

**BRENNA PARK HOMEOWNERS ASSOCIATION
RULES AND REGULATIONS
ADOPTED AUGUST 1, 2002**

PARKING & VEHICLES: Fine \$25-\$100

1. All parking spaces in the common area are for guest parking only. Residents are limited to 4 vehicles, which must be parked in their driveway or garage. Arrangements must be made to store additional vehicles off the Brenna Park property. Residents must park in their driveway or garage and not occupy space in overflow parking. (\$25)
2. Residents and their guests with leaking vehicles must restrict parking to personal garage only. (\$25)
3. Long-term guests (2 weeks or longer) must park in a resident's driveway or garage and may not continue using the guest parking. (\$25)
4. There will be NO parking in Fire Lanes, which includes all emergency turn-around areas at the end of streets. (\$100 per occurrence) *Residents have the right to call the Police Department regarding illegal parking in Fire Lanes and citations would be issued.*
5. NO parking on the streets except for dropping off or picking up. (\$25)
6. Commercial vehicles, if driven as a resident's business vehicle, must be parked in the resident's garage or driveway. (\$25)
7. Inoperative or severely damaged vehicles (shattered windows, flat tires, battered and rusting) must be parked in the resident's garage. (\$25)
8. Pursuant to CC&R 17.8, "except as specifically permitted by, the Board, (a) no boats, trailers, motor homes, campers, trucks classed by manufacturer capacity rating as exceeding ¾ ton, or unlicensed or inoperative vehicles shall be parked or stored in or upon the Lot (other than in a portion of the Lot so that no portion of the parked vehicle is visible from a Neighboring Property) Common Areas or the streets of the Project for more than 4 hours during any 24 hour period; and (b) no vehicle shall be repaired or rebuilt upon any portion of a Lot that is visible from Neighboring Property or upon the Common Areas or the streets of the Project." (\$25)

TRASH AND RECYCLE CANS: Fine \$25 each

1. Trash and recycle cans must be identified with house numbers.
2. Cans must be put out no earlier than 4 p.m. the day before scheduled pickup and must be stored out of view from the street no later than 11 p.m. the day of pickup.
3. Residents are responsible for picking up trash that has escaped their trash or recycle cans. Sealing personal garbage in trash bags is preferable, therefore eliminating needed cleanup.
4. Cans must be stored behind side yard gates out of sight from the street or neighboring property.
5. No hazardous wastes, i.e. paint, oil, etc., may be put into trashcans, which is a City of Chandler violation. Call the City of Chandler for disposal instructions. Place no bulk or hazardous waste on sidewalk more than 24-hours in advance of pick up.

**Brenna Park Homeowners Association
Rules and Regulations
Adopted August 1, 2002 – Page 2**

PROPERTY USAGE VIOLATIONS: Fine \$25 each

1. Vandalism to any Brenna Park home or common area, including entry gates, will be prosecuted to the full extent of the law. All expenses borne of stated vandalism will be assessed to the Homeowner. The Personal obligation for said vandalism shall include, but is not limited to, restoration of damage, reasonable attorney's and administration fees.
2. No GoPeds, motorized scooters, or go carts will be allowed on streets or sidewalks.
3. Skateboards and roller-blades, as a mode of transportation, will be allowed on level sidewalks ONLY. There will be NO ramps, tricks, stunts, rail slides or any other hazardous activity allowed on the Brenna Park property.
4. No street games are permitted on Brenna Park streets. The large greenbelt area is provided for these activities.
5. Violation of rules posted in the pool area will be fined.
6. Abuse or damage to common area equipment will be fined (\$25) and subject to the cost of repair or replacement.
7. No overnight storage of personal items in the front yard will be allowed.
8. A resident will have 48 hours to take care of their spilled refuse, trash, or any other spilled materials due to their negligence or flagrant misconduct. If the HOA is required to call a professional for cleanup, the resident will be billed for the service.

PETS: Fine \$25 each

1. Residents are responsible for the pick up of their pet's waste in all common areas or neighbor's yard.
2. Dangerous or threatening dogs must be tied down within their own yard or kept in the house or closed kennel. Residents are cautioned about building or placing anything near their fences that would make it easy for a dog to exit the enclosed property. Residents are liable for injury or damage caused by their dogs.
3. All pets must be leashed when not in the confines of the resident's property.

NOISE: Fine \$25 each

1. Pet noise: Residents must not allow their pets to cause excessive noise, day or night.
2. Vehicle noise: Any motorized vehicle must not be operated in a manner that violates Article 17.7 Brenna Park CC&R's with respect to excessive noise.
3. Party noise: A resident must not allow party noise or music to disturb neighbors or community that violates Article 17.7 Brenna Park CC&R's with respect to excessive noise. (It is strongly recommended by the Board of Directors that neighbors be notified of upcoming large parties in their neighborhood.)
4. Curfew for use of the community playground or greenbelt is dusk to dawn.

**Brenna Park Homeowners Association
Rules and Regulations
Adopted August 1, 2002 – Page 3**

ARCHITECTURAL:

1. A \$25 fine will be assessed for any improvement, or other item covered in the Architectural Guidelines, that is begun or completed prior to submittal to and approval by the Architectural Committee.
2. In addition to #1 above, violations of the Brenna Park *Architectural Guidelines* will be fined \$50-\$2000 to be assessed by the Board of Directors on a case by case basis.

THESE RULES AND REGULATIONS MAY BE AMENDED BY THE BOARD OF DIRECTORS FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS OF BRENNAPARK HOMEOWNERS ASSOCIATION.

Christine Adams

Christine Adams, President

Dyrk Greenhalgh

Dyrk Greenhalgh, Vice President

Karen E. Martin

Karen Martin, Secretary/Treasurer

BRENNA PARK HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE GUIDELINES
ADOPTED AUGUST 1, 2002

In accordance with the Declaration of Covenants, Conditions, and Restrictions for Brenna Park Homeowners Association (the "CC&R's"), the Board of Directors of Brenna Park Homeowners Association has adopted the following guidelines for architectural improvements (the "Guidelines"), which shall apply to all Lots within Brenna Park.

Each homeowner/resident shall read, review, and acquaint themselves with the CC&R's and the Architectural Guidelines. The CC&R's and Architectural Guidelines are intended to maintain the property values and the high standards of development that exist within Brenna Park. Section 14 of the CC&R's is devoted to the establishment and operation of the Architectural Committee. The Guidelines are established to assist homeowners in preparing an acceptable application to the Architectural Committee. **FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE ARCHITECTURAL COMMITTEE.** Even if your 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 considerations, etc., each application will be reviewed on a case-by-case basis. In the event of any inconsistency between these Guidelines and the CC&RS, the CC&RS shall control. All architectural approvals will be conditioned upon compliance with applicable City codes.

APPLICATION PROCEDURE – *only homeowners of record qualify for architectural changes.*

Submittal --

The following information must be provided for review:

1. Application Form — A completed application form (copies of which can be obtained from the management office).
2. Specifications - Detailed description and/or samples of materials and/or colors to be used.
3. Plot Plan — A site plan should be included if applicable showing dimensions, relationship to existing dwelling and property lines (setbacks). Measurements must be written on the plans.
4. Elevation Plans — Plans should be included if applicable showing finished appearance of addition in relation of existing dwelling. An accompanying photograph of the proposed location would be helpful.

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

Brenna Park Homeowners Association
C/O PMG Services
1839 S. Alma School Road
Suite 150
Mesa, AZ 85210
480-829-7400

**Brenna Park Homeowners Association
Architectural Review Committee Guidelines
August 2002 - Page 2 of 7**

All buildings and structures erected within Brenna Park, and the use and appearance of all land within Brenna Park shall comply with all applicable City, County and State Laws, as well as, the CC&R's and these Guidelines and to obtain any and all necessary permits. ***Please be advised that homeowners making improvements prior to submitting for architectural approval may incur additional costs for modifying or removal of unauthorized improvements.***

Review -- Approval and/or Disapproval

In accordance with the CC&R's, the Architectural Committee shall have 45 days after receipt of a completed application packet to approve or disapprove plans.

Approval of plans, specifications, or proposed construction shall not constitute guarantee of the structural soundness of the addition/change, nor its effect upon drainage. Neither the Architectural Committee nor the Board of Directors of the Brenna Park Homeowners Association shall incur any liability in connection with, or related to, approved or disapproved plans, specifications, or improvements.

The project must be completed within ninety (90) days of date of approval. An extension may be requested.

APPEAL

Appeal of the Committee's decision may be submitted in writing to the Brenna Park Board of Directors, c/o PMG Services 1843 E. Southern Avenue, Tempe, Arizona 85282, within 30 days from the mailing of the Committee's decision. Alternatively, an appeal may be presented to the Board of Directors at its next scheduled meeting if such request is made within 30 days from the mailing of the Committee's decision. The Board will have 30 days to reply.

GUIDELINES

ANTENNAS / SATELLITES

Pursuant to the CC&R's, section 17.13, only mini-dish type satellite dishes will be allowed so long as the placement of the dish has been approved in writing in advance by the Architectural Committee. No other radio, television, or other antennas or satellite dishes of any kind or nature shall be placed or maintained upon any Lot except as may be permitted by the Architectural Committee. **No type of mini-dish shall be permitted to be mounted on the front of any house.**

AWNINGS

Awnings approved shall be canvas types in the same color on the interior and exterior surface. They shall be of one color to match the trim or stucco of the residence. A minimum five (5) year guarantee is expected from the manufacturer to insure a high quality of awning. Submit the manufacturer color sample, type, and proof of length of guarantee years to the Architectural Committee with your submittal for approval before installation. No awnings on the front of the home or the second story of the home will be permitted.

BASKETBALL GOALS OR SIMILAR STRUCTURES

Temporary/portable units must always be stored in garage promptly when not in use. No permanent basketball goal or similar structure or device shall be placed or constructed upon the front yard, front elevation, or front roof surface on the Tract or any Lot. For purposes of the foregoing sentence, the term "front" shall be deemed to mean visible from ground level view from the street(s) running immediately in front of or along the side of a Dwelling Unit or other structure.

CHILDREN'S PLAY STRUCTURES

Children's play structures must be submitted for approval since in most instances they protrude above the fence.

The maximum height that will be considered for approval for pool ladders, swing sets, trampoline safety cages and jungle gym equipment shall be eight (8) feet.

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, color, height, and proximity to neighboring property.

DECORATIVE ITEMS *(including fountains, light poles, exterior wall ornamentation, and ornamental statuary)*

These items must be approved for location and/or aesthetics, unless located in the rear yard and hidden from view of neighbors, streets, and common area.

EVAPORATIVE COOLERS/ADDITIONAL COOLING EQUIPMENT

Pursuant to the CC&R's, Section 17.11, visible additions or modifications of equipment referenced in this section must be submitted to the Architectural Committee for approval.

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

FLAGPOLES

No Permanent flagpoles will be allowed. Only a standard 3' x 5' flag of the United States and/or State of Arizona flags may be displayed from a bracket mounted to front of the house. No Architectural Committee approval is required, provided these Guidelines are followed. It is suggested that you follow the Federal Flag Code by either removing the flag from visibility at sunset or if a twenty-four hour display is desired, illuminate the flag during hours of darkness with a light source sufficient enough that the flag is visible by the casual observer.

GAZEBOS AND COVERED SPAS

Height not to exceed ten (10) feet from the ground at peak. Drawings and/or photographs with dimensions, location, and color/material samples must be submitted to the Architectural Committee for approval prior to construction.

When it is determined that an existing gazebo needs refinishing, it must be restored to its approved condition. Covered spas are also subject to these restrictions.

GUTTERS AND DOWNSPOUTS

Gutters and downspouts must match the base and trim color of the dwelling. The owner is responsible for the effect on drainage. No Architectural Committee approval is required provided these Guidelines are followed.

HOLIDAY DECORATIONS

All holiday lighting and decorations must be hung no sooner than thirty (30) days preceding the holiday and removed from view no later than thirty (30) days following said holiday. No Architectural Committee approval is required provided these Guidelines are followed.

LANDSCAPE

Refer to the CC&R's, Section 13.3 for maintenance of landscaping within Rights of Way. No changes may be made to the front yard landscaping of any home without the prior approval of the Architectural Committee. No structural changes such as sidewalks, decorative walls, fountain, etc. may be done without the prior approval of the Architectural Committee.

Rear and side yard improvements within the wall enclosing the rear yard and NOT VISIBLE from the neighboring property or common areas DO NOT require approval of the Architectural Committee. Examples are:

- Rear and side yard lighting shall be confined to patio and pool/spa areas and shall be shielded so as not to cause excessive glare or light spillage onto adjacent lots.
- Backwashing of pool/spa filters and overflow/spray from irrigation shall not be permitted to seep onto an adjoining lot, common area, street or block wall.
- Non-deciduous trees are encouraged.

However, Architectural approval is required for any of the following types of construction or installation of rear and side yard landscaping and improvements:

- Any walls removed during construction shall be walls situated on the owner's lot. Walls abutting a common area or neighboring property shall not be removed. Any wall removed shall be replaced in its original state immediately after construction is complete. This includes stucco, paint and landscaping.

**Brenna Park Homeowners Association
Architectural Review Committee Guidelines
August 2002 - Page 5 of 7**

Rear and side yard improvements within the wall enclosing the rear yard and **VISIBLE** from neighboring property or common areas shall require prior approval of the Architectural Committee. Examples are:

- Ancillary components of pool/spa such as slides and gazebos, etc.
- Any structures such as storage sheds, patio fireplaces, patio covers, etc. . .
- Any increase in rear or side yard wall height. In addition, a request for changes made to a "shared" wall must be by a joint request signed by all lot owners affected by the change. Any increase in wall height must also be permitted by the City of Chandler.

The Architectural Committee shall request modifications to rear and side yard landscaping if deemed appropriate to maintain the intent of the Brenna Park Association CC&R's and Architectural Guidelines.

MAINTENANCE

When it is determined that Patio Extensions, Covered Decks, Covered Spas, Yard Gates and Play Structure need refinishing, they must be painted to match trim or exterior color of the dwelling.

PAINT GUIDELINES

It is recommended that exterior stucco and trim be painted every eight (8) years or, as directed by the Brenna Park Board of Directors if deemed necessary.

HOMEOWNERS MAY NOT CHANGE THE ORIGINAL COLOR OF THEIR HOME

The colors used by the Developer were one of these. Please refer to your purchase agreement for the specific color chosen for your home.

Paint Color Information (Dunn-Edwards): (No Manufacturer substitutions will be permitted)

Body Colors:

Cashmere SP152
Pearl White SP70
Native Tan DE3204
Oyster SP511
Bone White SP427
Gallop HO DE3205

Trim Colors:

Sandal SP133
Stonish Beige SP68
Spearhead DE3198
Coral Clay SP 148
Birchwood SP51
Hickory SP177

PATIO COVERS

Detailed plans must be submitted prior to starting construction. When considering plan approval, the Architectural Committee will take into consideration the appearance and proximity to neighboring property. Applicant must comply with the City, County and State Laws and Codes.

**Brenna Park Homeowners Association
Architectural Review Committee Guidelines
August 2002 - Page 6 of 7**

Solid Patio Covers Must Adhere to these Building Specifications:

- Flat roof pitch less than 1":12" must have a built-up roof application or rolled shingles with colored gravel (or similar roofing material) to match existing patios covers in Brenna Park.
- Horizontal support members: Minimum 4x6 rough sawn or double 2x6 members.
- Vertical support members: Minimum 4x4 rough sawn.
- Color to match existing trim or exterior colors.

POOLS AND SPAS

Pools and uncovered spas need not be submitted for architectural approval provided the following requirements are met: (1) pool ladders shall not exceed eight (8) feet in height; and (2) perimeter walls on lots bordering Association landscaped areas may not be torn down. Access must be gained by tearing down a front wall on the side of the home, leaving the perimeter theme wall intact, assuring it matches in texture and color throughout the community. (ALSO SEE GAZEBOS). Must comply with all City, County and State Laws and Codes.

SCREEN DOORS, SECURITY DOORS, AND SUN CONTROL DEVICES/MATERIALS

Clear aluminum (silver colored) screen material is prohibited, as are silver aluminum screen/security doors. **ONLY** bronze or charcoal sunscreen material may be used. Frames and security doors are to be painted to match the house. Screen doors portraying figures and/or templates attached to the door are prohibited.

Additional screens or fencing material added to front security gates must be submitted to the Architectural Committee for approval. All material must be painted to match the color of the gate.

Wrought iron bars on windows are expressly prohibited.

Window tinting will be considered for approval, however all reflective films are prohibited. Any other options must be submitted to the Architectural Committee for approval.

Coverings over garage-door windows must be submitted for prior approval.

ENTRY GATE COVERINGS (PET BARRIERS)

Options that will be approved are:

1. Lattice mounted on exterior of fence – full length of gate and painted to match gate frame.
2. Wood slats (mounted between gate rods) full length of gate and painted to match gate frame.
3. Wrought iron may be added to existing gate to lower to ground level and must be painted to match existing.

Please refer to your purchase agreement for existing fence paint color.

SIGNS

Refer to the CC&R's, Section 17.5. Signs not referenced in this section are prohibited. All authorized signs may only be posted in the granite portion of the front yard. Homeowners are responsible for any broken irrigation lines.

SOLAR PANELS

Refer to the CC&R's, Section 17.11.

STORAGE SHEDS

No visible storage sheds are permitted. They must not be visible above the wall, from the street or neighboring property by a person standing at ground level.

WHERE APPLICABLE, THE HOMEOWNER AGREES TO COMPLY WITH ALL CITY, COUNTY, AND STATE LAWS AND TO OBTAIN ALL NECESSARY PERMITS. THE HOMEOWNER AGREES TO MAINTAIN IMPROVEMENT IF APPROVED BY THE BOARD OR ITS DULY APPOINTED REPRESENTATIVE. IF, IN THE VIEW OF THE BOARD OF DIRECTORS, THE IMPROVEMENT IS NOT BEING MAINTAINED, THE ASSOCIATION HAS THE RIGHT TO REMOVE OR MAINTAIN THE IMPROVEMENT WITH THE HOMEOWNER BEARING ALL COSTS.

THESE ARCHITECTURAL GUIDELINES MAY BE AMENDED BY THE BOARD OF DIRECTORS FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD.

Christine Adams

Christine Adams, President

Dyrk Greenhalgh

Dyrk Greenhalgh, Vice President

Karen E. Martin

Karen Martin, Secretary/Treasurer

**BRENNA PARK HOMEOWNERS ASSOCIATION
MONETARY PENALTY POLICY
ADOPTED AUGUST 1, 2002**

Pursuant to Arizona Revised Statute § 33-1803 and Subarticles 6.4, 6.10, & 9.1 of the Bylaws of the Brenna Park Homeowner's Association, Inc. (hereinafter "Association"), the following fine policy is effective **September 15, 2002** to enforce all Association CC&Rs, Rules & Regulations, Guidelines, and By-Laws.

First Notice: A courtesy notice with no fine imposed shall be sent to the homeowner. The notice shall include:

1. A description of the violation and a reference to the applicable CC&R, Rule & Regulation, Guideline, or By-Law
2. Adequate time period for the homeowner to comply

Second Notice (Intent to Fine Letter): A follow up letter with notification of the fine to be imposed shall be sent to the homeowner if the violation is not corrected within the given time period or if the same violation recurs within a one-hundred-and-eighty (180) day period of the First Notice. The letter shall include:

1. A description of the violation and a reference to the applicable CC&R, Rule & Regulation, Guideline, or By-Law
2. The fine that may be imposed if the violation is not corrected or recurs
3. A description of the collection method for an unpaid fine
4. A description of the appeal process

If the homeowner does not appeal before imposition of a fine, the right to appeal will be deemed waived.

Fine Letter: If the violation is not corrected within the time period stated in the Second Notice, a fine letter shall be sent to the homeowner. The letter shall include:

1. A description of the violation and a reference to the applicable CC&R, Rule & Regulation, Guideline, or By-Law
2. The amount of the fine
3. The due date of the fine
4. The method of payment
5. A description of the collection method for an unpaid fine
6. The corrective/continuing action

Subsequent Violations: If the same violation recurs within a one-hundred-and-eighty (180) day period of the previous fine, or continues, or has not been corrected, the fine shall double for each additional offense stipulated in the First Notice.

**Brenna Park Homeowners Association
Monetary Penalty Policy
Adopted August 1, 2002**

Appeal Process: Homeowner may appeal the Second Notice (Intent to Fine Letter). The homeowner may either:

1. Appeal the fine in writing to the Board before the date of compliance on the Second Notice
OR
2. Contact the Property Manager for the Brenna Park Homeowner's Association before the date of compliance on the Second Notice and request to be placed on the agenda for the next Board Meeting.

Either course of action will suspend the fining process until the Board has rendered a decision.

After the Fine Letter is mailed, this right is waived.

Collections: Pursuant to Arizona Revised Statute § 33-1803(C), fines shall be collectable in the same manner as unpaid assessments, including personal money judgment and lien/foreclosure.

Fine Schedule:

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| • Parking and Vehicle violations | \$25-100 |
| • Trash and Recycle Receptacle violations | \$25 |
| • Property Usage violations | \$25 |
| • Pet violations | \$25 |
| • Noise violations | \$25 |
| • Signage violations | \$25 |
| • Abuse of, or damage to, common area equipment | Cost of repair or replacement, plus an administrative fee |
| • Architectural violations | \$50-2000 – to be determined by the Board |
| • Failure to submit for architectural changes | \$25 initial fine, plus any applicable fine due the violation |
| • Other violations: Fine to be set by the Board of Directors on a case-by-case basis. | |

Christine Adams

Christine Adams, President

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Karen Martin, Secretary/Treasurer