

**CASA RICA HOA
COMMUNITY ASSOCIATION
DESIGN GUIDELINES**

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CASA RICA HOA DESIGN GUIDELINES

I. INTRODUCTION

CASA RICA Home Owners Association (HOA) is a community designed to respect the climate and regional character of its location, minimize environmental impact, and maximize water and energy conservation principles. In order to implement and preserve these principles, these Design Guidelines have been established to maintain certain standards by which the community may grow and develop.

The Design Guidelines provide an overall framework and a comprehensive set of guidelines by establishing criteria for the design, size, location, style, structure, materials, and color of architecture and landscaping, as well as relevant criteria for the construction or modification of all improvements made by any party other than the "Declarant". They also establish a process for the judicious review of proposed improvements or alterations. However, the Design Guidelines are not the exclusive basis for decisions of the Design Review Committee, and compliance with the Design Guidelines does not guarantee approval of any application.

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for CASA RICA HOA (the "Declaration") and any supplements or amendments thereto, unless the context requires otherwise. The Design Guidelines will be administered by the Design Review Committee pursuant to the Declaration.

In the event of conflict between the Design Guidelines and any government ordinance, building code or regulation, the more restrictive standard shall prevail.

Any yard/home modifications completed before 6/16/16 that are in conflict with these new updated guidelines are exempt from enforcement.

II. ARCHITECTURAL REVIEW PROCESS

Application Procedure

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

**CASA RICA HOA
2487 S Gilbert Rd #106-622
Gilbert, AZ
85295
Fax: 480-347-1903**

The following information must be included with each 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 the proposed addition or change in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Water Retention Plan – A water retention plan showing the calculated storage meets the required storage volume on file with the Town of Gilbert.
5. Specifications – Detailed description of materials to be used and color samples.

All buildings and structures erected within CASA RICA HOA and the use and appearance of all land within CASA RICA HOA shall comply with all applicable County and City zoning ordinances, building codes and other ordinances as well as the Declaration and these Guidelines.

NOTE: Only Lot owners may request approval. Requests for approval may be submitted only after the closing on a Lot.

Review – Approval and/or Disapproval

The Design Review Committee shall have forty-five (45) calendar days after submittal of plans to approve or disapprove plans.

Review and approval or disapproval will include but not be limited to, consideration of material, 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 will also be considered.

The Design Review Committee, Board, Declarant and Designated Homebuilders shall not 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 judgment is passed on the structural soundness of the addition or its effect upon existing or future damage. Review of plans by the Design Review Committee is for aesthetic purposes only.

Construction Period

Construction must be started within ninety (90) calendar days of the date of the Design Review Committee's approval of the applicable application or the Design Review Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Guidelines. Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Design Review Committee's discretion), such construction shall be completed within six (6) months after the date of the Design Review Committee's approval of the applicable application.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE DESIGN REVIEW COMMITTEE MUST APPROVE ALL PLANS. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE DESIGN REVIEW COMMITTEE.

III. ARCHITECTURAL AND DESIGN CHARACTER

1. The architectural design of all additions, alterations, and renovations to the exterior of any Residential Unit shall conform to the design of the original Residential Unit in style, detailing, materials, and color.
2. All additions to Residential Units shall be built within the setback lines originally established for CASA RICA HOA or as changed by the Declarant or Developer with the requisite approval of the Town of Gilbert.
3. All materials used in the maintenance, repair, addition, and alteration of any structure or Improvement subject to review hereunder, shall match those used in the initial construction of the Improvement as to color, composition, type, and method of attachment. The Design Review Committee may allow substitute materials if it deems such materials to be compatible with the theme of the Community.
4. No addition, alteration, or renovation of an existing Residential Unit or any other activity on a Lot may alter the established Lot water retention volume (as established by the Declarant and filed with the Town of Gilbert).

IV. DESIGN GUIDELINES

- A. ACCESSORY STRUCTURES** - Accessory structures shall include gazebos, ramadas, pergolas, etc. These structures must be set back at least five (5) feet from all surrounding property lines. They require Committee approval if they are taller than the surrounding fences or are visible from neighboring property to include other lots or association common areas. The intent is to use colors that are consistent with the Community; however, materials are subject to review by the Committee. If it is felt that the materials will not last in the Arizona weather, the Committee has the authority to request additional information or require that the materials be better suited to our climate. Any lighting proposed for accessory structures must be included in the submittal and approved by the Committee prior to installation.

Accessories are subject to prior review and approval by the Committee and subject to the following guidelines: (a) ramadas or gazebos must be painted or stained to complement the house color; (b) pergolas must contain an open slatted roof and must be painted to complement the body color of the home; (c) support pillars must be painted to complement the body color of the home or faced with stone accents as applicable to the Community;

See **STORAGE SHEDS** below for additional information in regard to storage sheds.

- B. ANTENNAS AND SATELLITE DISHES** - 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. Any antenna, satellite dish, or other receiving device covered by the FCC Rule may be installed on a lot or parcel without the prior approval of the Board of Directors provided the antenna, satellite dish or receiving device is placed inside a residence or other building or is placed on the portion of the lot or parcel which is the least visible from neighboring property and does not interfere with the viewer's ability to install, maintain, or use the antenna, satellite dish, or receiving device. All receivers one (1) meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations ("Federal Regulations") and shall be installed in the following locations, listed below in 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 backyard of the lot;
3. On the roof, but completely below the highest point on the roof line;
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; or
7. A location in the front yard of the lot where the receiver will be screened from view by landscaping or other improvements.

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached.

C. AWNINGS AND OTHER ARCHITECTURAL FEATURES - Awnings, canopies, shutters, security shields, tile, iron, stone, or other such architectural features on the front of the Residential Unit must conform to the theme and color scheme of the residential unit and community. Awnings or canopies must be a high quality and durable fabric of a solid color. Patio awnings must be retractable, horizontally stabilized and made of quality material. The total square footage of the patio must not exceed ten percent (10%) of the livable square footage of the residential unit. Submittal of such items must include a drawing with the location of the proposed installation, a sample of the material to be used, colors, and designs. Owners shall be responsible for the maintenance and repair of such items. The Association retains the right to determine when items must be cleaned, repaired, or replaced due to weathering, fading, tearing, etc.

D. BASKETBALL GOALS - No basketball goal, backboard, or similar structure or device shall be placed or constructed on any lot or parcel so as to be visible from neighboring property without the prior approval of the Design Review Committee, including without limitation, approval as to appearance, height, and location.

No basketball backboard, hoop, or similar structure shall be attached to a residential unit or other structure. Basketball backboards, hoops, or similar structures attached to a free-standing pole may be placed in the front yard to the side of the driveway provided the location, style, and color of the basketball backboard, hoop, and free-standing pole or similar structures are approved in writing by the Design Review Committee. Basketball hoops must be located a minimum of 20 feet from all side and rear property lines of the Lot. Temporary or Portable Basketball hoops are permitted in driveways without DRC review only during use and must be removed from street view when not in use.

E. CLOTHES DRYING FACILITIES - No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed, or maintained on any lot, parcel, or other property so as to be visible from neighboring property.

F. COURTYARDS - Walled courtyard areas are defined as an enclosure of the front portion of the residence to create a private/semi-private walled area. Courtyard walls must be constructed of concrete masonry unit (CMU) block and be stucco and painted to complement the body color of the home. Front walls enclosing entry areas creating a private courtyard shall be no more than forty-eight (48) inches in height. Front courtyard pillars/columns are limited to a maximum height of fifty-two (52) inches. Modifications to courtyard wall and pillar height requirements may be made on a case-by-case basis with strong consideration given to the home series and elevation. Owners must submit detailed information with exact height, materials to be used, picture, or drawing of the home series and elevation. The placement of 'coach light' type fixtures and planting pots is permitted on top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of front courtyard walls shall be around the front entrance area of the house creating a courtyard.

The color of the planting pots must complement the body color of the home.

A courtyard arch may be constructed, but must meet the following criteria:

- A minimum twenty-four (24) inch depth;
- Ten (10) feet at the highest point; and
- Be stucco and painted to match the body color of the home or finished with accents as applicable to the Community.

All gates installed on courtyard entrances must be submitted to the Committee for approval.

G. DECORATIVE ART ON HOUSES/LAWN ART - 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 (3') in length, width, and height. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors should be submitted for approval if visible from neighboring property.

H. RETENTION - No residential unit, structure, building, landscaping, fence, wall, or other improvement shall be constructed, installed, placed, or maintained in any manner that would obstruct, divert, interfere with, or change the direction of flow of water in accordance with the retention plans for the Community, or any part thereof, or for any lot or parcel as shown on the retention plans on file with the Town of Gilbert. Each owner shall, at their own expense, maintain the retention ways and channels on their lot or parcel in proper condition free from obstruction and must convey storm water as designed. Each lot is required to retain its own storm water and a portion of the street runoff; Provide equalization culvert piping below all obstructions such as driveways and walks of the proper-engineered size, elevation, and slope to equalize retention pooling.

I. DRIVEWAYS EXPANSIONS AND SIDEWALKS - Driveway expansions will be reviewed for approval providing the following conditions are met:

1. Submittals must include a plot plan with the following noted thereon: (a) the location and dimensions of the proposed expansion; (b) the existing driveway dimensions; (c) the total linear feet of Lot frontage; and (d) the material proposed for the driveway expansion.
2. No more than two (2) street accesses to the lot are permitted.
3. The total parking area may not exceed forty (40) feet of contiguous frontage or fifty percent (50%) of the Lot width (existing plus expansion) as measured at its widest point, whichever is greater.
5. Painting of paved surfaces that will be visible from neighboring property is prohibited.
6. Parking of motor vehicles may only be parked on a driveway expansion constructed with the approval of the Design Review Committee if space for the parking of such Motor Vehicles is not available either in the garage or carport, or in the driveway constructed as part of the initial construction by the Declarant.

J. PARKING SPACES – In addition to the required parking spaces within an enclosed garage, parking spaces are required to accommodate guest parking. Additional parking may be considered on driveway. No personal property other than automobiles may be seen in any such permitted parking space. The spaces must be maintained in a neat and clean appearance.

K. EXTERIOR LIGHTING – Except as initially installed by Declarant, no spotlights, floodlights, or other high intensity lighting shall be placed or utilized on any lot which will allow light to be directed or reflected on any other lot or any street.

Exterior lighting shall be permitted on a lot or parcel so long as (i) the source of the lighting is not pointed at or directly illuminates any neighboring property; (ii) such lighting is limited to that which is reasonably necessary for the safety and convenience of the residential unit owner; and (iii) such lighting conforms with such other requirements as may be imposed by the Design Review Committee. Neighboring property for this section shall include lots and parcels, common areas, and streets. Notwithstanding the foregoing, but subject to reasonable regulations by the Design Review Committee, exterior floodlights may not continuously remain on after 10:00 PM.

Sport court lighting will be allowed, but must be approved by the design review committee. Horizontal cut-off-type fixtures may be mounted on poles at a height no greater than 16'-0" above grade and must be screened from public or neighboring property.

Owners may display holiday lights and/or decorations located or visible from outside their residential unit, if the decorations are of reasonable size and scope and do not disturb the quiet enjoyment of other owners in the community by excessive light or sound emission, or by causing an unreasonable amount of spectator traffic. Holiday decorations and/or lights may be displayed in season only from November 20th until January 20th and during other times of the year, from one week prior to and one week after any nationally recognized holiday.

- L. FLAGS AND FLAGPOLES** - Per Arizona statute, display of one of the following flags shall be permitted: American, Arizona State, United States Air Force, United States Army, United States Navy, United States Marine Corp or United States Coast Guard, POW – MIA, Gadsden, or any Arizona Indian Nation.

Prior approval of the Design Review Committee is not required for flagpoles that are installed in the front or rear yard of the lot at least fifteen (15) feet from the property line. The height of the flagpole shall be no greater than the height of the highest point of the roofline. Flagpoles that are house-mounted below the roofline of the residential unit do not require prior approval of the Design Review Committee. Only one flagpole of any type (free standing or house mounted) is allowed on a Lot.

- M. GARAGES** - The interior of all garages shall be maintained in a neat and clean condition. Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be used for or converted to living quarters or for hobby/recreational usage without the prior written approval of the Design Review Committee and applicable Town and State Zoning and Code requirements. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry or exit of vehicles or persons. No merchandise or other items, to include vehicles of any type, shall be placed, maintained, or displayed for the express and sole purpose of sale in front of the garage or in any part of driveways, unless specifically approved by the Design Review Committee.

- N. GATES** - Double gates should be of the same type, design, and color as the originally installed single gate. Shrubs, trees, or other plants should be located between the residential unit and the double gates, where possible.

When gates are in need of maintenance, a lot owner with iron gates with wood or synthetic wood inserts must paint the wrought iron to match its original color and must maintain the wood in its natural color.

Gates of any kind on boundary walls or on lots bordering common areas are prohibited.

- O. GUTTERS AND DOWNSPOUTS** - Gutters and downspouts may be considered for approval. The finish on same must match the dwelling in color. High quality materials that offer long life are recommended, as the lot owner 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 and telephone number of the installer.

- P. HOLIDAY DECORATIONS AND LIGHTING** - For the holiday seasons that occur during November and December, decorations may be displayed beginning November 20th and must be removed by January 20th. For other seasonal holidays, decorations may be put up one week before the holiday and must be removed within one week after the holiday.

The Committee reserves the right, on a case-by-case basis, to determine if decorations may be offensive to Association members or cause any kind of disturbance based on size, quantity, color, location, or other such criteria. The Committee reserves the right to require immediate removal of said offensive items on a case-by-case basis.

- Q. PAINT COLORS** - Prior to exterior painting, the Design Review Committee must approve proposed colors.

R. PARK BENCHES OR OUTDOOR FURNITURE - Park benches and other outdoor furniture are allowed in the front yards, front porch, or courtyard areas of the home so long as they are of natural, earth tone colors to complement the home and are kept in like new condition. These items shall be located behind the most forward portion of the home, when situated in the front yard setting. White or brightly colored resin benches, tables, chairs, or chaises are prohibited if visible from neighboring property.

S. PATIO COVER ADDITIONS - Patio cover additions shall be of the same design as those offered by the original builder. If the proposed patio cover addition was not offered by the original builder, such addition may not exceed ten percent (10%) of the footprint of the residential unit.

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers not installed by the Declarant will need to be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

T. PLAY STRUCTURES – No jungle gyms, swing sets, or similar playground equipment which would be visible from neighboring property shall be erected or installed on any lot without the prior written approval of the Design Review Committee. The maximum height for a play platform on a play structure shall be five (5) feet from ground level. No play structure shall exceed twelve (12) feet in height to include any canopy or roof. All play structures must be setback a minimum of five (5) feet from all surrounding property lines.

A canopy on the play structure must be an approved color blending with the color of the dwelling stucco. Trampolines, batting cages, or any other playground equipment that shall be visible from neighboring property must be submitted to the committee for approval. Such items, not exceed twelve (12) feet in height. Safety nets, if any, must be brown, black, or a neutral color with supports painted to match the net.

All playground equipment must be maintained in good condition at all times.

ALL PLAY EQUIPMENT MUST BE APPROVED BY THE DESIGN REVIEW COMMITTEE PRIOR TO INSTALLATION.

U. POOLS, SPAS AND JACUZZIS - In ground swimming pools do not require the prior approval of the Committee subject to the following restrictions:

1. Access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. In addition, any landscape that may be destroyed or damaged must also be replaced;
2. Pool ladders, slides, rock waterfalls, etc. that will be visible from neighboring property must be submitted to the Committee for approval;
3. Owners are responsible to ensure all codes and ordinances are complied with in regard to the installation of a pool;
4. Pools may not be backwashed off of the lot. Check with your pool contractor concerning ordinance requirements for backwashing your pool. Damage to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be charged to the owner.

POOL SCREENING WALLS - All pool and spa equipment must be screened from view of neighboring property. Pool equipment screening walls may not exceed five (5) feet in height and shall be painted to match the base color of the home.

- V. ROOFTOP EQUIPMENT** - No machinery, fixtures, or equipment of any type, including but not limited to heating, ventilating, cooling, evaporative, air-conditioning, and appurtenant equipment may be mounted, installed, or maintained on the roof or wall mounted on the residential unit or other building so as to be visible from neighboring property.
- W. SECURITY DOORS** - Security doors shall be permitted provided that they are of a color to match the front door or exterior base color of the home. Silver-colored aluminum screen doors are prohibited. Ornamental doors require approval from the Design Review Committee. All screen door designs must be submitted to the Design Review Committee for approval prior to installation.
- X. SIGNS** – No signs whatsoever may be erected, posted or displayed on any lot in a location that is visible from neighboring property without the prior written approval of the Design Review Committee. No sign shall be erected within the community, except those required by law, including posters, circulars, and billboards; provided the following types of signs may be erected on a lot or parcel without written consent so long as the permitted signs are professionally painted, lettered and constructed:
1. Signs required by legal proceedings.
 2. No more than one (1) professionally lettered “For Sale” or “For Rent” or “Open House” sign with maximum size to be eighteen (18) inches x twenty-four (24) inches to be placed on any individual lot within the community. Such sign shall be located wholly within the Lot being advertised “For Sale” or “For Rent”.
 3. Per revised state statute political signs may not be in place more than seventy one (71) days before an election and must be removed within fifteen (15) days after the election to which the sign pertains; signs must conform to City or County sign ordinances or may not exceed a total of nine (9) square feet.
- Y. SOLAR EQUIPMENT PANELS OR DEVICES** - No solar heating equipment or device is permitted outside the residential unit except such devices whose installation and use is protected by applicable Law and governmental regulations. Notwithstanding such protection, an application for such equipment or device must be submitted for approval to the Design Review Committee prior to installation and approval will be granted based on the following guidelines:
1. Solar collectors should be installed on the plane of the roof and be flush mounted.
 2. Panels may not break roof ridgeline.
 3. Aluminum trim, if used and visible, should be anodized or otherwise color treated.
 4. All exterior plumbing lines should be painted in a color scheme which matches as closely as possible to the color of the structure and materials adjacent to the pipes (i.e. pipes on walls should be painted the color of the walls while roof plumbing should be the color of the roof).
 5. Panel materials should be dark in color.
 6. A sample or illustrated brochure of the proposed solar unit should be submitted with the application, which clearly depicts the unit and defines the materials to be used in the installation.
 7. Construction drawings for the proposed installation should be provided. They should be drawn to show the locations and number of collectors, method of attachment to the roof structure, and location of any other exterior system components. A system approval issued by an authorized rating organization (such as SRCC or FSEC) also should be provided.
 8. Solar units not mounted on the roof (ground mounted) should be installed according to the Town of Gilbert setback requirements. Any such structures should be concealed from View of neighboring property when reasonably possible and be free of all future likelihood of shading from fences, trees, shrubbery, and other vegetation.

Z. STORAGE SHEDS - Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including the roof, does not exceed the height of the immediate surrounding wall(s) or fence(s).

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must be approved prior to construction and be constructed of materials that match the materials used by the Builder in the original construction of the residential unit. Shed, must match in color the exterior color of the residential unit.

AA. TANKS - No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed, or maintained on any lot or parcel unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any lot or parcel of an above ground propane or similar fuel tanks with a capacity of ten (10) gallons or less used in connection with a normal residential gas barbecue, grill, fireplace, spa, or "hot tub", so long as any such tank is appropriately stored, used and/or screened, in accordance with the Design Guidelines or as otherwise approved by the Design Review Committee so as not to be visible from neighboring property.

BB. WALLS AND FENCES INCLUDING DECORATIVE WALLS - Any fences or walls installed by the Declarant shall not be removed or altered without prior written approval of the Committee.

Plans to modify any party walls must be submitted for approval. Party walls are defined in the Declaration under Article 4.9 as each wall or fence, which is located between two lots. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being modified, materials to be used and texture and color of the finished wall. Side and rear walls may not exceed eight (8) feet in height from ground level, as measured from the highest side of the wall.

Decorative walls shall not exceed forty-eight (48) inches in height. Pillars or columns shall not exceed fifty-two (52) inches in height. Such decorative walls, pillars or columns shall be stucco and painted to match the body color of the home or enhanced by stone or other accents that are consistent with that used on the homes within Casa Rica Estates. The placement of 'coach light' type fixtures and planting pots is permitted on the top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of all decorative walls, pillars and columns shall not encroach into the building setback lines and must be approved by the Committee.

See **COURTYARDS** above for additional information in regard to courtyard walls.

CC. WINDOW COVERINGS/SCREENS - Permanent draperies or suitable window treatments shall be installed on all front-facing windows within sixty (60) days of occupancy. All such window coverings facing the street must show white or beige colors unless otherwise approved in writing by the Design Review Committee. No enclosures, drapes, blinds, shades, screens or other items affecting the exterior appearance of a residence shall be constructed or installed without the prior written consent of the Board. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames. All sunscreens must be submitted for approval.

DD. YARD SALES AND GARAGE SALES - Owners may hold "yard sales" or "garage sales" to sell personal property of such owners only in compliance with the following requirements: (a) yard sales/garage sales shall be limited to two days per year on any lot, (b) no yard sale/garage sale shall commence prior to 6:00 a.m. MST or continue after 5:00 p.m. MST, (c) no owner shall post any signs advertising any yard sale/garage sale anywhere in the community except that a temporary sign may be posted on such Owner's Lot on the day that a yard sale/garage sale is being held, and (d) if the Association ever adopts standard yard sale/garage sale dates for the property, yard sales/garage sales shall be held only on such dates. The Association shall give reasonable notice to all owners if it adopts standard yard sale/garage sale dates for yard sales in the Community.

EE. LANDSCAPING REQUIREMENTS AND GUIDELINES

FRONT YARD LANDSCAPING - Unless installed by the Declarant, within sixty (60) days from the close of escrow, each owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping improvements in the front yard of their lot, any portion of a right-of-way for a dedicated street which is between the boundary of the Owner's Lot and the back of the curb of such street. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

BACKYARD LANDSCAPING - Unless installed by the Declarant, within ninety (90) days from close of escrow. All landscaping improvements installed in such areas must meet water retention requirements.

All visible portions of the lot within the community are subject to the following guidelines:

1. Owners shall maintain all visible landscape areas in a clean, neat, and weed-free condition.
2. All dead and dying plants must be replaced with same species or other appropriate plants.
3. Yard tools, equipment and general storage items should be stored out of sight when not in use.
4. Parking of vehicles of any sort in a backyard shall require screening from view of neighboring property at all times.
5. Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. must be approved by the Committee prior to installation.

PLACEMENT - All sprinkler components should be maintained and kept a minimum of eighteen inches (18") away from sidewalk and public right-of-way.

GRANITE - Decomposed granite used in Casa Rica shall be neutral earth tone in color and a minimum of ½" in size. Granite shall be installed with a minimum two (2) inch thick layer. All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth.

River run rock of an "earth tone" color is also permitted, but shall be three inches (3") to six inches (6") in diameter.

BOULDERS - Use of boulders to create a natural setting is permitted subject to the following criteria:

Boulders must be "surface select" granite boulders and shall be installed in a naturalistic manner and integrated within the landscape including other boulders or landscape materials such as plants, decomposed granite, and contouring.

TURF – The Homeowners' Association joins the Town in encouraging water conservation. Therefore, it is recommended that you consider turf installation in areas where it can be used for play, for example; and consider desert landscaping in other areas. Turf is permitted in front and backyard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least five (5) feet are recommended between walls, fences, structures, and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause damage or discoloration. Drainage should flow away from all walls and any structures.

If you choose to install turf, you will have the option to over-seed with winter rye, but are not required to do so. The Bermuda grass in the summer must be fertilized and well-maintained.

Homeowners may submit approval requests for high quality artificial turf; the Architectural Committee will make case by case determinations regarding this material after reviewing the submittals which shall include a sample of the proposed artificial turf. ¹² If the event artificial turf is approved, homeowner must

maintain the appearance of the artificial turf in a clean, "like-new" condition. Association retains the right to determine when the artificial turf must be replaced due to weathering or other types of damage. Artificial turf must be replaced with same turf originally approved or real turf if replacement or repair is required.

All turf must have a permanent border such as, extruded concrete curbing, brick border, or other permanent material approved by the Committee.

IRRIGATION - All landscape irrigation must be underground, automatic, and low water use drip systems, except for turf or flowerbed areas, which may use spray systems. Overspray onto sidewalks and streets is strictly prohibited. Great care should be taken to avoid spray of walls, fences, and other structures that may cause damage or discoloration.

LANDSCAPE LIGHTING - Landscape lighting shall be low-voltage only. Landscape lighting must be controlled with an electric clock or photo-cell device. Light sources must be shielded from view.

Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from the Lot line. Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

PROHIBITED PLANT MATERIALS - The following vegetation types and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights and weed-like characteristics of excessive growth, high water demands, or other similar traits. Under no circumstances is it permissible to plant a prohibited plant or allow it to remain within the front yard or backyard of any lot within the community, unless specifically noted below.

1. Olive trees (*Olea Europaea*) other than the "Swan Hill" variety
2. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortadena Selloana*)
3. Oleanders other than the dwarf or petite variety (*Nerium Oleander*) and *Thevetia* species
4. All varieties of Mulberry trees
5. Eucalyptus (all varieties)
6. Citrus Trees (permitted in Rear Yard Only)

FINE GRADING & MOUNDING - Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will be retained on the lot. It is important that this retention 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 County and Town grading and retention plan. Every effort should be made to make the mounding appear natural.

WATER FEATURES, FOUNTAINS - Items such as water features/fountains are permitted within rear yard areas and do not require approval by the Design Review Committee. Water Features/Fountains to be located in the front yard must be approved in advance of installation by the Design Review Committee. Water features visible from neighboring property may not exceed five (5) feet in height and must be earth tone in color. It is recommended that water be chlorinated.

HARDSCAPE - The Design Review Committee must approve any hardscape items proposed for front yard installation. Only hardscape items that will be visible from neighboring property in the rear yard will require approval. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls, and decorative walls.

FF. MAINTENANCE OF LANDSCAPING - Each owner of a lot or parcel shall properly maintain and keep neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material all landscaping located on (i) owners lot or parcel; (ii) any public right-of-way or easement area which abuts or adjoins the owner's lot or

parcel, and which is located between the boundary line of his lot or parcel and the paved area of any street, sidewalk, bike path, or similar area (unless otherwise directed by the Board); and (iii) any non-street public right-of-way or easement area adjacent to his lot or parcel (unless otherwise directed by the Board); provided, however, that such Owner shall not be responsible for the maintenance of any areas over which the Association assumes the responsibility in writing or the Town of Gilbert, Maricopa County, or any other municipality, or other governmental agency or entity having jurisdiction over such property assumes responsibility. Proper maintenance of landscaping shall include, without limitation, removal, and replacement of dead landscaping, subject to the Design Guidelines.

GG. OVERHEAD ENCROACHMENTS - No tree, shrub or planting of any kind on any lot, parcel, or other property shall be allowed to overhang or otherwise to encroach upon any sidewalk, street, bicycle path, or pedestrian way from ground level to a height of eight feet (8') without the prior approval of the Design Review Committee.