

**CONSENT TO ACTION BY THE BOARD OF DIRECTORS OF
THE SUN GROVES HOMEOWNERS ASSOCIATION**

C/O AAM, LLC

7740 North 16th Street, Suite 300

Phoenix, Arizona 85020

(602) 957-9191 FAX (480) 821-2334

The undersigned, on behalf of the Board of Directors of the Sun Groves Homeowners Association, an Arizona nonprofit corporation, confirms the following action taken at a duly held **Board of Directors meeting on October 2, 2008.**

RESOLVED, that the Board of Directors of The Sun Groves Homeowners Association, hereby adopts the attached changes to the Architectural Review Committee Rules and Landscape Guidelines effective October 2, 2008.

IN WITNESS WHEREOF, the undersigned have executed this consent as of

10/22, 2008.

Ian Arnott
Ian Arnott, President

THE SUN GROVES HOMEOWNERS ASSOCIATION

ARCHITECTURAL REVIEW COMMITTEE RULES AND LANDSCAPE GUIDELINES REVISED OCTOBER 2, 2008

ARCHITECTURAL REVIEW PROCESS

In accordance with the Declaration of Covenants, Conditions, Restrictions, and Easements for The Sun Groves Homeowners Association recorded in the official records of Maricopa County (the "Declaration"), the Architectural Committee has adopted the following Rules, Guidelines for Architectural Improvements and Landscape Guidelines (the "Guidelines"), which shall apply to all lots within Sun Groves.

Each lot owner should read, review, and acquaint himself/herself with the Declaration and with these Guidelines as may be amended from time to time by the Architectural Committee. These documents are intended to enhance property values and the high standards of development that exist within Sun Groves.

The Guidelines are established to assist residents in preparing an application to the Architectural Committee for structural and landscape improvements. FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE ARCHITECTURAL COMMITTEE. Even if your proposed structure, addition or alteration is identical to another, which has been approved, **it must be submitted for approval**. Because each situation may have different conditions, e.g., different locations, physical conditions or design consideration, etc., each application will be reviewed on a case-by-case basis.

In the event of any inconsistency between these Guidelines and the Declaration, the Declaration shall control. All architectural approvals will be conditioned upon compliance with applicable City codes.

APPLICATION PROCEDURE

Submittal:

Application and plans (which will be kept on file with the Association) should be mailed to:

The Sun Groves Homeowners Association
c/o AAM, LLC
7740 North 16th Street, Suite 300
Phoenix, Arizona 85020(602) 957-9191

The following information should be included with submittal:

1. Application Form – A completed application form (copies of which can be obtained from the management office).
2. Plot Plan – A site plan showing dimensions, relationship to existing dwelling and property lines (setbacks). Measurements must be written on plans.

3. Elevation Plans – Plans showing finished appearance of addition in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications – Detailed description of materials to be used and color samples must be submitted.

All buildings and structures erected within Sun Groves, and the use and appearance of all land within Sun Groves, shall comply with all of the applicable City's zoning ordinances, building codes and other ordinances as well as the Declaration and these Guidelines.

Review – Approval and/or Disapproval:

The Architectural Committee shall have 45 days after submittal of plans to approve or disapprove plans.

Review and approval and/or disapproval will include, but not be limited to, consideration of material, quality of workmanship, colors, consistency with the external design and color of existing structures on the lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation is also considered.

Neither the Architectural Committee nor the Board of Directors shall have any liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of the plans does not mean that the judgment is passed on the structural soundness of the addition nor its effect upon existing or future drainage. The review of the plans is for aesthetic, privacy and nuisance purposes.

Approval Expiration – Construction must be started within 90 days of the date of the Architectural Committee's approval of the applicable application or the Architectural Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Guidelines.

Construction Period – Once started, construction shall be pursued diligently in order to assure prompt completion. In no case shall construction take more than six (6) months after the date of the Architectural Committee's approval of the applicable application unless other arrangements have been approved in writing.

Appeal:

Any final decision of the Architectural Committee may be appealed to the Board of Directors of the Association. Such appeal must be accompanied by the written decision of the Architectural Committee along with copies of the application and all items previously submitted to the Architectural Committee. The appeal must be in writing and sent by U.S. mail or hand delivered to the management company for the community. Any decision by the Board of Directors to overrule the Architectural Committee must be by majority vote. The decision of the Board of Directors will be final.

ARCHITECTURAL GUIDELINES

ANTENNAS

This section applies to antennas, satellite television dishes, and other devices (“Receivers”), including any poles or masts (“Masts”) for such receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation.

To the extent permitted by applicable law, the installation of antennas, satellite dishes or other devices for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be subject to the prior written approval of the Committee unless applicable law prohibits the Committee from requiring such approval. If the applicable law prohibits the Committee from requiring prior approval for the installation of certain antennas, any such antennas are to be installed as follows:

The preferred installation locations are as follows in descending order of preference:

1. A location in the back yard of the lot where the receiver will be screened from view by landscaping or other improvements.
2. An unscreened location in the back yard of the lot.
3. On the roof, but completely below the highest point on the roofline.
4. A location in the side yard of the lot where the receiver and any pole or mast will be screened from view by landscaping or other improvements.
5. On the roof above the roofline.
6. An unscreened location in the side yard.
7. A location in the front yard of the lot where the receiver will be screened from view by landscaping or other improvements.

Wires must be securely attached to the dwelling and painted to match where attached.

AWNINGS

Awnings over windows shall be a canvas type with the color the same on the inside and exterior face. A minimum five-year guarantee is expected from the manufacturer to insure a high quality awning. Submit: The manufacturer, color, type, and number of years’ guarantee for approval prior to installation. Only desert neutral earth tones will be considered for review.

BASKETBALL GOALS AND SIMILAR STRUCTURES

No basketball goal, backboard or similar structure that would be visible from Neighboring Property, shall be permanently placed or constructed on any lot without the prior written approval of the Committee. Approval will be based on but not limited to, appearance, dimensions and location. In all cases, the location of the permanently installed structure must be a minimum distance from the property line equal to the height of the structure. No such structure may be installed in the front yard of any residence. . A portable (movable) basketball goal may be used in the front yard if it is placed at least 20’0” from any property line. This will require the goal be placed on the interior side of the driveway in most cases. No basketball goals shall be permitted to be attached to any unit. Backboards must be composed of a clear material. Lighting intended to illuminate the goal is

prohibited. Courts may not be painted or permanently outlined on the driveway or other concrete surfaces that would be visible from neighboring properties. All equipment must be reasonably maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. constitute grounds for fines and/or removal. Permanent basketball goals are not permitted in the front yard area.

BATTING CAGES, GOLF CAGES, ETC.

Not allowed.

CHILDREN'S PLAY STRUCTURES, TRAMPOLINES AND POOL LADDERS

Plans for children's play structures must be submitted for approval since in most instances they protrude over the fence. This is not intended to eliminate play structures, but to assure nothing unsightly is erected. In no instance will play structures be permitted in front yards.

When selecting the location upon which the structure is to be placed, the distance from the ground elevation to the top of the perimeter fence must be measured and submitted with the plans for the structure. When considering plan approval, the Architectural Committee will take into consideration the appearance, height, and proximity to neighboring property. Play structure setback from rear and side property lines must be one (1) foot for every foot in height with a minimum setback of five (5) feet.

DECORATIVE ITEMS (INCLUDING FOUNTAINS, LIGHT POLES, AND ORNAMENTAL STATUARY) – see “Hardscape” under “Landscaping” for further information.

These items must be located in the rear yard and screened from view of neighbors, streets and common area, unless approved by the Architectural Committee in writing.

DRIVEWAYS

Plans must include a plot plan of the existing lot and the direction in which expansion is proposed. The exact measurements of the proposed pave surface must be stated on the plan. Proper drainage away from house and from rear yard to street must be maintained within the lot.

EXTERIOR HOUSE MATERIALS

For additions or modifications to existing structures or dwelling units, finished building materials must be applied to all exterior sides (final paint or stucco finish). Acceptable materials include stucco, masonry and brick, as approved by the Committee. Paint colors must be selected from the color palette originally approved by the original homebuilder for the community. Plans and specifications submitted to the Committee must include details of the materials and color schemes proposed for the exterior surfaces.

EXTERIOR PAINTING

In an effort to preserve the homogeneous and aesthetic appeal of the community, these guidelines for exterior painting are established.

1. If you are going to repaint the exterior of your house the original color scheme, prior approval is not required by the Association. However, the Board of Directors requests that you contact Carla Helmstadter at Associated Asset Management to notify the Association that you will be re-painting the exterior of your house.
2. If you are going to paint the exterior of your house with a different color scheme, you may choose any color scheme used by your original builder in Sun Groves. You must receive written approval from the Association before you begin painting. You may not paint your house with the same color scheme as the houses on either side of yours.
3. Body colors must remain body colors and trim colors must remain trim colors. You are not allowed to make trim colors body colors and vice versa.
4. Detailed information regarding approved exterior color schemes, color samples and original color schemes is available from Carla Helmstadter at AAM, LLC (602) 906-4909. Color sample boards will also be available at HOA Board of Directors Meetings. Please consult this information before selecting your color scheme.
5. Dunn-Edwards has provided equivalent color samples and can provide the correct colors for the various communities. However, you are not restricted to Dunn-Edwards brand paints. If you choose any brand other than Dunn-Edwards, the colors must be matched and written approval from the Association is required.

FENCES AND WALLS (INCLUDING DECORATIVE WALLS)

Plans for new fences or walls or additions to existing structures must be submitted to the Architectural Committee for approval prior to construction. (This includes decorative walls).

Stucco and paint must match the existing dwelling in texture and color.

FLAGPOLES

Flagpoles are not allowed in residential areas at The Sun Groves except at the models. Homeowners are advised to use brackets mounts on the house or garage to display flags.

GATES

Double gates may be installed at The Sun Groves to allow wider access ways to back yards, however, double gates will not be allowed on side streets of corner lots or in the front wall nearest to this side street. Double gates should be of the same type, design, and color as the originally installed single gates. Shrubs, trees, or other plants should be located between the house and the double gates, where possible. Only one double gate is permitted for each property.

GUTTERS AND DOWNSPOUTS

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

HEATING, VENTILATING, AND AIR CONDITIONING UNITS (INCLUDES EVAPORATIVE COOLERS)

All units must be ground mounted and located within the perimeter of the backyard.

PARKING REQUIREMENTS

The Chandler Fire Marshal has restricted parking to the South side and West side of the street in parcel 3. This will be the side opposite the fire hydrants. The requirement is the result of the narrow streets in this parcel.

PATIO COVERS

Plans for patio covers will be considered for approval and should be built using the same specifications as those covered patios constructed by the original builder.

POOLS AND SPAS

Pools and spas need not be submitted for architectural approval provided the following requirements are met: (1) pool ladders/slides need to be approved and will be considered based upon appearance, height, and proximity to other properties; and (2) perimeter walls on lots bordering Association landscaped areas may not be torn down. (3) All pumps and filters must be located near the rear property line to reduce noise for the neighboring properties. Access must be gained by tearing down a front wall on the side of the home leaving the perimeter wall intact. A \$600.00 refundable deposit is required to assure the replacement of any wall that is to be torn down. When the wall is returned to its original condition, the deposit will be refunded. In the event that the owner or contractor does not restore the wall to original appearance within six (6) months, the deposit will be forfeited and the funds will be used by the Association to rebuild the wall.

SOLAR PANELS; WIND TURBINES AND EQUIPMENT

The Architectural Committee prior to installation must approve all solar energy devices visible from neighboring property or public view. All rear yard ground mounted locations should be considered prior to a roof-mounted location. Roof mounted solar panels and equipment must match the roof material in color. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline.

The Architectural Committee as to appearance and placement must approve wind turbines.

STORAGE SHEDS , Tool Sheds and Other Structures

Storage sheds, tool sheds or similar structures will not need to be submitted for approval if they do not exceed the maximum height of the immediately surrounding wall or fences and will not be visible from neighboring properties.

Any storage or tool shed or similar structure that will exceed the height of the surrounding fence or wall and will be visible from neighboring lots or common areas must be submitted to the Committee for written approval prior to installation. In no case shall the maximum height exceed seven (7) feet at its highest point and a minimum setback of five (5) feet is required from all property lines. Structures exceeding five (5) feet in height must be located at least one foot from the nearest property wall for every foot of height. All permanent storage sheds, tool sheds or similar structures shall be constructed of the same or substantially similar materials and color and be architecturally comparable and compatible with the exterior of the living unit located upon the lot. In accordance with the CC&Rs, the storage unit shall be stuccoed and painted to match the Dwelling Unit on the same Lot, the roof of the storage building shall be tiled to match the roof of the Dwelling Unit on the same Lot, and the storage building shall not be attached at any point to any fence (Including any block wall fence. If approved, proper screening will be required.

SUN SCREENS AND WINDOW TINTING

1. No aluminum material or other reflective material may be installed in windows.
2. The homeowner may install bronze, gray, charcoal, brown or beige sunscreen material without approval. The frame for window screens must match the screen material or existing window frames.
3. Screen doors in the front of the house must be submitted for approval.

SECURITY DEVICES

Security features, including but not limited to lights, doors and window coverings, must be submitted for approval. Security alarms need not be submitted for approval.

WINDOW COVERINGS

Permanent draperies or suitable window treatments shall be installed on all street-facing windows within sixty (60) days of close of escrow. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirror or similar type materials shall be installed or placed upon the outside of any windows. Exterior window coverings including sunscreens must be compatible with respect to materials and color of the home.

LANDSCAPING GUIDELINES

Plans need not be submitted to the Architectural Committee for approval. However, all landscaping is subject to the following requirements and guidelines:

The Declaration requires that all yards visible from the street shall have acceptable landscaping installed within 180 days from close of escrow. It is recommended that back yard landscaping be installed at this time as well since construction access to the back yard is often through the front yard. Owners shall maintain their lots free of weeds and debris; lawns shall be neatly mowed and trimmed; bushes shall be trimmed; and dead plants, trees or grass shall be removed and replaced.

In all cases, the installation must comply with the applicable City's drainage and grading requirements.

LANDSCAPING PLACEMENT

All turf, plant materials and sprinkler components should be kept a minimum of 24 inches away from the foundation of the home and any exterior concrete, including patios, driveways, perimeter walls, and walks (other than sidewalks). No plastic liner or groundcover of any type should be installed within 36 inches of the foundation or exterior concrete. Trees and bushes that will become large and/or have extensive root systems should be planted a minimum of 4 to 6 feet away from the foundation, exterior concrete and fences.

TURF

The Sun Groves Homeowners Association joins the City in encouraging water conservation. Therefore, it is recommended that you consider a combination of turf areas and xeriscape that together accomplish a green appearance using water conserving plant materials.

ROCK GROUND COVER

All landscape rock areas shall be treated with pre-emergent weed control at regular intervals to retard weed growth. Landscape rock must be decomposed granite selected from the following or similar types. Names are not important but must be an earth tone color. The smallest size is 1/2".

Examples:

- ◆ 3/4" Screened Superstition Gold
- ◆ 1/2" Sized Walker Gold
- ◆ 1/2" Madison Gold
- ◆ 1/2" Screened AZ Rose
- ◆ 1/2" Sized Pink Coral
- ◆ 1/2" Screened Spanish Gold
- ◆ 3/4" Screened Madison Gold
- ◆ 3/4" Screened Walapai Gold
- ◆ 1/2" Screened Yavapai Coral
- ◆ 1/2" Sized Desert Gold
- ◆ 1/2" Sized Desert Coral
- ◆ 1/2" Screened Mirage
- ◆ 1/2" Screened Desert Coral
- ◆ 1/2" Screened Walapai Red
- ◆ 3/4" Screened Walapia Red

River run rock of an "earth tone" color is also permitted, but shall be three (3) inches to six (6) inches in diameter. Not more than 10 percent of the front yard landscape may be river run rock or Rip Rap rock.

IRRIGATION SYSTEM

A drip irrigation system is strongly encouraged for all landscaped areas, except turf.

MINIMUM NUMBER OF PLANTS

All front yard landscaping shall include a minimum of eleven (11) shrubs or groundcover plants. These shall be one (1) gallon size or larger.

PROHIBITED PLANT LIST

The following vegetation types and varieties are **prohibited**:

1. Olive trees (*Olea europaea*) other than the "Swan Hill" variety.
2. Oleanders (*Nerium oleander*) other than the dwarf or petite variety and *Thevetia* species.
3. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortaderia Selloana*).
4. Mexican Palo Verde (*Parkinsonia aculeata*).
5. All varieties of Mulberry trees.
6. No citrus trees are permitted in front yards.

FINE GRADING & MOUNDING

Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the applicable City's grading and drainage plan. Every effort should be made to make the mounding appear natural.

WATER FEATURES (FOUNTAINS, ETC.)

Water features are permitted within rear yard areas. It is recommended that water be chlorinated. The Architectural Committee must approve water features when in the front yard.

HARDSCAPE

Any additional pavement areas in any form, e.g., concrete, brick, tile, or any wood decks, etc. in the front yard must be approved by the Architectural Committee. The Architectural Committee must approve any decorative items (including fencing, fountains, statuary, etc.) in the front yard.

LIGHTING

1. Lighting shall be shielded such that the light shines primarily on the lot; lights, which create glare visible from other lots, are prohibited.
2. Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from lot line.
3. Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

THE ARCHITECTURAL COMMITTEE MUST APPROVE ANY ADDITIONS OR IMPROVEMENTS THAT CHANGE THE EXTERIOR OF THE HOME'S APPEARANCE, EXCEPT FOR NATURAL VEGETATION.

The Architectural Committee may amend these Architectural Review Committee Guidelines and Landscape Guidelines from time to time by a majority vote of the Committee.