building extensions, and must be approved by the Committee before construction. All wall/fence colors will be a complimentary to the building color. Screen walls/fences are required for a service yard, clotheslines, satellite dishes, swimming pools and other outdoor maintenance and service facilities. Maximum wall and fence height will be 6 feet. The Board has restricted some types of walls and fencing to specific zones on the lot and will provide an updated list of the zone specifications upon request.

DRIVEWAYS AND PARKING: If property owner chooses to pave the driveway, Board approved paving materials and methods will be used. Driveway grading and paving will minimize the disturbance of bordering natural vegetation.

SITE AMENITIES: Mailboxes and their standards will be uniform in design, shape, size, color and address identification as prescribed by the Committee.

ACCESSORY BUILDINGS: Guest houses, storage shed and other accessory structures will be allowed only with permission of the Committee. A written permit is required and structure design will be approved by the Committee.

LIGHTING: Within the community, lighting should be designed to coordinate with the community theme and shielded to reduce dispersal of ambient light. Approved lighting will be designed to complement the development theme and be energy efficient. All permitted exterior lighting will conform to the appropriate Pima County requirements. Light sources will be directed downward and shielded to prevent light pollution into adjacent neighboring areas and the nighttime sky in general.

LANDSCAPING: The intent of the Landscape Architectural Guidelines is to achieve continuity and a standard of quality. Individual residences within Remington Acres Estates will be landscaped with emphasis on low care desert plant materials. The objectives for landscape are as follows: A front yard landscape for each individual lot must be installed within four months of occupancy. The intent of the front yard landscape packages are to provide an attractive and coordinated streetscape for the community by providing a minimum of two 15 gal tree and five 5 gal. shrubs per front yard.

REMINGTON ACRE ESTATES HOMEOWNER ASSOCIATION

FINING STRUCTURE

The Remington Acre Estates Board of Directors has generated and motioned into effect the following fine structure. The intent of the Board is not to make money for the Association, or for any other reason, except to convey to the homeowners that there is legal recourse for those that choose to violate the Association's governing documents. The Board sincerely hopes that the implementation of fines will not be necessary, however, they will do so if they are left with no other alternative. The following excerpt is from the CC&R's and states the Boards authorization to implement these fines:

Section 2.19: Violation of the Covenants, Conditions, or Restrictions and Rules

"If any Owner, his family, or any licensee, tenant, lessee or invitee violates the Declaration or the Rules, the Board may impose a special assessment solely upon the Owner of not more than Two Hundred Dollars (\$200.00) for each violation. Before invoking any such assessment, the board will give the Owner notice and an opportunity for a hearing before the Board. Any assessment imposed by the Board which remains unpaid for a period of thirty (30) days or more after its due date, will be collectable in the same manner as assessments."

<u>VIOLATION</u>	<u>SECTION OF CC&R'S</u>	<u>FINE</u>
1. Unauthorized architectural improvement	2.15	\$20.00
2. Unauthorized animals on property	2.03	\$20.00
3. Non-notification of sale of lot	2.21	\$20.00.
4. Nuisances	2.09	\$15.00
5. Unauthorized vehicle in view	2.05	\$15.00
6. Reflective material in windows	2.24	\$15.00
7. Weeds in yard and/or driveway	4.04	\$10.00
8. Unscreened Clothesline	2.10	\$10.00
9. Unauthorized Backboard	2.06	\$10.00
10. Unauthorized Solar Devices	2.20	\$10.00
11. Violation of Rules	2.22	\$10.00
12. Non-notification of rental	3.02	\$10.00
13. Unauthorized antenna	2.08	\$5.00
14. Trash Can left out	2.04	\$5.00

Remington Acres Estates Homeowners Association Amendments to Rules and Regulations

Whereas as in Remington Acres Estates By-Laws Article VII Section 3:

“The Board of Directors has the power to adopt and publish rules and regulations which govern the use of the properties and the conduct of the owners affecting the other owners, and to impose sanctions for violations of these rules and regulations.

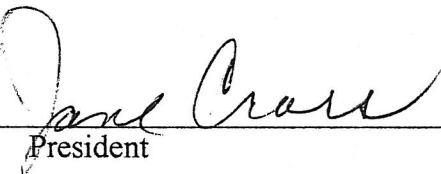
The Board of Directors amended the rules and regulations and recorded such changes in the minutes of the Board Meetings as follows:

At the October 16, 2002 Board Meeting, The Board of Directors drafted an amendment to the rules and regulations by adding an item #18. that states:

18. Antennas must be no higher than 25 feet in elevation and located no more than 25 feet behind the rear corners of the home. Antennas must be concealed by the home from the view of the front street, providing reception is adequate for televisions.

Now, Therefore, be it hereby Resolved that this Policy will go into affect on November 1, 2002 after distribution to the Association membership.

Approved at a Board meeting on: October 16, 2002
Date



President

Vice-President

REMINGTON ACRES ESTATES
RULES AND REGULATIONS
August 2002

copy

A. GENERAL

1. Authority. The CC&R's give the Board of Directors the authority to adopt Rules and Regulations for the Association.
2. Purpose: To clarify and expand upon the restrictions contained in the other documents of the Association.
3. Strength of Documents.
 - a. CC&R's - Recorded
 - b. Plat Map - Recorded
 - c. Articles of Incorporation - Recorded
 - d. By-Laws - Generally not recorded
 - e. Design Guidelines - Generally not recorded
 - f. Rules and Regulations - Generally not recorded
4. Amendment. The rules and regulations may be amended by the Board of Directors.

B. PROVISIONS

1. Animals. The keeping of animals on the lots will be governed by the CC&R's Article 2, Section 2.03 as following:
 - a. No more than five (5) generally recognized house and yard pets may be kept.
 - b. Animals under duly authorized 4H program, may be kept on the lot, provided that they do not become a nuisance.
 - d. No animal will be allowed to become a nuisance (such as running loose, barking, fighting and keeping people awake at night).
 - e. Horses are allowed with the following restrictions:
 - 1) Two horses are allowed per lot.
 - 2) Manure must be removed from the lot on a regular basis so as not to become a nuisance by odor or insect attraction.
 - 3) Corrals must be designed with material described in the Design Guidelines.
2. Business Run Out of the Home. Are allowed in accordance with the provisions outlined in detail in the CC&R's. Article III, Section 3.01, "Private Residential Purposes".
3. Fences. Are allowed provided that prior approval in writing is obtained from the Architectural Control Committee. Back yard fences will be allowed without prior approval as long as they are no higher than 6 feet and fall within the Pima County Guidelines. The provisions found in the CC&R's, Article III, Section 3.03, "Common Fences" will govern fences that are placed on the dividing line between two lots.

4. Firewood. Will be allowed on a lot as long as it is stacked in a neat and orderly manner in the back yard and does not detract from the appearance of the neighborhood.
5. Garages/Carports may not be converted to living quarters.
6. Garage Sales. Are allowed. No more than one sale per quarter for no more than three days. However, the merchandise cannot be set out more than 24 hours before the sale or longer than 24 hours after the sale.
7. Maintenance of the Lot and Dwelling Unit. The owner of the lot is required to maintain the lot pertaining to weeds and trash clean-up in a manner that will not adversely affect the neighborhood. If the owner fails to do so the Association may enter onto the lot and provide the required maintenance at the homeowner's expense. This concept is described more thoroughly in the CC&R's Article IV, Section 4.04, "failure to Maintain Standard of Upkeep".
8. Vegetation. Planting flowers, shrubs and trees in front and back yard are at the owner's option and no Board approval is needed.
9. Noise. According to the CC&R's Section 2.07, no noise is permitted on any lot that is offensive to the owners of adjacent lots. The Board of Directors will determine the existence of a noise nuisance.
10. Parking. Restrictions on parking are detailed in the CC&R's, Article Article 2 Section 2.05, "Vehicles". Included are the following:
 - a. Vehicles must be parked only in the garage, carport, or designated driveway.
 - b. Only vehicles in operating condition or bearing current registration will be parked on the property.
 - c. Recreational vehicles, boats, camper, trailer trucks, which are greater than one-ton capacity shall not be parked or stored in the front yard or front driveway for not more than two (2) days.
 - d. Vehicle Repairs. Are not allowed on any lot. However, preventative maintenance type activities will be allowed to home owners vehicles, such as, oil changes or tune ups, provided that the time for such maintenance does not exceed six hours in duration.
11. Renting. Is allowed with the following provisions.
 - a. Lease must be in writing.
 - b. Lease must contain provisions that the renter will abide by the legal documents of the association.
 - c. Leases must be for a term of one year or longer.
 - d. The leaser will provide the association with names, telephone number, number of people residing in the unit, and the number of pets that will occupy the home.
12. Sale of Lot. The owner and/or owner agent must notify the Association of any sale of a lot, and the name of the subsequent owner.
13. Signs. Are not allowed except as described in the CC&R's Section 2.03 or as may be required by legal proceedings or is a standard real estate "FOR SALE" sign that is mounted to metal or wood posts and does not exceed four (4) feet in height and 18"x24" in dimension.

14. Playground Equipment. All playground equipment is to be kept and used in the back yard of each home in such a manner that it's use does not adversely effect the neighboring homeowners and does not become a nuisance. Playground equipment includes, but is not limited to: swings, swing sets, basketball hoops, pools of any size, tetherball equipment, baseball equipment, and trampolines.
15. Children. Home owners are responsible for children living in and visiting their homes. Children who play in the street and/or on the easement, do so at their own risk, so please keep your children safe.
16. Trash Collection. Will be governed with the following provisions:
 - a. A single service provider will be selected by the association for use by the members.
 - b. The association will select the type of trash containers that will be used by the members.
 - c. Members will pay for their trash service.
 - d. Containers will be hidden from view except on the days of trash pick up.
17. Seasonal decoration. Outside seasonal and/or Holiday decorations may be displayed up to one month prior to the event and must be removed within one month after the event.

C. RULE VIOLATION AND ENFORCEMENT

The Rules and Regulations are designed for the maintenance of a desirable neighborhood for everyone. Fines can be levied for every violation. It is not the desire of the Board to levy fines but we must respect each other and each other's property. The Association, as per the schedule issued by the Board, will impose penalties and fines.

September 2002

Remington Acres Estates HOA Collection Policy Resolution

Whereas the Remington Acres Estates Homeowners Association is responsible for managing, maintaining and administering the Common Areas within the project, for administering and enforcing the provisions of the Declaration, for collecting assessments, and for expending funds to fulfill its obligations, it is imperative that each Owner timely pay all assessments due to the Association to fund these obligations in order to project, maintain and enhance the value of the subdivision. To ensure that all Owners meet their financial obligations to the Association, the Board of Directors adopts this resolution, incorporating Article V, Sections 5.09 through 5.16 of the Declaration of Covenants, Conditions and Restrictions, as well as the provisions of Arizona Revised Statutes §33-1801 et. seq. and as amended from time to time. The Association intends to follow this procedure in all cases when assessments are not paid in a timely manner as required in the Association Documents and under Arizona law.

Under Article V of the Remington Acres Estates HOA of the Covenants, Conditions and Restrictions (CC&R's) "The Board of Directors will set the Annual Assessment at least 30 days prior to January 1 of each year. The due dates for such assessment, partial payment of which may become due on a periodic basis, will be as established by the Board of Directors."

These assessments are payable annually due by January 1st. Assessments are delinquent if not received by the January 15. Interest at the rate of twelve (12%) per annum (but not to exceed the maximum rate permitted by Arizona law), and a late charge not to exceed ten percent is charged on all delinquent assessments.

As stated in Section 5.10, "In addition to any other amounts due or any other relief or remedy obtained against an Owner who is delinquent in the payment of any assessments, each Owner agrees to pay such additional costs, attorney fees, charges and expenditures as the Association may incur or levy in the process of collecting monies due and delinquent from the Owner".

Now, Therefore, Be It Hereby Resolved....That the following terms are established for the collection of assessments at the Remington Acres Estates Homeowners Association.

- 1) Assessment payments are made Annually. (Currently 120.00 per Lot)
- 2) Statements are sent out in December for the following year and payment is due on January 1st
- 3) Assessments that remain unpaid on January 15th are considered delinquent and a 1st Reminder Notice is sent out.
- 4) Assessments that remain unpaid on January 15th will incur a one-time late charge of \$12.00 or 10% of the outstanding amount, plus penalty interest of 12% per annum (1% per month) on the outstanding balance. A letter will be sent to the owner notifying them of the additional charges. Monthly invoices will be sent from that point forward.
- 5) Assessments that remain unpaid after 60 days (March 15th) will be turned over to an attorney for collection. A Lien will be filed against the property for a charge to the homeowner of \$80.00.
- 6) If Assessments remain unpaid for 6 months or the amount exceeds \$350.00, the Association will file a Suit for Judgment.

If the Association's Board of Directors elects to foreclose its Lien against a Lot, the Owner risks losing his/her Property and any equity in that Property. If the Association obtains a Judgment against the Owner, it is entitled to collect the Judgment by garnishing any rental income due to the Owner, or by garnishing the Owner's wages or bank accounts, or by executing against any real or personal property which the Owner may own in the State of Arizona.

Now, Therefore, be it hereby Resolved that this Policy will go into affect on October 15, 2002 after distribution to the Association membership.

Approved at a Board meeting on: Sept. 18, 2002
Date

Jane Cross
President

Treasurer

REMINGTON ACRE ESTATES HOMEOWNER ASSOCIATION

FINING STRUCTURE

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