

Vista Del Corazon Homeowners Association

Design Guidelines

Adopted April 16,2018

Table of Contents

Section 1 Introduction

Section 2 Review and Approval Process

- 2.1 Architects and Design Professionals
- 2.2 Pre-Design Meeting
- 2.3 Preliminary Design Concepts
- 2.4 The Preliminary Design Submittal
- 2.5 Review of Preliminary Design Submittal
- 2.6 Final Design Submittal
- 2.7 Resubmittal of Drawings
- 2.8 Construction Permit
- 2.9 Additional Construction and/or Exterior Changes
- 2.10 Commencement of Construction
- 2.11 Work in Progress
- 2.12 Final Construction Review
- 2.13 Non-Waiver
- 2.14 Right of Waiver

Section 3 Site Development

- 3.1 Natural Area
- 3.2 Transition Area
- 3.3 Private Area
- 3.4 Minimum Setbacks
- 3.5 Golf Course Impact
- 3.6 Site Work
- 3.7 Cut and Fill
- 3.8 Washes and Drainage Easements
- 3.9 Culverts
- 3.10 Landscape
- 3.11 Landscape Screening of Lots 5 Through 13
- 3.12 Revegetation
- 3.13 Irrigation
- 3.14 Landscape Maintenance
- 3.15 Prohibited Plant List
- 3.16 Protected Plants
- 3.17 Landscape Boulders
- 3.18 Mineral Landscape Features
- 3.19 Exterior Lighting
- 3.20 Entrance Driveways
- 3.21 Parking and Garages
- 3.22 Swimming Pools and Spas
- 3.23 Windscreens
- 3.24 Sports / Tennis Courts
- 3.25 Basketball Hoops
- 3.26 Exterior Recreational or Play Equipment
- 3.27 Address Identification
- 3.28 Exterior Holiday Decorations

Section 4 Architectural Design Guidelines

- 4.1 Design Character;
- 4.2 Building Sizes
- 4.3 Building Heights
- 4.4 Roofs
- 4.5 Colors
- 4.6 Reflective Finishes
- 4.7 Materials – Exterior Surfaces
- 4.8 Building Projections
- 4.9 Antennae and Satellite Dishes
- 4.10 Skylights
- 4.11 Windows
- 4.12 Interior Lighting
- 4.13 Patios and Courtyards
- 4.14 Patio and Courtyard Furniture
- 4.15 Solar Energy
- 4.16 Screen Walls / Site Walls
- 4.17 Service Yard
- 4.18 Guest Houses, Guest Suites and Accessory Buildings
- 4.19 Storage Tanks
- 4.20 Signage
- 4.21 Flagpoles
- 4.22 Radon Gas Protection
- 4.23 Columns
- 4.24 Garages
- 4.25 Unique Exterior Features

Section 5 Construction Guidelines

- 5.1 Required Security Bonds and/or Deposits
- 5.2 Occupational Safety and Health Act Compliance (OSHA)
- 5.3 Construction Trailers, Portable Field Offices
- 5.4 Fencing
- 5.5 Debris and Trash Removal
- 5.6 Washout and Cleaning
- 5.7 Sanitary Facilities
- 5.8 Vehicles and Parking
- 5.9 Excavation Materials
- 5.10 Blasting
- 5.11 Restoration or Repair of Other Property Damage
- 5.12 Miscellaneous and General Practices
- 5.13 Construction Access
- 5.14 Dust and Noise
- 5.15 Temporary Construction Signage
- 5.16 Fire Protection
- 5.17 Daily Operation

Section 1 Introduction

Located at the base of the Superstition Mountains and adjacent to Dinosaur Mountain, Vista Del Corazon is a community inspired by nature. Great care has been taken in the design and planning of Vista Del Corazon to make it one of the finest communities in the southwest.

The terrain, views and topography vary greatly within Vista Del Corazon and each Lot is unique in terms of its natural opportunities and constraints. In order to take advantage of these attributes, each Lot will require a different approach in design and construction of a home. It is the intent of the architectural standards and design restrictions set forth in the Vista Del Corazon Design Guidelines to preserve, protect and enhance the special environment of Vista Del Corazon.

The "Vista Del Corazon Design Guidelines" (herein after "Guidelines") have been created pursuant to the "Declaration of Covenants, Conditions, Restrictions and Grant of Easements for Vista Del Corazon" (herein after the "Declaration"). The Vista Del Corazon Design Guidelines apply only to the real and personal property subject to the Declaration. The Guidelines are binding upon all persons in accordance with the Declaration who at any time construct, reconstruct, refinish, alter or maintain any Improvement within Vista Del Corazon or make any change in the natural or existing surface, drainage or plant life thereof.

The Vista Del Corazon Design Guidelines are administrated and enforced by the Vista Del Corazon Design Review Committee (herein after "Committee") in accordance with the Declaration and procedures herein set forth. The Committee has the authority to issue all formal approvals and disapprovals of projects. Each Residence within Vista Del Corazon must meet the criteria of these Guidelines.

The purpose of the Committee is to evaluate each proposed design, alteration, addition or other Improvement for appropriateness to its own Lot in the context of the community as a whole. The goal is for the appearance and character of all Residences and other Improvements to harmonize with and enhance their natural and manmade surroundings rather than to dominate or sharply contrast with them.

It is expected that the design of each Residence within Vista Del Corazon will be custom designed to the unique features of each individual Lot in an effort to achieve integration of man-made Improvements with the natural desert. Each Residence will need to be sited so as to minimize disruption of the existing environment.

Architectural styles are not dictated by these Guidelines, but instead an architectural character appropriate to the desert environment and surrounding community context is required for the design of each Residence. This flexibility allows each design to be a unique reflection of the Owner, while still remaining consistent with the image of Vista Del Corazon. The Committee encourages creative architecture yet warns against architectural styles that are not appropriate to the desert or community context. The desert environment is unlike most others and requires special attention to massing, proportion, texture, color, height, solar orientation, materials and landscape in order to create a Residence compatible with the natural desert environment.

In addition, the rugged terrain and steep slopes will require creative solutions that integrate the Residences and other Improvements into the natural environment. Due to the visibility of these homesites from the surrounding area, each Residence and other Improvements should be designed in such a manner that they blend with their backdrop and seem to disappear when viewed from a distance. The primary objective of these Guidelines is to create Residences and other Improvements with minimal negative visual or environmental impact in the surrounding community.

Section 2 Review and Approval Process

Under Vista Del Corazon CC&R's, the Committee is charged with the responsibility of maintain the standards set forth in "Vista Del Corazon Design Guidelines". In addition, the Committee has the authority to issue all formal approvals or disapprovals of projects, and enforce these Guidelines.

The Committee may create additional guidelines, policies and procedures applicable to the Guidelines. Please contact the Committee for the latest amendments to these Guidelines, as well as any current polices, prior to proceeding with design.

In general, the design review process is divided into six (6) phases:

- Pre-Design Meeting
- Preliminary Design Concepts
- Preliminary Design Submittal
- Final Design Submittal
- Construction Approval
- Final Construction Review

The design review process was developed in an effort to minimize time and money spent in designs which do not adhere to these Guidelines or to the overall philosophy of Vista Del Corazon. Each Owner is directly responsible for complying with these Guidelines and all other applicable provisions of the CC&R's as well as rules and regulations of any governmental authority. Only when Final Approval has been granted may Projects proceed.

The Committee will conduct reviews of projects during their regular meeting(s) or at such other times as they deem appropriate. Architects or Builders shall have no right to attend any meeting of the Committee unless specifically requested to do so by the Committee or as called for in the Guidelines. The Committee will respond in writing to the Applicant no later than thirty (30) days after a submittal has been reviewed by the Committee. Results of reviews will not normally be discussed over the telephone with an Owner or his Architect or Builder by the Committee, any of its members, or the Community Manager. Any responses an Owner may wish to make in reference to issues contained in the Committee's notice following review of submittals should be addressed to the Committee in writing.

Preliminary Design Submittals should be made a minimum of seventeen (17) calendar days prior to the review meeting at which time they will be discussed. Preliminary Design Concepts, Final Design Submittals and any revised submittals should be made a minimum of eight (8) calendar days prior to the review meeting at which time they will be discussed. Dates of the regularly scheduled Committee meetings are available from the Community Manager.

Although the Committee will enforce all provisions of the Guidelines, the following will be of particular concern:

- a. The overall visual character and scale of the Residence and other Improvements as viewed from Adjacent Lots and the community as a whole. A primary goal of these Guidelines is to have homes blend into the environment and the neighborhood.
- b. Siting of the Residence to be sensitive to the topography and slopes of the Lot, as well as sensitivity to views and privacy to and from other Lots, Common Areas, or other open spaces.
- c. Architectural character as viewed from all sides. The massing, texture, colors and materials of the design are critical.
- d. Building heights and masses as per Section 4.3 of these Guidelines.
- e. Finished Floor Levels and Cut and Fill conditions as per Section 3.7 of these Guidelines with particular attention given to how the Residence and other Improvements nestle into the terrain.
- f. Exterior elevations of the Residence, as well as visual impact from the overall community.
- g. Exterior paint and material colors, as well as color usage and distribution with particular attention given to methods designed to minimize the overall visual impact.
- h. Landscape character and plant materials appropriate to the environment that are placed in natural densities and formations.
- i. Setbacks along the boundary adjacent to the Golf Course, to address visual and safety separation.

2.1 Architects and Design Professionals

Due to the extreme topography and the high visibility of the Lots within Vista Del Corazon, the Committee encourages Owners to use the services of qualified registered Architects. While Your Architect should be carefully selected to ensure their understanding of the unique environment of these Lots. The Committee may, at its sole discretion, approve the use of a non-registered design professional if it deems that the design professional is qualified to create design solutions appropriate to these sites and within the intent of these Guidelines. Owners must gain a specific approval from the Committee of non-registered design professionals before proceeding. A qualified civil engineer may also be required to design driveways, service utilities and retaining walls, and to evaluate and solve any site drainage issues. Owners should very carefully interview and evaluate potential Architects and design professionals to ensure that they have sufficient experience and knowledge to properly perform the design services in a manner that will result in a Residence and other Improvements that are properly sited within the Lot and with an architectural character that meets both the technical aspects as well as the intent of these Guidelines.

The Committee will not allow the use of what is known in the industry as “standard plans” as they are not designed for the unique characteristics of the Lots within Vista Del Corazon. The Committee will also not allow the use of designers, drafting services, builders who design or design/build firms who

do not understand the intent and goals of these Guidelines or those who have not demonstrated the ability to design harmoniously with the desert environment and in the unique topographic conditions of this community. Experience has proven that good design, specific to the Lot, is well worth the money.

2.2 Pre-Design Meeting

To initiate the review and approval process prior to preparing any drawings for a proposed Residence or other major Project, it is required that the Owner and/or his Architect meet with the Committee at a regularly scheduled meeting to discuss the proposed Residence or Improvements and to explore and resolve any questions regarding building requirements within Vista Del Corazon. In addition, the Owner and/or his Architect may discuss any questions regarding the interpretation of the Guidelines. Any potential variances to these Guidelines or current policies should be discussed at this time. Owners should be certain they have the current Guidelines, copies of which may be obtained from the Community Manager. Items required for the Preliminary Design Submittal will be determined at this time.

This informal review is to offer guidance prior to the initiation of preliminary designs. Items discussed in this preliminary meeting are not binding on the Committee, nor do they constitute formal acceptance by the Committee. The desire to meet with the Committee should be presented to the Community Manager 1 week prior to a scheduled meeting.

Pre-Design Meetings are mandatory and Preliminary Design Concepts and Preliminary Design Submittals will not be accepted without a Pre-Design Meeting.

2.3 Preliminary Design Concepts

Due to the rugged terrain and high visibility of the Lots within Vista Del Corazon, Preliminary Design Concepts shall be submitted to the Committee for discussion purposes only, at the beginning of the design process. During this informal review, the Committee will comment on the general design character and make recommendations or suggestions. The purpose of this informal review is to offer guidance in the development of a site plan and architectural character that is appropriate for the site and visual considerations of each Lot at an early stage of the design process. No formal action or approval is granted or implied by this review and all aspects of the design must still conform to these Guidelines.

Preliminary Design Concepts should include (as appropriate to the Project) a site analysis, concept site plan, concept floor plan or bubble diagram, architectural character sketches and any other information that explains the general design and site planning intent. The drawings and concept sketches must be submitted to the Committee eight (8) calendar days in advance of a regularly scheduled meeting at which time they will be discussed. Dates of regularly scheduled Committee meetings are available from the Community Manager. The Committee will review the Preliminary Design Concepts and make comments and suggestions which will be communicated to the Applicant in a manner determined by the Committee.

The Preliminary Design Concepts review process does not constitute approval or implication of approval of a design or any parts of a design by the Committee, not does it grant any variances or exceptions to these Guidelines. This review is only an attempt to identify and redirect designs that would likely be considered inappropriate by the Committee.

2.4 The Preliminary Design Submittal

Preliminary drawings, including all of the items (as appropriate to the project) outlined below, must be submitted to the Committee after the Pre-Design Meeting. Plans must also include details about vehicles and heavy equipment that will be used for the installation, and any access these vehicles will have to roads owned by Vista Del Corazon. Preliminary Design Submittals must be submitted at least seventeen (17) calendar days in advance of a regularly scheduled meeting at which time they will be discussed. Dates of regularly scheduled Committee meetings are available from the Committee.

Preliminary Design Submittals shall include those items specified in the Pre-Design or Preliminary Concepts meeting which may include:

- a. The Application Form, obtained from the Community Manager and supplied by the Committee, with all information completed.
- b. A Survey, at no less than 1"=20' prepared by a land surveyor registered in the state of Arizona, showing Lot boundaries and dimensions, easements, buffers, setbacks, centerline of adjacent streets, utility tap locations, existing surface contours at one-foot intervals based on the datum used at Vista Del Corazon, major terrain features such as washes, and all Protected Plants, highlighted those plant materials that will be removed during construction or that are within twenty (20) feet of the proposed Improvements. The survey shall also show all major boulders or boulder clusters (in excess of four (4) feet in diameter) and bedrock outcrops. Major boulder outcroppings shall be protected and maintained as determined jointly by the Owner or his Architect, and the Committee at the time of site plan review. Each Owner submitting drawings for approval to the Committee shall be responsible for the accuracy of all information contained therein.
- c. A Site Plan, at the same scale as the survey, showing the graphic locations and the numerical area calculations of the Residence and all other buildings or major structures, driveway, centerline of adjacent streets, parking areas, patios, pools, walls, proposed utility service facilities and routes, site grading including existing and proposed contours and topographic features such as washes, rock outcroppings and existing trees and major shrubs to be retained and to be relocated, and elevations (datums) of all building floors, patios and terraces, shown in relation to site contour elevations. The Site Plan must also include the size of the Lot in square feet.
- d. A Massing Diagram which includes the roof plan of the Residence and the plan of the site improvements superimposed over existing topography. This drawing shall indicate:
 - All parapet and roof ridge heights and any changes in elevation of the parapet and roof ridge heights.
 - Heights of site wall or retaining walls.

- A **bold** outline of each building mass in plan.
 - Existing preconstruction topography with one-foot contour intervals; contour lines must be legible beneath the footprint of any Residence or other Improvements.
 - Area calculations, in square feet, identifying the area of the building footprint at or below the lower mass height limit (16'-0" for flat roofs and 17'-6" for sloping roofs) and area of the building footprint above the lower mass height limit. See Section 4.3E of these Guidelines for specific details. For the submittal, these areas should be shaded or color coded to designate each height category.
- e. Roof Plan and Floor Plans (at a scale of no less than 1/8" = 1'-0"). Roof plans should show areas and heights of flat and sloped roofs, location of crickets, and locations and heights of all roof-mounted equipment (if allowed) and skylights. Floor plans shall show elevations (datums) for each floor level change.
- f. Exterior Elevations of all sides of the Residence including retaining walls, at the same scale as the floor plans, identifying all structure heights, delineating both existing and proposed grade lines and designating all exterior materials and general colors. Color selections may be general and not specific for the Preliminary Design Submittal.
- g. A Study Model of the proposed Improvements, at a 1/8" = 1'-0" scale, showing the relationship of all proposed Improvements to the contours of the Lot. Care must be taken to accurately represent the massing of all structures and roof forms. The model must clearly show all windows, exterior doors and skylights. The model shall include the Owner's name, Architect's name, Builder's name, Lot number, street address and scale of the model. The model must include contours of the entire Lot, and Lot lines/property lines must be shown on the model.
- h. Visual Simulations of the proposed Residence and Improvements are required ONLY if requested by the Committee at the Pre-Design meeting. Due to the extreme visual sensitivity of select Lots within Vista Del Corazon, the Committee may require color visual simulation(s) to portray the visual impact of the proposed Residence and Improvements as seen from adjacent areas below. The location of view points for the simulation(s) will be determined by the Committee at the Pre-Design Meeting. All visual simulations must be shown in real perspective scale with no significant distortion and shall be in color. The approved visual simulation methods include:
- Computer simulation: photograph of the site (taken from points approved by the Committee at the Pre-Design meeting) is scanned into a quality graphics computer program. A computer generated three-dimensional image of the Residence and the Improvements is then superimposed on the photographic image to create a realistic simulation. The computer-generated image must include solid coloring and shading.
 - Artist simulation: photograph of the site (taken from points approved by the Committee at the Pre-Design meeting) is enlarged and an artist prepares a three-

dimensional rendering of the proposed Residence and other Improvements overlaid directly on the photograph to create a realistic simulation.

- Or other simulations as approved by the Committee.

The visual simulations need to include the correct scale and proportion of the proposed Improvements, correct colors and material representations, shade and shadow, and proposed landscape in a manner that will create a realistic visual image of the proposed Improvements. Visual simulations shall be submitted as 8 1/2" x 11" color photographs or other photographic quality color reproduction.

- i. The Preliminary Design Submittal shall include one (1) 8 1/2" x 11" paper PMT reduction of each of the required drawings in (b), (c), (e), and (f) above.
- j. Any other drawings, materials or samples requested by the Committee or necessary to explain the design.

All accessory Improvements proposed on the Lot must be shown on the Preliminary Design Submittal.

To assist the Committee in its evaluation of the Preliminary Design Submittal, the Owner shall, if requested, provide preliminary staking of the locations of the corners of the Residence or other Improvements deemed by the Committee to be major and at such other locations as the Committee may request.

2.5 Review of Preliminary Design Submittal

The Committee will then review the submittal for conformance to these Guidelines and will provide a written response to the Applicant.

2.6 Final Design Submittal

After the Preliminary Design Submittal is complete, the following documents, which clearly comply with or satisfactorily resolve the previous stipulations, are to be submitted to the Committee for final approval. Final Design Submittals should be made a minimum of eight (8) calendar days prior to a regularly scheduled meeting at which time they will be discussed. Dates of regularly scheduled Committee meetings are available from the Community Manager.

Final Design Submittals shall include:

- a. The Application Form, supplied by the Committee, with all information completed.
- b. Complete Construction Documents for the Project, including:
 - All data noted in Section 2.5, paragraphs (b), (c), (e) and (f).
 - Building sections as required to illustrate the Residence and other Improvements.
 - All utility locations, and electric meter, transformer and exterior mechanical equipment locations.

- Any adjustments to locations and/or areas of the Residence. Height of the top of all skylights and parapets shown on the roof plan.
 - Locations and manufacturer's catalog cuts of all exterior lighting fixtures.
- c. Samples of all exterior materials and colors, and window and glass specifications, mounted on an 8 ½" x 11" (maximum size) heavy-stock cardboard identified with manufacturer's name, color and/or number. Sample boards shall include Owner's, Architect's and Builder's name, as well as the Lot number. Samples of exterior materials such as stone should be submitted via the use of photographs that show color and coursing patterns.
- d. A complete Landscape Plan at the same scale as the Site Plan, showing:
- Proposed contours and grading if finished grading is different than that on the Final Site Plan.
 - Areas to be irrigated, if any, including location of the backflow preventer.
 - Locations and sizes of all existing and proposed plants. Indicate which plants will be relocated and the proposed location of plants within the landscape plan.
 - Locations of areas to receive revegetation.
 - Locations of areas to receive enhanced vegetation.
 - Decorative features such as pools or imported rocks.
 - Specifications as to color and size of mineral landscape elements including approximate size of any boulders proposed.
 - A list of all proposed plants including both the common and the botanical plant name and the plant size. Proposed plants not included on the Approved Plant List must be listed on the Landscape Plan with an asterisk before the plant name. A photograph and description of any non-approved plant must be submitted in order to be considered for approval.
 - Locations of all existing protected including species, size and condition, as well as the status proposed for each plant (i.e., remain, salvage or destroy). All plants proposed for salvage and transplanting shall be tagged in accordance with governmental requirements.
 - Location of all exterior lighting, including cut sheet for all fixtures and a list of proposed bulb types and wattage.
- e. A Hydrology Report, if required by the Committee, performed by a civil engineer registered in the state of Arizona, in a form acceptable to the Committee.
- g. A Construction Schedule indicating approximate milestone dates for:
- Start of construction
 - Completion of slab/foundations
 - Completion of framing
 - Completion of exterior wall surfaces
 - Completion of roofing
 - Completion of all construction
 - Completion of landscaping
 - Anticipated occupancy

2.6.1 Final Design Submittal Approval

Upon receipt of the complete Final Design Submittal, the Committee will then review the submittal for conformance to the Guidelines and to any stipulations by the Committee from the Preliminary Design Submittal, and will provide a written response to the Applicant. The Final Design Submittal must be expressly approved in writing by the Committee prior to commencement of construction or installation of any Improvement.

2.7 Resubmittal of Drawings

In the event of disapproval by the Committee of either a Preliminary Design Submittal or a Final Design Submittal, any resubmission of drawings must follow the same procedure as the original submittal, except that resubmittals of a Preliminary Design Submittal should be made at least eight (8) calendar days in advance of a regularly scheduled meeting at which time it will be discussed. The resubmission of a Preliminary Design Submittal will not be posted on the Owner's Lot, nor will notification be mailed out unless determined otherwise by the Committee.

2.8 Construction Permit

Obtaining plan check approval from the County and securing of a building permit from the County is the responsibility of the Owner and/or Builder. Construction shall be in accordance with the Final Design Submittal approved by the Committee.

2.9 Additional Construction and/or Exterior Changes

Any changes to the approved Final Design Submittal before or during the construction of an Improvement must first be submitted for review and approval by the Committee. Failure to obtain approval of any changes to the approved Final Design Submittal can result in the Committee or Association causing the existing construction to be modified to match the approval Final Design Submittal, the imposition of fines, or any other remedy available to the Committee or the Association.

2.10 Commencement of Construction

Upon receipt of approval of the Final Design Submittal from the Committee, the Owner shall commence the construction pursuant to the approved Final Design Submittal within one (1) year from the date of the approval. If construction has not commenced within one (1) year from the date of approval, any approval given shall be deemed revoked unless, upon the written request of the Owner made to the Committee prior to the expiration of the one-year period and upon a finding by the Committee that there has been no change in circumstances, the time for commencement is extended in writing by the Committee.

The Owner shall, in any event, complete the construction of the foundation and all exterior surfaces (including the roof, exterior walls, windows, doors and all landscaping) of any Improvement on his Lot within one (1) year after commencing construction except when such completion is impossible or

would result in great hardship to the Owner due to strikes, fires, national emergencies or natural calamities. If the owner fails to comply with this paragraph, the Committee may notify the Association of such failure, and the Association, as its option, may complete the exterior in accordance with the approved drawings or remove the Improvement(s), and the Owner shall reimburse the Association for all expenses incurred in connection therewith.

2.11 Work in Progress – Observation for Design Conformance

The Committee may review all work in progress and give notice of non-compliance, if found. Absence of such review and notification during the construction period does not constitute approval by the Committee of work in progress or of compliance with these Guidelines of the Declaration.

2.12 Final Construction Review

- a. Upon completion of a Residence or other Improvement for which approval of the Final Design Submittal was given by the Committee, the Owner shall give written Notice of Completion to the Community Manager
- b. Within such reasonable time as the Committee may determine, but in no case exceeding twenty (20) calendar days from the receipt of the required written Notice of Completion, the Committee may review the Residence and/or other Improvements. If it is found that work was not done in strict compliance with the approved Final Design Submittal, the Committee shall notify the Owner in writing of such non-compliance within thirty (30) calendar days of its receipt of the Owner's Notice of Completion, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same.
- c. If the Owner has failed to remedy any non-compliance within thirty (30) calendar days from the date of the Committee's notice, the Committee shall notify the Owner, and may take such action to complete or remove or remedy the non-complying Improvements as is permitted in these Guidelines or the Declaration including, without limitation, injunctive relief or the imposition of fines.
- d. If, after receipt of the written Notice of Completion from the Owner and after review of the Residence and/or Improvements by the Committee, the Committee finds that all Improvements are deemed to be in accordance with the approved Final Design Submittal, the Guidelines and any stipulations of approval, the Committee shall notify the Owner in writing of such final construction approval.
- e. If an Owner chooses to occupy the Residence following receipt of a certificate of Occupancy from the County, but prior to a final construction review (paragraph [c] above) by the Committee, he may do so provided that the work is continued, and the written Notice of Completion is given to the Committee within forty-five (45) days of the occupancy. If Improvements are not completed within forty-five (45) days of occupancy, The Committee reserves the right to take such action to cause the completion of the Improvements as is permitted in the Guidelines or the Declaration including, without limitation, the imposition of fines.

2.13 Non-Waiver

The approval by the Committee of any drawings or specifications for any work done or proposed, or in connection with any other matter requiring such approval under the Guidelines or the Declaration, including a waiver by the Committee, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification or matter whenever subsequently or additionally submitted for approval, or of a non-conforming design or aspect that has not been identified earlier. For example, the Committee may disapprove an item not in conformance with the Guidelines shown on the Final Design Submittal, even though it may have been evident and could have been disapproved at the Preliminary Design Submittal.

2.14 Right of Waiver

The Committee reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion, for good cause shown.

Section 3 Site Development

The natural topography, vegetation and environment of Vista Del Corazon is unique and requires special design attention for site development. Each Lot has unique features of topography, slope, views, drainage, vegetation and access that need to be analyzed in the design process. The Committee stresses the importance of integrated site and Residence design so that homes respond to the natural characteristics of each specific Lot. It is important to realize that designs that may work on one Lot most likely will not work on another Lot. The following site development guidelines deal with issues of sitting, grading, excavation and landscaping.

The topography and environmental conditions within Vista Del Corazon vary dramatically. Some lots are flat and easy to build on, while others are located in rugged and steep areas. Some lots are visible from the overall community, while others are nestled low behind the ridges. Some lots are heavily vegetated, while other lots have sparse existing landscaping. These variable environmental factors must be considered in the design of any Residence within Vista Del Corazon. The design of each Residence and other Improvement must respond to the specific site conditions of each lot. Particular concern should be directed to drainage and storm water runoff for the proposed Improvement as well as neighboring properties and common areas.

3.1 Natural Area

The Natural Area is that portion of the Lot (as designated on the following illustration) which must remain as a natural desert. Additional plant material may be added in the Natural Area if specific approval is granted by the Committee. If allowed, only plants indigenous to the general area of development may be used in the Natural Area. In addition, the density and mix of any added plant material in the Natural Area should approximate the density and mix found in the general area. Irrigation of the Natural Area is not permitted since the indigenous vegetation does not require additional water. Irrigation of the Natural Area can lead to disease and death of the native plants, particularly cactus, and aid in the spread of undesirable plant species or weeds.

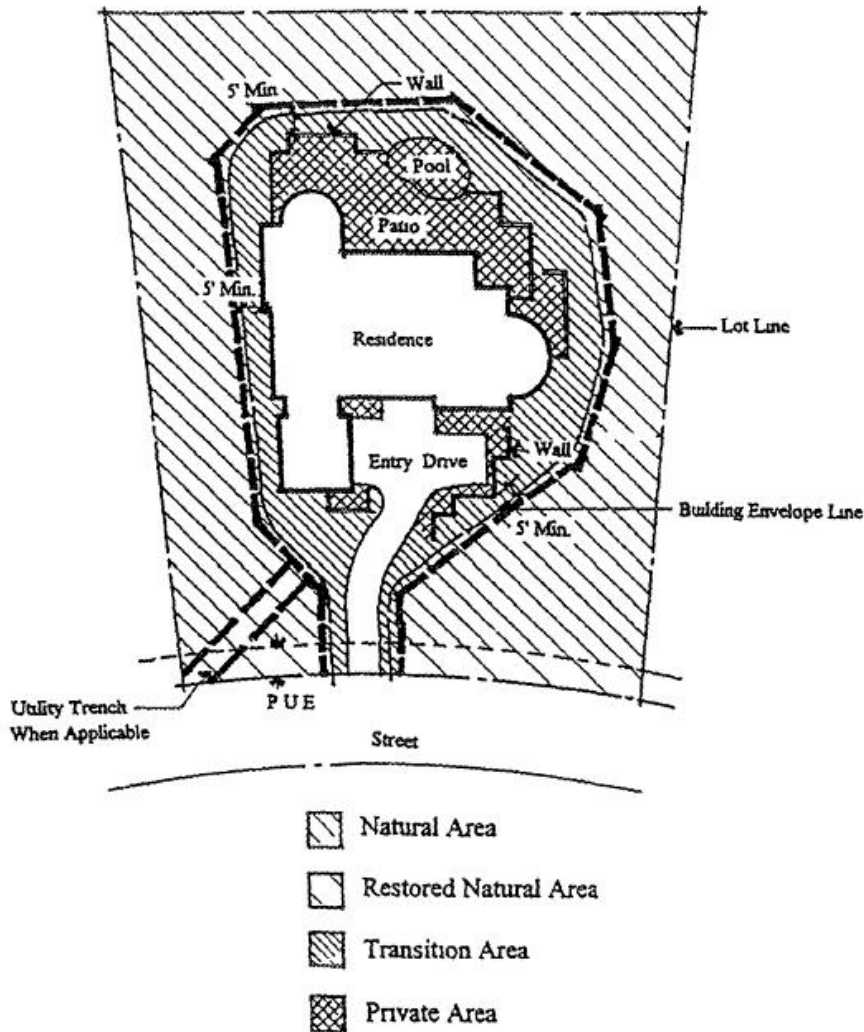
3.2 Transitional Area

The Transitional Area is that part of the Lot (as designated on the following illustration) which lies between the Natural Area and the wall of a Residence or other Improvement and is visible from neighboring property. Upon completion of construction, this area must be replanted to match adjacent Natural Area in appearance. An irrigation system, carefully designed to avoid over spray or run off onto the Natural Area, may be installed to maintain the transitional planting until it has become established (approximately 1 year). Once the plants are established, use of the system must be discontinued. Only indigenous plant material as specifically identified on the Approved Plant List (obtained from the Management Company) may be planted in the Transitional Area.

3.3 Private Area

The Private Area is that part of the Lot (as designated on the following illustration) which is not visible from neighboring property because it is hidden behind walls or structures. The Private Area is the least restrictive in terms of what plants, shrubs and trees can be planted therein. These include those

plant materials listed in the Approved Plant List and, if first approved in writing by the Committee, any other plant not included in the Prohibited Plant List. The Private Area includes, for example, a courtyard, entry or atrium, or the area behind a patio wall where non-indigenous plants would be appropriate despite their increased watering needs. In keeping with the goal to harmonize with the natural desert, the visibility of lawns and other non-indigenous plants from a street, Common Area or Adjacent Lot must be minimized.



3.4 Minimum Setbacks

The minimum setbacks for each lot are determined by the Property Development Standards or the Amended Property Development Standard of the Approved Zoning Districts that apply specifically to this project. The minimum setbacks are administrated by Pinal County. Complete setback information is available from the County.

3.5 Golf Course Impact

As with all golf frontage Lots, there is an inherent risk that golf balls and the play of golf may impact a Lot or Residence. The Committee strongly recommends that during the site planning of a Lot adjacent to the golf course, detailed consideration be given to the possibility of errant golf balls, particularly with the orientation of windows or other breakable surfaces of the Residence. Evaluation of the proper siting, orientation, massing and setbacks should provide for maximum golf or view orientation with minimal adverse impact from the play of golf. Approval of a Final Design Submittal by the Committee does not constitute assurance of protection from errant golf balls. Design consideration should also be given to the noise generated by golfers, golf carts and golf maintenance vehicles. Any potential easements or rights-of-way for the golf course or cart paths should be investigated prior to commencement of site design.

Golf ball net requests will be reviewed on a case-by-case basis. The Committee will consider each individual lot, property and requested plan when making their decision.

Plans submitted must include screening methods for the netting, to reduce visual impact on neighboring property. Screening may include landscape materials, materials used for the net and posts themselves, or placement and design of the net.

3.6 Site Work

Typically, Residences and other Improvements should be nestled into the land, remaining low, so as to be part of the site rather than being perched on it. Buildings and other Improvements should step down slopes, using multi-level solutions wherever possible to follow existing contours and minimize Cut and Fill situations. (See Section 3.7, Cut & Fill). When the construction is completed, the finish grade around the Residence and site walls should lie against the wall as near as possible to the original angle of slope.

Once a preliminary plan is well enough defined, it is recommended that the corners of the building be staked out on the ungraded site and elevations taken at each corner with a transit. Using this information, the design can be fine-tuned or adjusted to minimize the structure's height by making it conform more closely to the existing contours.

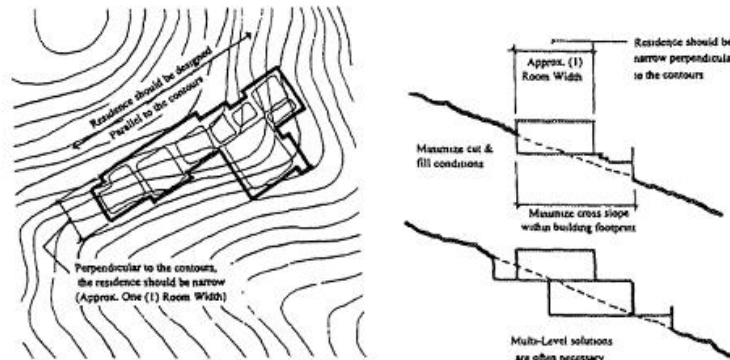
When preparing a preliminary site plan, consideration should be given to the impact of the proposed Residence on Adjacent Lots and Common Areas with respect to their privacy, view preservation, natural drainage and ease of access.

While the natural topography of Vista Del Corazon varies considerably from Lot to Lot, the following general limitations will apply in the absence of special circumstances justifying exceptions as may be approved by the Committee.

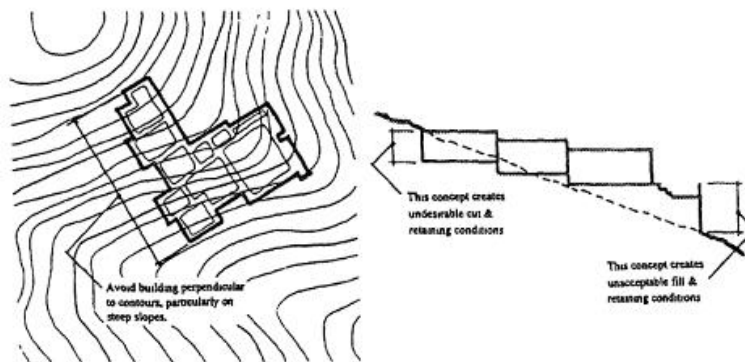
- a. Retaining walls and other walls not directly supporting a building structure, except screen walls, shall typically not exceed ten (10) feet in height, measured vertically from the lowest finished grade adjacent to the wall along the exterior side of the enclosure at the point of measurement. On a case-by-case basis, the Committee may consider heights in

excess of then (10) feet when justified by topographic conditions and when the extra height causes no adverse visual impact in the opinion of the Committee. An overall height of up to sixteen (16) feet may, if deemed appropriate in the sole discretion of the Committee, be achieved by use of more than one (1) retaining wall, provided a minimum planting area of ten (10) feet is provided between the two (2) walls. Subject to approval by the Committee, other acceptable methods for softening the appearance of retaining walls over ten (10) feet in height may include: landscaping with mature, indigenous trees or large shrubs, and/or utilizing a different texture and/or material for a portion of the wall.

- b. Residences and other Improvements must be designed to nestle into the existing terrain and contours on each Lot. For Lots which are located in the more rugged terrain of Vista Del Corazon, multi-level solutions will be required in order to accommodate the grade changes within each Lot. For these steeply sloping Lots, it is unlikely that the Committee will approve a home that is primarily designed with a single floor level. It is also anticipated that the Residence in these areas will need to be designed shallow, perpendicular to the contours; and wider, parallel to the contours in order to minimize the grade differential across the building footprint.



APPROPRIATE METHOD OF SITING A RESIDENCE TO FIT WITH THE NATURAL CONTOURS



INAPPROPRIATE SITING METHOD DOES NOT APPROPRIATELY RESPOND TO NATURAL CONTOURS

- c. No change in natural or existing drainage patterns for surface waters shall be made upon any Lot that could adversely affect another Lot, Common Area or other open space.

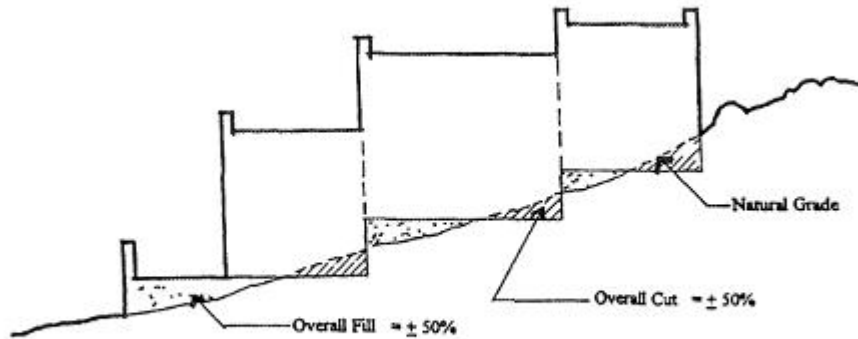
- d. No Protected Plants, as defined by the State of Arizona Department of Agriculture, shall be damaged, destroyed or removed from any Lot, although such plants within the Private Area, Transitional Area and footprint of any structure, may be relocated. Protected plants are subject to the requirements and restrictions of the State of Arizona Department of Agriculture.
- e. Screen walls, walls not supporting a building structure or retaining earth, may not exceed five feet six inches (5'-6") in height measured from the finished grade along the exterior side of the enclosure in the manner described above for retaining walls unless otherwise approved by the Committee.
- f. Decomposed granite used as a landscape material shall be 2" minus in size and shall match the color of the existing native granite specific to the Lot. Rounded pea gravel or 2" diameter and larger washed granite may not be used as a landscape or driveway material.
- g. River run rock is not allowed for rip rap or other landscape treatments. Native granite indigenous to the site is allowed.

3.7 Cut and Fill

The intent of this section is to have the Residence nestle into the natural landforms. The various landforms and slopes require different treatments of the Cut and Fill conditions to create a Residence that nestles into the existing site and appears as an extension of the natural landforms. Wherever possible, significant Cut and Fill conditions should be contained within retaining walls or within the Improvements as to avoid Cut and Fill slopes from being exposed. Cut and Fill conditions will also vary depending on whether the Residence and other Improvements are on a single level or terraced multi-levels to fit with the topography. Cut and Fill conditions are evaluated based on conditions directly under the footprint of the Residence, as well as for the overall site improvements, patios and driveways. Therefore, the following guidelines address the general Cut and Fill situations. Evaluation of a proposed Residence will be based on conformance with these Cut and Fill Guidelines. The Committee may request that the proposed finished floor elevations be adjusted due to Cut and Fill conditions regardless of compliance with Section 4.3, Building Heights. Cut and Fill conditions must meet the intent and goals of these Cut and Fill guidelines as well as their technical application. The Committee may allow exceptions, on a case-by-case basis, to the technical Cut and Fill guidelines when, in the opinion of the Committee, the objectives and intent of these Guidelines are still met.

a. Sloping Site – Terraced Levels

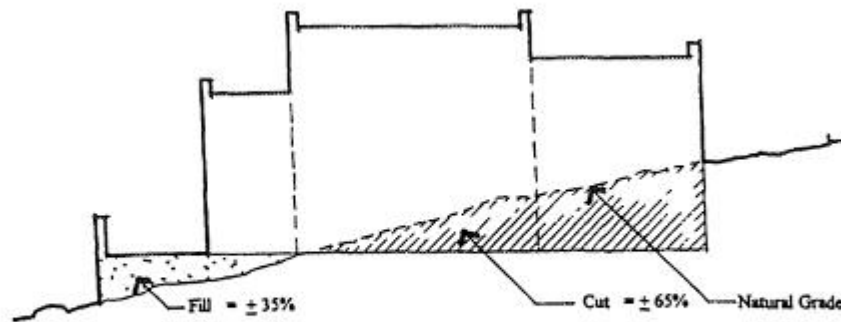
In cases where the Lot slopes generally in one (1) direction and the Residence and other Improvements are on multiple floor levels that step down with the terrain, the Cut and Fill conditions shall generally be as follows:



Sloping Site - Terraced Floor Levels

b. Sloping Site – Single Floor Level

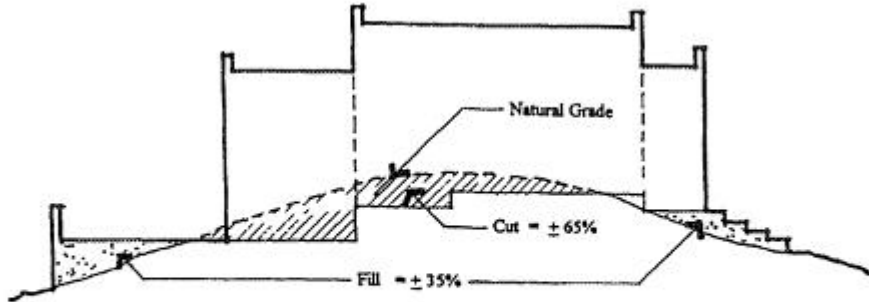
In cases where the Lot slopes generally in one (1) direction and the Residence and other Improvements are primarily on a single floor, the Cut and Fill conditions shall generally be as follows:



Sloping Site - Single Floor Level

c. Ridge or Knoll – Terraced Floor Level

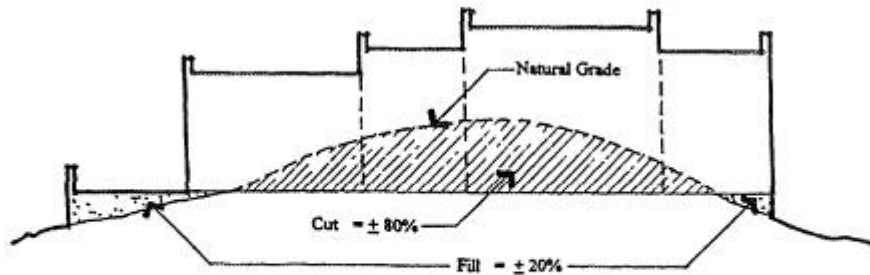
In cases where the Lot is generally located on a ridge, knoll or other high point and the Residence and other Improvements are on multiple floor levels that step down with the terrain, the Cut and Fill conditions shall generally be as follows:



Ridge or Knoll Site - Terraced Floor Levels

d. Ridge or Knoll – Single Floor Level

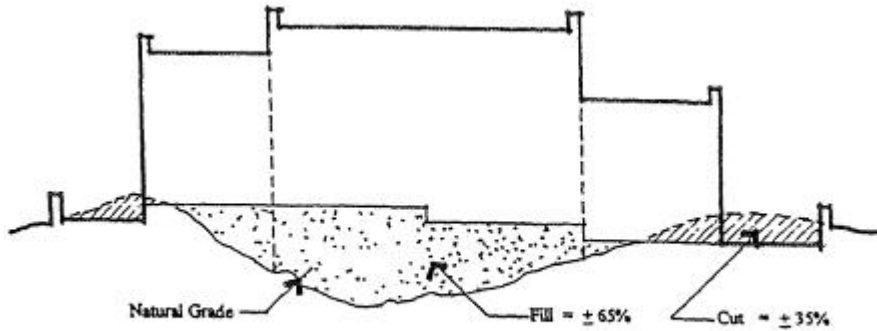
In cases where the Lot is generally located on a ridge, knoll or other high point and the Residence and other Improvements are primarily on a single level, the Cut and Fill conditions shall generally be as follows:



Ridge or Knoll Site - Single Floor Level

e. Low Center – Terraced Floor Levels or Single Floor Level

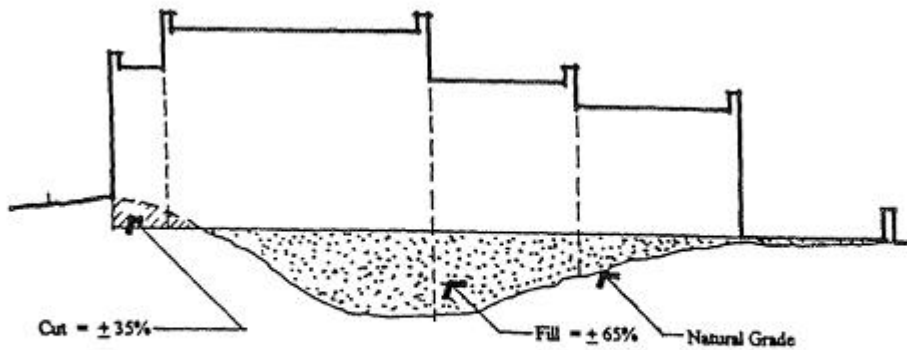
In cases where the Lot is generally located in the low area of a Lot, in a low and minor drainage way, or in similar depressed areas and the Residence and other Improvements are on either multiple floor levels that step with the terrain or a single floor level, the Cut and Fill conditions shall generally be as follows:



Low Center Site - Terraced Floor Levels - Single Floor Level

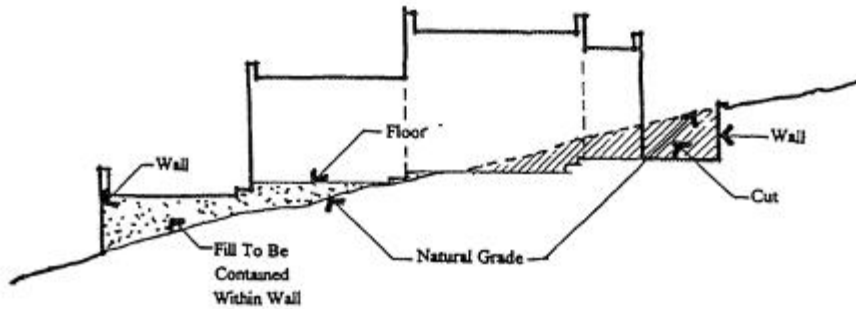
f. Low Center – Single Floor Level

In cases where the Lot is generally located in the low area of a Lot, in a low and minor drainage way, or in similar depressed areas and the Residence and other Improvements are primarily on a single floor level, the Cut and Fill conditions shall generally be as follows:

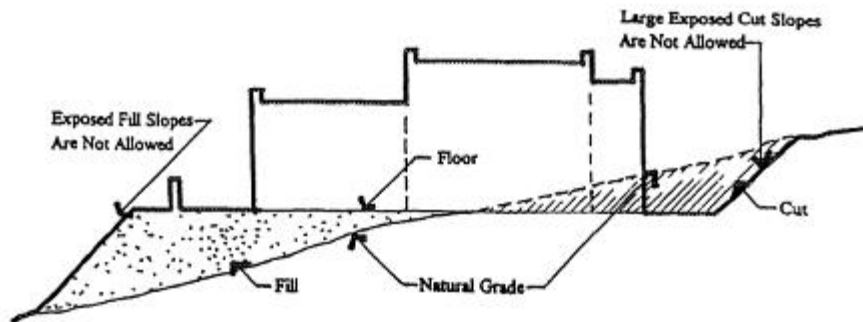


Low Center Site - Single Floor Level

- g. Cut and Fill slopes may not remain exposed following completion of construction (see sketch). "Flat pads" will not be allowed to extend beyond the perimeter of the buildings and/or site walls. Cut slopes may be regarded and naturally contoured to match existing terrain if all grading is contained within the Lot and if, in the opinion of the Committee, the regarded slope will have a natural appearance upon completion.



Approved Cut & Fill Technique



Unacceptable Cut & Fill Technique

3.8 Washes and Drainage Easements

These natural drainage ways occur frequently throughout Vista Del Corazon and should not be obstructed. Structures and other Improvements should be sited to avoid these washes, although they can be sited near the edge of a wash.

Drainage easements have been established encompassing some washes. These easements are areas of special consideration due to the potential for water flows of a high volume and must remain unaltered and unobstructed. As with any wash, Improvements should avoid these easement areas. Improvements considered to be absolutely necessary within a drainage way should be designed and

constructed to bridge these easements; however, in such cases, if required by the Committee, a backwater flood analysis prepared by a civil engineer licensed in the state of Arizona and ensuring the safety and feasibility of the design must be submitted and will be subject to review by a licensed civil engineer retained by the Committee.

3.9 Culverts

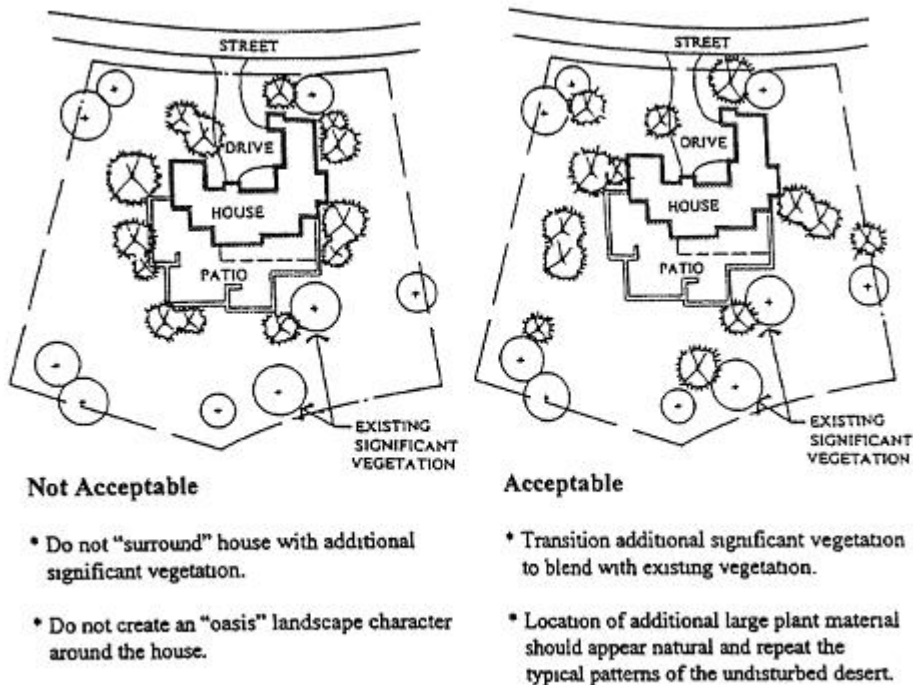
If culverts are used at any location, concrete culverts are preferred instead of corrugated metal culverts. In either case, the inside of the culvert must be painted a minimum distance of two (2) times the opening of the culvert at each end. For example, if an 18" diameter culvert is used, the included must be painted a minimum distance of 36" from each end. Colors should match the building site walls or natural earth colors. The termination of culverts, including the use of head walls, must result in a well-designed termination with finished edges. Rough, bent or chipped ends of culverts must not be exposed.

3.10 Landscape

The goal of these landscape guidelines is to ensure that developed areas within Vista Del Corazon harmonize and blend with, rather than dominate, the natural environment. This sensitive approach to landscaping will help protect and preserve the wildlife and flora that contribute to the unique experience of living within a desert environment.

The indigenous landscape palette is abundant in regard to the number of species and the variety of unusual forms it has to offer. Native trees provide shade and appropriate scale to the built environment. Native cacti and yucca provide sculptural elements and interesting texture to a landscape. Native shrubs not only provide screening and stabilization of the desert floor but provide cover for birds and other wildlife.

The terrain of the site with its steep and high ridges, in comparison to the naturally defined wash corridors, creates the two microclimatic vegetation groups that define the site. Teddy Bear Cholla, Jojoba, and Creosote are predominant on the slopes and upper elevations, while the more densely vegetated wash corridors contain Foothill Palo Verde, Ironwood and Bursage. Since this contrast of natural plant density exists, care must be taken then revegetating around built structures and disturbed areas so as not to over-landscape around the homes. This would result in the appearance of an "oasis" on the side of the slopes that would look unnatural and out of character with the natural environment. Lots on steep slopes and high ridges shall transition from the house to the Natural Areas in patterns that are typically found in native plant distribution, similar to the sketches which follow.



Like the architecture of each Residence, the landscape should be tailored to fit the unique features found on each Lot. Transitional Area landscaping may vary from Lot to Lot in regard to palette and plant densities in order to respond more specifically to the microclimate of the area. A good method for developing an appropriate landscape palette within Transitional Areas is to record the types and density of the existing vegetation prior to disturbance of the Lot.

The landscape should be considered an integral part of the architecture and should be a factor in the initial site planning process. The Natural Area surrounding each building site provides an instant “mature” landscape setting. Siting of interior spaces should take into consideration this protected landscape when orienting and framing views. Likewise, the addition and placement of the landscape materials used to restore the Transitional Area and to enhance the Private Areas should be carefully considered. Plants provide another dimension to the architecture and are useful for augmenting and/or solving architectural or harsh environmental conditions. Trees enhance a view by creating a soft framework for viewing. Trees and plants can mitigate extreme climatic conditions. Deciduous trees placed beyond a south or west facing wall will provide shade and natural cooling in the summer and will allow the sun to penetrate in the winter.

More information is available on native desert plants through several good sources in the area, including the Desert Botanical Garden and the Arizona Municipal Water Users Association. Or you may contact a landscape architect or designer with knowledge of native plants.

“Plant Material in Vista Del Corazon” (here after referred to as Plant List), obtained from the Management Company includes an extensive list of indigenous and arid-region plant materials suitable for use within Vista Del Corazon. Use of indigenous species should not be limited to Transitional Areas but should also be considered for use within the Private Areas. The Committee

may consider other plant materials that may not be listed provided they are not Prohibited and provided specific approval is obtained from the Committee.

Proposed landscape planting materials not on the Plant List must be identified on the landscape drawings as such, and the submittal must include a photograph and description of the plant for which approval is being requested. The Committee reserves the right to refuse any plant materials it feels will not be beneficial to the environment of Vista Del Corazon.

3.11 Landscape Screening of Lots 5 Through 13

In an effort to minimize the visual impact of the Residence and other Improvements and to improve the integration of the home into the western slope of Dinosaur Mountain, a minimum of four (4) mature trees, in addition to any existing trees, will be required on the west side of the Residence for Lots 5 through 12 (inclusive). These mature trees shall be of a species native to the site and shall be a minimum of twelve (12) feet in height with a minimum canopy of twelve (12) feet in diameter. Trees shall be generally placed within forty (40) feet of the Residence, as to provide visual screening of the Residence from the community without impacting views from the Residence. Trees shall be located in a natural pattern which will be subject to approval by the Committee.

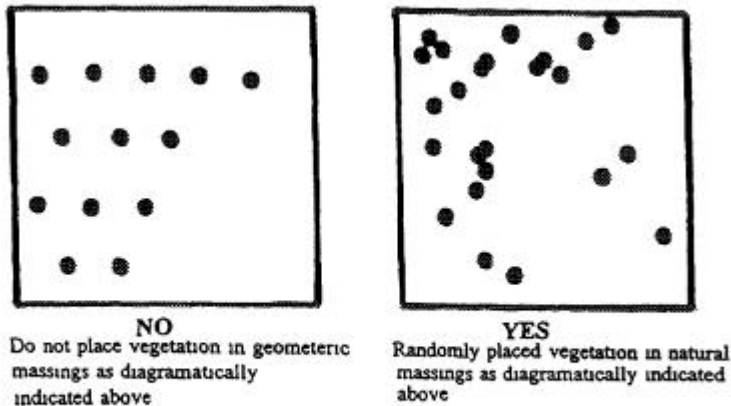
The Committee reserve the right to refuse any plant material it feels will not be beneficial to the environment of Vista Del Corazon or that negatively impacts views on the site.

3.12 Revegetation

The goal and intent of revegetation is to restore any areas disturbed by construction or grading to a natural appearance such that upon maturity of the revegetation, the area matches the adjacent natural desert and appears as though it was never disturbed. Revegetation is required for all areas that are disturbed by grading or construction and located in the Transitional Area, or any disturbed area not enclosed by the building or site walls. Revegetation includes the combined use of trees, cacti, ground cover and seed, all of which are necessary to achieve the desired results. Revegetation plant material shall be planted in a density and arrangement that is similar to the adjacent undisturbed Natural Area. This revegetation landscaping must include only indigenous species specifically identified on the Plant List.

The desert ground cover (bushes and shrubs) must be revegetated using a minimum of fifty (50) one-gallon plants per one-thousand (1,000) square feet; 25% of which shall be five-gallon size or larger. This minimum number of revegetation ground cover plants should be placed in a natural pattern, similar to the illustration below, and not in a formal or geometric pattern. As exists in nature, the species of plant material used for revegetating the ground cover should consists of a minimum of 75% of the plants as the primary ground cover species (such as Bursage and Creosote) and the remaining 25% or less as miscellaneous shrubs, bushes and cacti that are indigenous plants and on the Plant List. An assortment of too many types of plants will result in an unnatural appearance. A recommended revegetation ground cover plant mix is provided.

In addition, the use of revegetation seed mix, similar to that recommended should provide a well-designed and natural-looking area upon maturity of the revegetation plant material.



Revegetation Techniques

3.13 Irrigation

While indigenous plants and many of the arid-region plant material can survive on little or no supplemental irrigation, irrigation during the establishment period is critical. Drip systems or hand watering versus traditional spray irrigation systems are the required methods of irrigation for desert areas. Drip systems deliver water directly to the root zone. This results in lower water usage due to efficient applications, less impact to the microclimate as evaporation is decreased, and decreased weed growth as areas between shrubs are not irrigated. Spray irrigation systems shall be limited to turf areas because of the inefficiency and the effect the spray has on the microclimate. All irrigation systems shall operate on an automatic timer. Irrigation within the Natural Area is not allowed, except for special circumstances where specific approval is granted by the Committee to add additional trees in the Natural Areas. In this case, the irrigation system must be designed to be an above-ground, temporary system that will minimally impact the Natural Areas. Temporary irrigation systems established within the Transition Areas must be designed to eliminate runoff into the adjacent Natural Areas. Established native vegetation does not need irrigation, and supplemental water can lead to disease and death of many of these plants and aid the spread of undesirable plant species or weeds.

3.14 Landscape Maintenance

Each Owner is required to maintain the landscape on their Lot in such a manner that it does not become visually unattractive, overgrown, or otherwise not in keeping with these Guidelines, the applicable policies of the Association, or other provisions of the Declaration. In general, the Natural Area and the Transitional area should require minimal maintenance since they are intended to appear the same as the undisturbed desert. Maintenance in the Natural Area and Transitional Area should be limited to the removal of dead plant material, the removal of defined weeds or other undesired plant materials as discussed in the Plant List and the control of grasses through the use of appropriate methods. The landscape in the Natural Area and the Transitional Area should not have a manicured or groomed appearance and should not be kept clean of all small native grasses and plant material, exposing a bare desert floor. These areas should be maintained in such a manner that they

resemble in appearance the undisturbed natural desert. The maintenance of an area around a home that is clear of vegetation is not allowed. The maintenance of landscape within the Private Area shall be such that the plant material does not become overgrown or appear unattractive. The landscape areas between the Private Area and the Transitional Area that are not clearly divided by site walls should naturally transition the level of maintenance so as not to create a clear line of demarcation between the two zones.

The Committee and the Association reserve all rights allowed by the Declaration to cause the maintenance of the landscape in accordance with these Guidelines, including the imposition of fines.

3.15 Prohibited Plant List

The prohibited plant materials set forth in the Plant List include species with characteristics which are undesirable by reason of profuse and noxious pollen, excessive height, weed-like characteristics of excessive growth and high water demands. Under no circumstances is it permissible to plant any Prohibited Plant within Vista del Corazon.

3.16 Protected Plants

Protected Plants are those desert plants which must be protected pursuant to State regulations. Improvements should be sited to avoid these protected species if at all possible, however, they may be carefully transplanted. It is recommended that competent professionals be consulted prior to transplanting any desert plant materials. The Committee may require replacement of any plant which dies during transplanting with a plant of the same species and size. It is recommended that the Owner and Architect become familiar with all the requirements of the State of Arizona Department of Agriculture.

The following list represents the Protected Plant species native to the Vista del Corazon site. Any of the following cacti which are six (6) feet or greater in height and indigenous trees which are four (4) inches or greater in caliper shall, if in good health, be salvaged from the Lot prior to construction and transplanted elsewhere on the site.

Trees

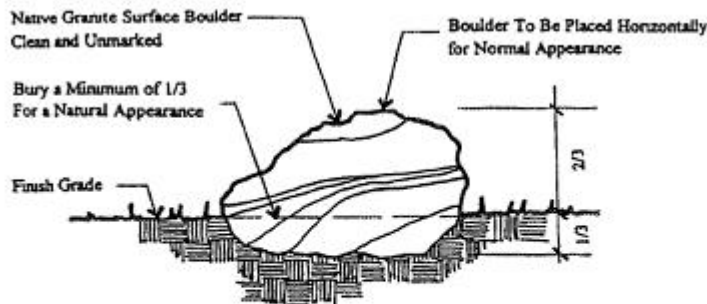
| <u>Botanical Name</u> | <u>Common Name</u> |
|------------------------|---------------------|
| Acacia greggii | Catclaw Acacia |
| Celtis reticulata | Hackberry |
| Cercidium floridum | Blue Palo Verde |
| Cercidium microphyllum | Foothill Palo Verde |
| Olneya tesota | Ironwood |

Cacti

| <u>Botanical Name</u> | <u>Common Name</u> |
|-----------------------|--------------------|
| Carnegiea gigantean | Saguaro |
| Ferocactus species | Barrel |
| Fouquieria splendens | Ocotillo |

3.17 Landscape Boulders

The use of additional boulders as part of the site and landscape design requires special attention to the scale, proportions and arrangement of the boulders. The natural sites in Vista del Corazon have few, if any, native boulders and boulder outcrops. If additional boulders are proposed for landscape purposes, they must be placed in a natural arrangement with the boulders being placed horizontal, not vertical, with a minimum of one-third of the boulder buried into the ground. The color of potential additional boulders should match the color of the exposed rock native to the Vista del Corazon area. Broken or crushed surfaces of boulders may not be exposed. Detailed design sketches and/or photographs will be required to be submitted to the Committee with the Preliminary Design Submittal and Final Design Submittal, if additional boulder features are proposed.



Boulder Placement

3.18 Mineral Landscape Features

Boulders, gravels, mineral ground covers and similar features will be limited either to materials indigenous to Vista del Corazon or to materials similar in color and appearance to indigenous materials. Decomposed granite used as a landscape material is to be a maximum of 2" minus in size and similar in color to the native ground. Washed granite that is 2" in diameter or larger is not allowed in the Natural Area or Transitional Area.

3.19 Exterior Lighting

The Vista del Corazon philosophy of the predominance of undisturbed desert extends to nighttime as well as daytime views. In order to preserve the dramatic views of the night sky, which tend to be obscured by excessive local lighting, the Committee has established the following guidelines for the residential site lighting.

Site lighting is defined as lighting mounted on the ground, in trees or on-site walls for the purpose of providing security or decorative accent lighting.

Building-mounted lighting is defined as lighting built into or attached onto buildings or walls, ceilings, eaves, soffits or fascia's for the purpose of providing general illumination, area illumination or security illumination.

- a. Site lighting (or lighting mounted on the ground) must be directed onto vegetation or prominent site features such as boulders and may not be used to light walls or building elements.
- b. Building-mounted lighting (or lighting attached to walls, ceilings, eaves, etc.) must be directed downward away from Adjacent Lots, Common Areas, streets and opens spaces, and may not be used to light walls or building elements for decorative purposes.
- c. All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not visible from neighboring property, no bare lamps will be permitted.
- d. Only incandescent lamps with a maximum wattage of seventy-five (75) watts will be allowed for exterior lighting unless specific approval is received from the Committee. Low voltage lighting is recommended, since these fixtures are typically small and can be easily concealed within the native vegetation. Colored lights will not be allowed for exterior lighting.
- e. No lighting will be permitted in Natural Areas or outside areas enclosed by patio or building walls. Site lighting (or lighting mounted on the ground) must be confined to areas enclosed by walls or be in the immediate vicinity of the main entrance to the Residence.
- f. Lighting of driveways and parking areas shall be subject to restrictions set forth in Section 3.20.
- g. Lights on motion detectors for the purpose of security illumination are strongly discouraged but may be allowed subject to specific approval of the Committee. If allowed by the Committee, these lights will only be allowed to operate on a motion detector and stay lit for a maximum of twenty (20) continuous minutes. Security lights must still meet the requirements of shielding of the light sources, and the light sources should not be visible from neighboring property. If problems with these lights occur, the Committee and the Association reserve the right to demand that the fixtures be disconnected. If allowed, care must be taken to avoid setting off the motion detector by the motion of vegetation and the movement of wildlife. These lights will not be allowed to operate for the purpose of general illumination.

3.20 Entrance Driveways

Entrance driveways should be located so as to minimize their visual impact on important natural features of a Lot such as large or significant plant materials, boulders, washes or drainage ways. Driveways shall be a maximum of sixteen (16) feet wide at the property line and shall intersect the street preferably at a right angle, but at a minimum angle of seventy (70) degrees. Driveways should

also be located in such a way as not to interfere with drainage in the right-of-way of the street. Owners are encouraged to construct single driveways. Variances for multiple driveways will be considered on a case by case basis.

Uncolored, smooth concrete and asphalt may not be used for driveway surfaces. Bomanite concrete, exposed aggregate concrete utilizing integral coloring, colored concrete, pavers or flagstone are all approvable driveway materials, provided that the colors are within the limitations of Section 4.5 of these Guidelines. Feature strips of a different material and special aggregates in exposed concrete will be reviewed on a case by case basis.

The lighting of driveways is strongly discouraged because of the negative visual impact from below. A series of lights up the foothills as viewed from a distance is not attractive to the overall Vista del Corazon community. If, in the opinion of the Committee, lights along driveways do not create visual concerns, the Committee may approve driveway lights subject to the following criteria. Light fixtures may be mounted no higher than 18" above the driving surface. The fixtures must be located on the "downhill" side of the drive and aimed toward the "uphill" side of the drive. The light source must be fully screened from below, including any light leak from the top of the fixture. Lights must only light the driveway surface and not retaining walls or landscape. The maximum foot candles allowed at any point beyond ten (10) feet from the fixture is 0.25-foot candles. Cut sheets and photometric charts of any proposed light fixtures must be submitted with the Final Design Submittal.

3.21 Parking and Garages

Each Residence shall contain parking space within the Lot for at least two (2) automobiles in an enclosed garage either attached to or detached from the main structure of the Residence. A minimum of two (2) additional exterior parking spaces must be provided to accommodate guest parking. No overnight on-street parking will be permitted for residents' vehicles or vehicles of their guests. Views of guest parking areas from Adjacent Lots, streets or other Common Areas must be mitigated and diffused by screen walls or a combination of screen walls and landscaping. Walls should be between 36" and 48" high. Landscaped berms may also be used. No unenclosed storage of recreational vehicles or boats will be permitted.

Recreational vehicles may be parked on a lot for a maximum of twenty-four hours (24) for loading, unloading and cleaning. If additional time is needed, the owner may request approval from the Management Company.

3.22 Swimming Pools and Spas

Swimming pools and spas, if any, should be designed as being visually connected to the Residence through walls or courtyards, and the visual impact must be minimized from Adjacent Lots, streets and other Common Areas, and from the on-site Natural Area. Swimming pools and spas must be constructed according to all applicable regulations, including required fence and enclosure heights. Doors and gates leading to swimming pools and spas must meet the applicable safety and closure regulations, including doors that open directly from the Residence to any pool or spa area. The color of exposed tile on a negative edge pool must be dark or match the building color. No light or bright tile colors will be permitted on negative edge pools.

Pool equipment, including all valves, filters, blowers, conduits, backflow preventers, piping and controls, must not be visible from neighboring property, streets or other Common Areas, and must be enclosed by walls and a gate or other suitable screening methods to a height of 12" minimum above the equipment.

3.23 Windscreens

If proposed, windscreens must be integrally designed into the Residence and the site improvements as to appear visually connected. If clear windscreens are proposed, glass is preferred over plexiglass or plastic. Fabric windscreens and stained-glass windscreens will not be allowed. Large amounts of windscreen may be deemed inappropriate at the sole discretion of the Committee, and therefore the amount of windscreen may be limited or not allowed. Prevailing wind conditions should be carefully considered prior to design of the Residence to avoid the need for windscreens.

3.24 Sports/Tennis Courts

For reasons of noise control and aesthetics, sports/tennis courts will not be allowed on any Lots.

3.25 Basketball Hoops

Basketball hoops and backboards may not be mounted to the walls or roof of any Residence. When specifically approved in advance by the Committee, pole-mounted basketball hoops and backboards may be approved subject to stipulations imposed by the Committee based on specific review of the request. The intent is to locate a basketball hoop and backboard in the least visible area and away from view from the streets, or other Common Areas. Basketball hoops and backboards are not allowed in yards facing the street(s). Basketball hoops and backboards are also not allowed within forty (40) feet of any property line adjacent to the golf course. Backboards must be either clear, painted to match the house, or painted flat verde green. The pole or support shall be painted black, dark brown, or dark desert green. Poles must be removable, and the basketball hoop and backboard must come down when no longer utilized. The Committee may require additional mature landscaping to screen any basketball hoops and backboards from Adjacent Lots, streets and other Common Areas. Although the general guidelines of this section may be met by a proposed application, the Committee may refuse to allow a basketball hoop and backboard if, in its sole discretion, the Committee determines a negative impact would result.

3.26 Exterior Recreational or Play Equipment

All exterior recreational or play equipment such as swing sets, slides, play structures, jungle gyms and similar equipment must meet the intent and requirements of all sections of these Guidelines, including color. This type of equipment or structures should be located in the least visible portions of the Lot. In addition, every attempt to screen this equipment or structures from view of Adjacent Lots should be made, including the installation of mature landscape. The height of this type of equipment shall be limited to a maximum of ten (10) feet above finished grade. Due to the fragile nature of the desert environment, tree houses or other play structures attached to native plants will not be allowed. All exterior recreational or play equipment requires specific approval of the Committee prior to installation.

3.27 Address Identification

Individual address identification devices for each approved Residence may be installed by the Owner of a Lot. Such devices must be subtle in design and utilize the same materials and colors as the Residence and reflect its design character. No "unique" identification devices will be permitted. No additional signage detached from the Residence will be permitted, except temporary construction signs or other signs as permitted by the Declaration and approved by the Committee. The Committee may initially, or in the future, require installation of uniform address identification devices for all Lots, including Lots with previously constructed identification devices. The design of the address identification device should be submitted with the Final Design Submittal and must be approved by the Committee before installation.

3.28 Exterior Holiday Decorations

The intent of this section is not to discourage decorating for holidays, but only to maintain a standard of quality fitting with a community like Vista del Corazon. Holiday decorations should be subtle, soft, and tasteful. Decoration displays should not have a commercial appearance and should not be "overdone". The Committee reserves the right to prohibit any holiday decorations deemed inappropriate in the opinion of the Committee for the image of Vista del Corazon.

No "lawn ornament"-type holiday decorations or plastic sculptures may be displayed on the exterior of the Residence. Decorations shall not be allowed to be mounted on roofs or located outside of the site walls. Cut evergreen trees, decorated as Christmas trees, will not be allowed on the exterior of the Residence.

Although holiday lights are allowed, no chasing, twinkling or blinking lights will be allowed. No more than five (5) trees, cacti or plants may be decorated with lights (this does not include small plants immediately adjacent to the front door or patio doors of a home). Lights will not be allowed to outline an entire home or to be located on ridges or gables of pitched roofs. No exposed spotlights will be allowed. Lights are allowed around window frames, soffit/eave lines and landscaping (as noted above). Electrical luminarias will be allowed along driveways and patios, but not on roofs or parapets. Paper luminarias with candles are not allowed due to potential fire danger.

Exterior holiday music is not allowed except for exterior music for personal and social enjoyment at the outdoor living spaces, (i.e., patios, terraces, pool, etc.), provided it does not disturb other Owners and subject to any restrictions in the Declaration.

Christmas decorations will be allowed between Thanksgiving and January 7th. No Christmas decorations are allowed before Thanksgiving and all must be removed by January 7th. Decorations for other holidays may be installed no more than two (2) weeks prior to the holiday and must be removed within one (1) week after the holiday.

Section 4 Architectural Design Guidelines

The following architectural standards have evolved in response to climatic, environmental, visual and aesthetic considerations in Vista Del Corazon.

4.1 Design Character

These Guidelines do not intend to dictate architectural style for the design of a Residence within Vista del Corazon, although all designs must be of a character appropriate to the environment, climatic, conditions and community context. The Committee encourages creative architecture but warns against architectural styles that are not appropriate for the desert or community context.

The design character or “style” of all Residences and other Improvements must be appropriate to this visible desert location. These Guidelines intend to allow design flexibility for individual Owners yet ensure that the result of this design flexibility does not adversely impact the visual appearance of the natural terrain from Adjacent Lots, Common Areas or the overall Vista del Corazon community. The overall goal is to create homes that blend into the natural terrain and have as little visual impact as possible when viewed from the areas of Vista del Corazon. The less of the house that is noticeable from a distance, the better it achieves the goal of minimizing the visual impact.

While some designs may be “good” examples of architecture in themselves, if, in the opinion of the Committee, the design is not appropriate for the environmental context, the community context, and the overall visual context, it may still not be approved.

Although architectural “style” is not dictated, there are numerous principles of good architectural design that should be considered and included in the design of a Residence in Vista del Corazon. To facilitate in the explanation of these principles, the following guidelines are provided:

- The use of textural materials such as stone and masonry help to reduce the visual impact and scale of a Residence. As noted in this section, multiple exterior finish materials are required for Residences. The use of textural materials can dramatically improve the quality of a design when appropriately used. Stone and masonry elements should be used as strong “masses” and not thin planes, veneers or floating elements.
- The use of board overhangs can create dramatic voids, deep recesses and strong canopies as well as provide protection from the weather and sun.
- The use of proportions that emphasize the horizontal instead of the vertical are required. Horizontal proportions will help keep the house from appearing too tall or vertical.
- The use of broad overhangs, recessed voids, sheltered windows and well-articulated massing will create strong shadow lines with deep recesses. These shadows and recesses improve visual appearance of a house significantly, particularly when viewed from a distance.

Many design elements that have been widely used throughout the southwest may not be appropriate for Vista Del Corazon and should be avoided. Some of these elements include:

- Very dominant mass elements that are boxy or imposing on the overall composition should be avoided.

- Dominant horizontal lines only or dominant vertical lines only should be avoided. To create a design with repose, the vertical and horizontal elements should be composed to properly engage each other. Too much vertical or too much horizontal will not achieve a balanced design.
- Large expanses of monolithic materials, such as large unbroken walls of stucco, long continuous retaining walls, or other large elements composed of a single material should be avoided.
- Long stuccoed parapets over covered patios should be avoided. Long continuous parapets need the relief of other materials or intersecting masses or planes.
- Boxy forms or an arbitrary collection of boxy forms should be avoided. Simple parapet flat roofs arbitrarily composed may be considered inappropriate by the Committee since they lack shade, shadow, recess and repose.
- Long continuous lines or small chopped-up masses should be avoided.

The design character should create a Residence that blends with its environment instead of standing out against it. The design character of a Residence should be considered from all sides (including roofs), not just the front or rear elevations, and all elevations should maintain the same visual integrity, cohesiveness and design detail. All designs should be textural with the use of multiple exterior materials, natural elements and complementing colors to avoid monotone or “vanilla” homes.

The design and construction of all Residences and other Improvements must incorporate the use of at least two (2) different complementing materials on the exterior wall surfaces (in addition to roof and driveway materials), unless otherwise given specific approval by the Committee. The secondary or accent exterior wall material must cover at least twenty percent (20%) of the exterior building surface. These complimenting materials must be carefully articulated into an integrated whole and should not result in a home that appears like two (2) different structures forced together. The use of natural materials such as stone and adobe are strongly encouraged. Thin veneers of mass materials such as stone and adobe should be avoided, but instead these materials should be placed in natural mass forms that are true to the natural formations or authentic use of these materials and tie to the natural terrain.

Monochromatic color schemes will not be allowed, unless otherwise given specific approval by the Committee. The suggestion for at least two different complimenting exterior wall materials will naturally create complimenting color variations. In addition, the colors of fascia’s, roof materials, window frames, railing, etc., should be carefully selected to create a well composed palette of colors and textures that appear as an integrated visual composition.

The integration of pitched roofs and flat roofs into the overall home design can add visual depth to the Residence, create welcoming shaded spaces, and add color and texture to the overall composition. Structures that consist of only one bold mass or block forms are discouraged. The design of a Residence should carefully integrate mass forms with the overhangs, roof forms, site walls and landscape into a well-composed whole

The intent of this section is to create homes that have greater visual texture and depth, strong shade and shadow lines, and natural appearance, and homes that blend with the existing environment and community context.

Special attention should be given to the following areas in the design of a Residence:

- Topographic conditions
- Visibility from the community below (where applicable)
- View orientation
- Solar orientation
- Natural vegetation
- Natural drainage patterns
- Location of neighbors or potential neighbors
- Orientation to the play of golf (where applicable)

All of the above stated design guidelines and principles are best embodied in a “Desert Contemporary” style of architecture. This style represents textural materials, anchoring masses, engaged forms, clean line, deep shadows, expressed structure and harmonious balance in a design character that is fitting to the dramatic natural environment. Consult with the Design Review Committee for examples of architectural character that achieves the goals of these Guidelines.

4.2 Building Sizes

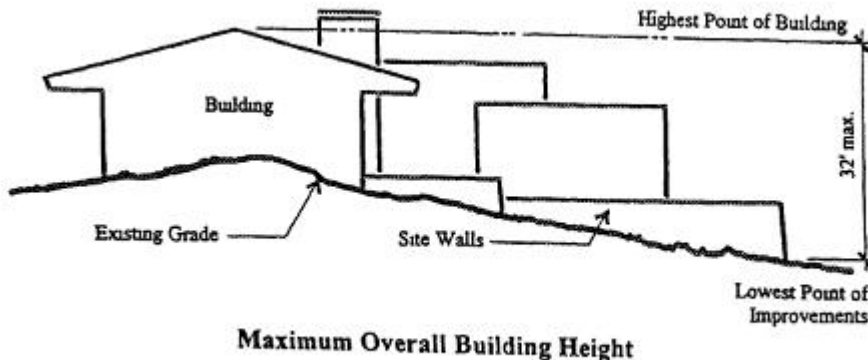
It is expected that Residences will contain at least three thousand (3,000) square feet of enclosed, conditioned living area, and a maximum of ten thousand (10,000) square feet of total enclosed area, including garages; however, smaller or larger Residences may be approved by the Committee, if, in its opinion, the design would not result in a Residence which would be out of character with the other Residences in Vista Del Corazon or the context of the overall Vista Del Corazon community.

4.3 Building Heights

The terrain of Vista Del Corazon is varied and unique, with steep slopes, ridges, knolls, valleys and other changes in elevation, making absolutely uniform applicability of height restrictions for Residence inadvisable. These Guidelines are intended to discourage and/or prevent any Residence or other structure which, in the opinion of the Committee, would appear excessive in height when viewed from a street, other Common Area or other Lot, and/or which would appear out of character with other Residences because of height. Consequently, despite the maximum heights generally permitted as hereinafter specified in this section, the Committee, even though a proposed Residence or other structure may comply with said maximum height Restrictions, nevertheless may disapprove a proposed Residence or other structure if, in the opinion of the Committee, it would appear excessive in height when viewed from a street, other Common Area or other Lot, and/or would appear out of character with other Residences or undesirably prominent because of height. These considerations are particularly important with Residences constructed along tops of ridges or knolls where, without limiting this generality, the Committee could refuse to allow any portion of the Residence or other structure to exceed the standard maximum heights hereinafter provided.

Because the desert vegetation is low, rarely ever exceeding twenty (20) feet in height, and because the Vista Del Corazon philosophy envisions Residences that tend to blend with, rather than dominate, the environment, single-story multi-level buildings that relate to the natural contours of the Lot are encouraged. Residences may be sited partially below grade. The height of all Residences and other Improvements is limited by a series of allowable dimensions, all as described below. A summary diagram is provided to illustrate the application of each dimension. The Committee may require adjustments be made to proposed Finished Floor Elevations as described in Section 3.7 of these Guidelines regardless of building height compliance.

- a. **Sloping Height:** In addition to the other height requirements in this section, no portion of the Residence or other Improvements, except for the chimney, may exceed a height of 25'-0" above the existing natural grade. This height is measured vertically at any point of the Residence or Improvement to existing natural grade immediately below that point. Due to the unique and varied topography, the Committee may approve, on a case-by-case basis and in its sole discretion, increases in the sloping height limitations.
- b. **Overall Building Height:** The overall height of a Residence or Improvement shall not exceed 32'-0" measured in a vertical plane from the highest parapet or roof ridge to the natural grade at the lowest point adjacent to the building exterior inclusive of site retaining walls, patio walls, and pool walls. In special circumstances involving conditions which do not conflict with applicable County ordinances, the Committee may approve, on a case-by-case basis and in its sole discretion, overall vertical dimensions which may exceed the 32'-0" limitation.

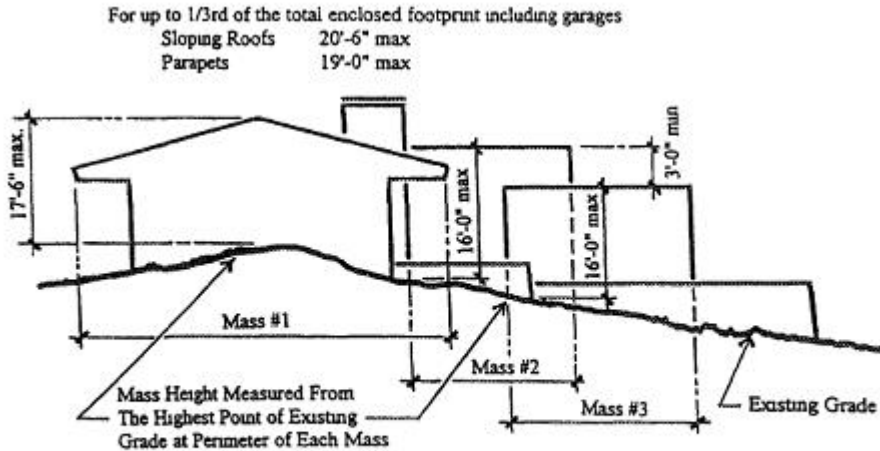


- c. **Massing:** Scale and proportion in the desert can be deceiving. Small structures can at times appear large and dominating against the low vegetation and landforms. Therefore, proper massing will reduce the scale of a large structure and create building texture that will help to blend the Residence with its environment.

Unless otherwise specifically approved by the Committee, each Residence shall be composed of at least three (3) visual building masses of differing heights as viewed from any elevation. Homes larger than five thousand (5,000) square feet, excluding garages, shall be composed of at least four (4) visual masses of differing heights as views from any elevation. To be classified as a visual building mass, the mass shall have a minimum depth and width of 20'-0" and be a

minimum of five hundred (500) square feet in area. Depth and width dimensions shall be measured perpendicular to each other. Very large or dominating individual building masses, in particular those created by sloping roofs, are discouraged. Therefore, no individual building mass shall have an area larger than two thousand five hundred (2,500) square feet, or a single dimension large than 80'-0" unless, in the opinion of the Committee, a larger mass does not appear to be excessive in size.

- d. Mass Heights: The maximum height of any individual building mass of a Residence may not exceed 16'-0" measured to the tops of surrounding parapets on flat roofs, or 17'-6" measured to the top of the ridge on sloping roofs, except that a maximum of one-third (a) of the area of the overall enclosed building footprint, including garages, may exceed these limits to a maximum of 19'-0" measured to the top of surrounding parapets on flat roofs, or 20'-6" measured to the top of the ridge on sloping roofs. (See illustrations.) Single slope of "shed" roofs shall conform to the height limitations for flat roofs. Height shall be measured vertically from the highest adjacent natural grade at the perimeter of each building mass.

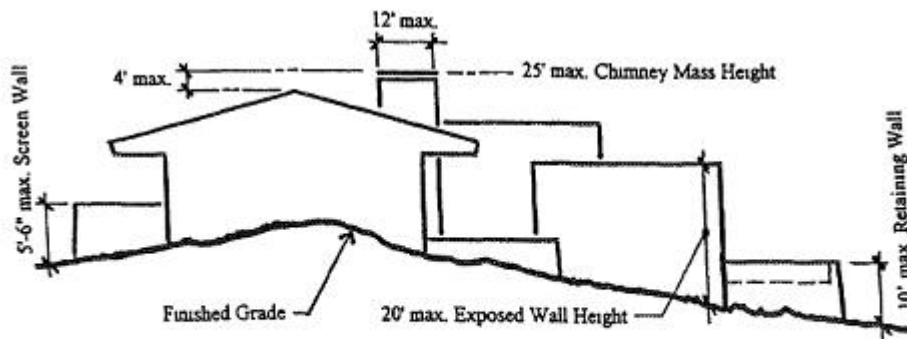


Massing and Mass Heights

- e. Difference in Mass Heights: Unless otherwise specifically approved by the Committee, the required three (3) or four (4) visual masses shall vary in height vertically by a minimum of 3'-0" from any adjacent mass or masses.
- f. Exposed Wall Heights: In no case shall a wall have an unbroken height of more than 20'-0" measured vertically from the finished grade at its lowest point along the wall to the top of the wall. Additional height may be achieved if an additional wall or site wall is created and set back a minimum of 6'-0" from the high wall, subject to the limitations of the governing criteria in these Guidelines and if approved by the Committee. Door and window penetrations and applied banding or textured relief in a wall plane do not change the measurements of an unbroken wall height.
- g. Articulation of Massing: All height limitations are rudimentary criteria which form the basis of the general massing only. For examples, in addition to the overall massing which must step with the terrain, it is expected that all elevations will not only take advantage of the view from

within the Residence but will provide pleasant views from all surrounding areas. All side and rear elevations are expected to be articulated to break up the façade into smaller elements, as well as add the richness of shade and shadow. Large blank walls will not be allowed. While the specific design is a matter for each individual Architect, failure to provide this articulation and richness may be grounds for rejection of the design by the Committee.

- h. Chimney Mass: Chimneys may be constructed to a height not to exceed 25'-0" measured vertically from the highest natural grade adjacent to the chimney mass. Unless otherwise approved by the Committee, the height of a chimney mass may not exceed 4'-0" above the highest point within 10'-0" of that chimney mass. A chimney mass may not exceed an overall horizontal dimension of 12'-0" in any one direction, unless otherwise specifically approved by the Committee.



Additional Height Restrictions

- i. Retaining Wall Height: In no case shall the height of a retaining wall exceed 10'-0" measured vertically from the lowest point at finished grade adjacent to the highest point of the wall along the exterior side of the enclosure. Retaining walls shall include any walls that retain or hold back earth more than 2'-0" in depth. The Committee, on a case-by-case basis, may consider overall retaining wall heights which exceed the 10'-0" limitation described above. Where justified by topographic conditions and where the extra height causes no adverse visual impact, an overall height of up to 16'-0" may be achieved by use of more than one (1) retaining wall, provided a minimum planting area of 10'-0" is provided between the two (1) walls. Open railings up to an additional 3'-0" high may be allowed on top of a maximum 10'-0" tall retaining wall, subject to approval by the Committee. These railings, if allowed, must be integrally designed into the Residence and be at least 75% open. Any retaining walls allowed over ten (10) feet in height shall be visually softened with either mature landscaping consisting of indigenous trees and large shrubs, and/or utilization of a different texture and/or material for a portion of the wall.
- j. Screen Wall Height: In no case shall the height of a screen wall or site wall exceed 5'-6" measured vertically from the lowest point at finished grade adjacent to the wall to the highest point of the wall along the exterior side of the enclosure, unless otherwise specifically approved by the Committee.

4.4 Roofs

Since roofscapes will form an important part of the visual environment, they must be carefully designed. It is intended that neither flat roofs nor pitched roofs predominate.

Pitched roofs shall be hipped or tie into the building masses and may have a maximum slope of 4 to 12, unless otherwise approved by the Committee. Mansard roofs are prohibited; however, the Committee shall have the authority to approve partial gable or shed roofs when, in the opinion of the Committee, they do not add to a Residence's visual massiveness. Typically gable-end roofs are not allowed, unless in the opinion of the Committee, the gable-end is an attractive design element. Dominant roof colors such as white and red or reflective roof surfaces are prohibited. Skylights are prohibited on pitched roofs. Red-clay tile and asphalt shingles are prohibited. The finishes of metal roofs must be matte. A document "Roof Material" obtained from the Management Company, provides those sloped roof materials which the Committee has approved for use within Vista Del Corazon.

In the case of built-up roofs, all lap joints, seams or patches must be coated with an aggregate or ballast matching the roofing aggregate or ballast. Any joints, seams or tar patches shall be coated to match the adjacent roof surface and not be obvious. Parapets must return and end in an intersection with a building mass. Flat roofs should be surrounded by parapets a minimum of 10" above the adjacent roof surface, but in no case higher than 36" above the adjacent roof surface. Flat roofs that do not have parapets are discouraged, although may be approved by the Committee if such roofs are free of any skylights, roof penetrations, roof vents, plumbing vents, etc. and, if in the opinion of the Committee, any drainage crickets are not distracting to the overall design character of the Residence.

Roof-mounted mechanical equipment and antennas are prohibited.

The design of a Residence with a combination of flat and sloping roofs can create dramatic homes with appropriate massing and texture. The use of this combination takes skilled design understanding, and, if not properly designed, can lead to the appearance of two separate styles pressed together without integration or repose. The Committee may, at its sole discretion, reject any design in which it feels the sloped and flat roofs are not integrated into a harmonious whole.

The Committee strongly recommends that sloping roofs be designed as sheltering and shading elements with broad overhangs and strong shadow lines. Thin edges or thin fascia's should be avoided on sloping roofs, as should sloping roofs with minimal or no overhangs. Sloped roof materials should be textural with very dark or deep color tones. Flat roof colors shall meet the requirements of these Guidelines regarding color and it is strongly recommended that the color of flat roof material and associated flashing match the color of the building. In any case, the color of the inside of the parapets should be the same across the entire vertical surface (i.e., paint the flashing and vertical roof material to match the parapet wall).

4.5 Colors

All exterior colors of the Residence and other Improvements shall have a light reflective value (LRV) less than or equal to forty (40). This information is available from most paint manufacturers. A

limited color palette has been recommended for Residences within Vista Del Corazon and a current list of approved colors may be obtained from the Community Manager. The colors were chosen to blend with the natural colors of the vegetation and mountains as seen from a distance. Colors leaning toward the yellow, orange or blue hues are discouraged, even if they have an acceptable LRV. Subdued accent colors may be used subject to approval by the Committee. Flat roofs must be surfaced with a material whose color harmonizes with the natural desert but does not contrast with the building walls, or they may be painted to match the building walls. Colors for exterior artwork, sculpture or any other special features should also be muted tones chosen to blend rather than contrast with the Residence and its surroundings. The colors that meet the criteria of this section may be approved by the Committee on a case-by-case basis.

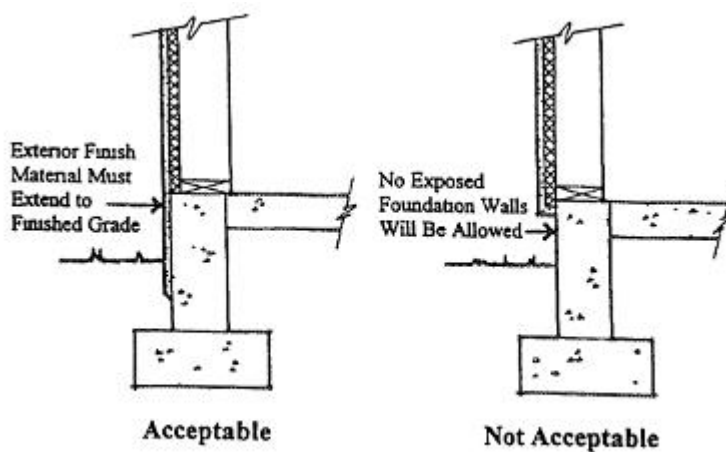
4.6 Reflective Finishes

No highly reflective finishes, except glass, which may not be mirrored or opaque, and door hardware, shall be used on any exterior surfaces, including exterior artwork and sculpture.

4.7 Materials – Exterior Surfaces

Exterior surfaces must generally be of materials that harmonize with the natural landscape. Stucco, stone masonry, painted slump block, adobe block, sandblasted block or integrally colored split-face concrete block should be the predominant exterior surfaces. They provide an outer surface to withstand the climate extremes and their use is encouraged as the combination of materials provides a textural context that breaks down visual massing in much the same manner that the variety of the desert itself breaks up the large expanses. Large amounts of wood will not weather well in desert conditions and are strongly discouraged. In addition, red brick is not considered harmonious with the desert and will not be approved.

Exterior finish materials including stucco on all building walls, site walls and screen walls must be continued down to below the finish grade, thereby eliminating unfinished foundation walls.



4.8 Building Projections

All projections from a building, including, but not limited to, chimney caps, vents, gutters, scuppers, downspouts, utility boxes, porches, fencing, railings and exterior stairways, shall match the colors of the surface from which they project or be an appropriate accent color, unless otherwise approved by the Committee.

4.9 Antennae and Satellite Dishes

There shall be no antennae or satellite dishes of any sort installed or maintained which are visible from neighboring property, except as expressly permitted by the Committee.

4.10 Skylights

Skylights can add natural light to interior spaces of a home, but they can also cause problematic light discharge and reflection from roofs. Therefore, a maximum of eight (8) skylights and/or a maximum of forty (40) square feet of total area of skylights, whichever is more restrictive, may be permitted on any Residence. Skylights must be surrounded by parapets, and the parapets must be at least 12" above the highest point of any skylight. It is recommended that the skylights be placed in such a manner as to maximize the screening effect of the parapets from views from Adjacent Lots, streets and other Common areas. Skylights must be either tinted bronze or grey. White or clear skylights will not be allowed. Skylights should be the low-profile type and should be located as to minimize their visibility from other Lots, particularly those located at a higher elevation, and they should not cause any objectionable glare or reflections. Skylights are not allowed on pitched roofs or flat roofs that are not surrounded by a parapet. Uplighting in skylights is not allowed.

A note must be placed by the Architect on the roof plan or other applicable plan in the final construction drawings indicating that parapets must be a minimum of 12" above the highest point of any skylight.

4.11 Windows

Windows should be located and sized so as to limit heat gain to the Residence's interior and not cause any objectionable glare at any time, day or night. The use of overhangs, deep window opening recesses and other shading devices is encouraged. In any case, the plane of the glass must be recessed a minimum of 3" from the exterior wall face. "Pop outs" around windows will not be allowed unless, in the opinion of the Committee, the window surround is treated as a mass element.

Glass block has the same constraints as listed above for windows. Glass block shall be limited to no more than 32 surface square feet per location and no more than 72 surface square feet total per Residence, unless otherwise approved by the Committee. Glass block is not allowed in decorative patterns or shapes. Colored glass block is not allowed.

The use or addition of fabric-type awnings, exterior sunshades or other shading devices that do not appear integrated into the design of a Residence is strongly discouraged and can only be allowed if, in the opinion of the Committee, the element is integrally designed into the character of the Residence

and other Improvements and it does not have a negative impact on the overall visual harmony of Vista Del Corazon. Sun control and shading demands should be analyzed with the initial concepts and designed as an integrated part of the Residence through the use of correct solar orientation, broad roof overhangs, shading masses and deeply recessed windows. In general, the attachment of shading devices to the Residence is not considered an integrated solution. If allowed by the Committee, these shading devices must meet the requirements set forth in Section 4.5 Colors.

4.12 Interior Lighting

Windows can also create a contrast problem at night if interior lighting is not properly designed or installed. If clerestory windows are combined with soffit lighting, the lamp must be screened from view from outside, including above, and directed away from the window. The lamps of interior soffit lighting must not be visible from neighboring property. Soffit and interior lighting, that creates “hot spots” when the light reflects off of walls or ceilings, should be avoided. Interior lighting may not be directed up into any skylights.

4.13 Patios and Courtyards

Patios and courtyards should be designed as an integral part of the Residence, so they can be shaded and protected from the sun by roofs and building masses. These open areas can take advantage of natural air flows to produce cooler temperatures. By orienting these outdoor spaces inward, disturbance of the desert will be minimized. Outdoor firepits and outdoor fireplaces must be gas burning only due to concerns about fire danger. Wood-burning outdoor firepits or outdoor fireplaces will not be allowed.

4.14 Patio and Courtyard Furniture

In order to maintain the visual integrity of Vista Del Corazon, all patio and courtyard furniture, including umbrellas, must meet the intent of Section 4.5, “Colors”. White or brightly colored patio and courtyard furniture and accessories will not be allowed. These standards shall also apply to patio or exterior furniture on rooftop decks. Umbrellas will be allowed on rooftop decks.

4.15 Solar Energy

Committee approval of solar energy devices is required. The Committee will adhere to all state laws related to solar energy devices.

4.16 Screen Walls / Site Walls

Screen walls should be a visual extension of the architectural design of the Residence. They may be used to separate the Private Areas from the Transitional Area and as screening for parking and service areas. They may not be used to delineate property lines or to arbitrarily delineate the Transitional Area from the Natural Area. The colors of walls must conform to the color standards described in these Guidelines.

4.17 Service Yard

All above-ground garbage and trash containers, clotheslines, mechanical equipment, pool equipment and other outdoor maintenance and service facilities must be completely screened by walls and gates, at least one (1) foot higher than the equipment, from adjacent lots, streets or other Common Areas. Gates or a “maze” entry that provides complete screening shall be required around all mechanical and pool equipment enclosures. The Committee may, at its sole discretion approve the use of landscape to screen mechanical and pool equipment if it can be demonstrated that sufficient screening can occur.

4.18 Guest Houses, Guest Suites and Accessory Buildings

Such structures must be designed as a single visual element with the Residence and should be visually related to it by walls, courtyards or major landscape elements. A free-standing Guest House may not exceed 1,000 square feet, unless otherwise approved by the Committee and it must comply with applicable County zoning regulations. A free-standing Guest House or accessory building can be constructed on any Lot, with approval from the Committee, provided that all Improvements meet the requirements of these Guidelines. A Guest Suite may be incorporated into any Residence. No Guest House or Guest Suite may be leased or rented, separate and apart from the lease or rental of the main Residence.

4.19 Storage Tanks

All fuel tanks, water tanks or similar storage facilities shall be shielded from view from adjacent lots, streets or other Common Areas by walls or structures, or shall be located underground with all visible projections screened from view from adjacent lots, streets or other Common Areas.

4.20 Signage

Signage can become a visual nuisance if not limited, therefore all security, pool, construction, financing, for sale and other similar signs utilized for advertising or otherwise are prohibited within Vista Del Corazon, except as follows:

- a. Address Identification devices described in Section 3.27 of these Guidelines
- b. Temporary Construction Signs described in Section 5.15 of these Guidelines
- c. Standardized “For Sale” Signs for all lots that have not been built upon. These signs shall be limited to no greater than eighteen by twenty-four inches (18x24). No more than one (1) industry standard size rider may be attached to the “For Sale” or “For Rent” signs.
- d. Standardized “For Sale” or “For Rent” Signs for homes that are for sale or rent. These signs shall be limited to no greater than eighteen by twenty-four inches (18x24). No more than one (1) industry standard size rider may be attached to the “For Sale” or “For Rent” signs.
- e. Any signs allowed by the Declaration or required by State or County Regulation.

The Committee reserves the right to make exceptions as it deems appropriate.

4.21 Flagpoles

Due to visual concerns of the overall community as well as the desire to blend with the natural desert, free-standing flagpoles are allowed only if owner receives prior written approval from the Committee. Flagpoles may not exceed 25 feet in overall height, may not be reflective, and owners are encouraged to use telescopic flagpoles that do not have noisy hardware. The display of the American flag and all other flags protected by AZ State Law is permitted. All approved flags must be removed daily per the flag code.

4.22 Radon Gas Protection

Although there has been no indication that significant amounts of radon gas are present in the soil of Vista Del Corazon, the Committee recommends that each individual Lot be tested by a competent professional for the presence of radon gas. If a determination is made that a radon gas protection system is needed, the design professional should be made aware of this and include it in the design of the Residence.

4.23 Columns

In keeping with the intent of the visual strength in the architectural design, column proportions are critical. Thin columns tend to visually appear weak. Columns must have a minimum dimension of 12" in diameter or width in both directions and have a minimum slenderness ratio of 1 to 8. (i.e., an 8'-0" tall column must be 12" wide and a 12'-0" tall column must be 18" wide). The Committee may grant exceptions to this guideline if determined by the Committee to be appropriate to the specific design. The patterns and spacing of columns must also relate to the design character of the house. Arbitrary and random column spacing will not be approved.

4.24 Garages

Every effort should be made to minimize the impact of the garage and garage door(s) and therefore it is strongly recommended that garage doors do not face the street. Careful siting and driveway orientation can ensure that a garage is recessed from view from the street and adjacent lots. In an effort to minimize garage impact, no more than three (3) garage stalls (i.e., three (3) single doors or one (1) single and one (1) double door) will be allowed adjacent to each other in a continuous plane. Two (2) double garage doors may be placed adjacent to each other if they are offset by a minimum of six (6) feet horizontally and they do not face the street. In any case, no more than four (4) garage stalls will be allowed on any Residence including Guest Houses and accessory buildings, unless otherwise approved by the Committee. The appearance of the garage door must blend with the home design. Ornate garage doors are strongly discouraged.

4.25 Unique Exterior Features

Unique exterior features including, but not limited to, entry arches, decorative gates, glass patterns, railings, stairs, roof decks, enclosures, shade structures, ramadas, fountains, gazebos, cabanas, exterior fireplaces, exterior artwork and sculpture, and the like must be designed as an integral part of the Residence. Requests for approval of unique exterior features should include detailed design information including sketches, cut sheets, photographs, etc. as part of the Preliminary Design Submittal and the Final Design Submittal for approval by the Committee. Exterior stairs must match deck railings if attached to deck and must be decorative and stylistic.

Specific restrictions include:

- a. Exterior stairs and, specifically, circular stairs and ladder-type stairs, must be screened so they are not visible from neighboring property with a solid wall; open railings and exposed treads are risers on exterior stairs will not be allowed.
- b. Outdoor fireplaces, firepits or similar items shall be gas fueled only due to concern of fire danger.
- c. Fountains or water displays shall be limited in height to no higher than five (5) feet above the grade at which they are located and must be screened for they are not visible from neighboring property.
- d. Exterior artwork and sculpture shall be limited in height to no higher than ten (10) feet above adjacent finished grade or floor including any stands or pedestals. Exterior artwork must conform to the color standards of these Guidelines and shall not be visible from the golf course.

Section 5 Construction Guidelines

In order to ensure that the natural desert landscape of Vista Del Corazon is not unduly damaged during construction, the following Construction Guidelines must be made part of the construction contract documents for each Residence or other Improvements on a Lot. All Builders and Owners shall be bound by these Guidelines and any violation by a Builder shall be deemed to be a violation by the Owner of the Lot.

The Committee has determined that policing of building sites during construction will be done by Committee Members, the Board of Directors and the Community Manager. Violations of the Construction Guidelines or any conditions of final approval which are discovered will be reported to the Community Manager, who will send a letter to the Builder involved. Copies of the letter will be sent to the Lot Owner.

5.1 Required Security Bonds and/or Deposits

Depending on the nature of the Project, Application Fees and Security Deposits may apply. For details related to this subject, please see the most recent resolution of the Board of Directors regarding required security bonds and/or deposits.

5.2 Occupational Safety and Health Act Compliance (OSHA)

All applicable OSHA regulations and guidelines must be strictly observed at all times.

5.3 Construction Trailers, Portable Field Offices, Etc.

Any Owner or Builder who desires to bring a construction trailer, field office or the like to Vista Del Corazon shall first apply for and obtain written approval from the Committee. To obtain such approval, the Owner or Builder shall submit a copy of the site plan with proposed locations of the construction trailer or field office, the portable toilet and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction. No signage shall be allowed on any construction trailers and the color of any construction trailer or field office shall comply with Section 4.20 of these Guidelines. The construction trailer, if any, portable toilet, construction material storage and dumpsters must all be contained within the chain link fence.

5.4 Fencing

To protect the Natural Area of a Lot from damage due to construction operations, a chain link fence at least five (5) feet high shall be installed to completely enclose the construction area prior to starting any footing or foundation work. The fence shall follow or be within the Lot. The fence shall have a single entrance located at the driveway entrance and shall be maintained intact until the completion of construction. The construction trailer, if any, portable toilet, construction material storage and dumpsters must all be contained within the chain link fence. In special cases the Committee may allow materials to be stored outside the chain link fence when specifically approved in advance by the Committee. Any variation to this requirement must be approved by the Committee.

5.5 Debris and Trash Removal

Builders shall clean up all trash and debris on the construction site at the end of each day. Trash and Debris shall be removed from each construction site frequently and not be permitted to accumulate. Lightweight material, packaging and other items shall be covered or weighted down to prevent their being blown off the construction site. In no case may debris and trash be allowed to exceed the top of the dumpster. The Committee reserves the right to assess fines to Builders and Owners who fail to prevent debris from blowing or being disposed of on other Lots or Common Areas. Builders are prohibited from dumping, burying or burning trash anywhere on Vista Del Corazon except as expressly permitted by the Committee. During the construction period, each construction site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting other Lots or any open space. Unsightly dirt, mud or debris resulting from activity on each construction site shall be promptly removed and the general area cleaned up.

Dumpsters or other waste receptacles must be located within the Lot and within the fenced construction site or in areas specifically approved in writing by the Committee. For physically constrained site, smaller dumpsters with more frequent removal may be necessary in order to fit the dumpster within the construction fencing.

5.6 Washout and Cleaning

Washout of concrete trucks or the washout and cleaning of any equipment by masons, plasterers, painters, drywallers, etc. must be contained within each Lot. Washout or cleaning residue shall not be allowed to flow off of the Lot or into washes, drainage ways or any Natural Area locations on the Lot. Fines may be imposed against a Builder and/or its Builder's Bond for any violations to this provision. The Builder will also be responsible for restoring the damaged area to its natural state.

5.7 Sanitary Facilities

Each Builder shall be responsible for providing and maintain adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the Lot and within the fenced construction site or in areas specifically approved in writing by the Committee.

5.8 Vehicles and Parking Areas

Construction crews shall not park on, or otherwise use, other Lots, Common Areas or any other open space. Private and construction vehicles and machinery shall be parked only within the Lot and the fenced construction site or in areas designated by the Committee. All vehicles shall be parked so as not to inhibit traffic on adjacent streets. Parking of construction vehicles and equipment on the streets overnight is prohibited unless otherwise approved by the Committee or the Association.

Each Builder shall be responsible for its subcontractors and suppliers obeying the speed limits posted within Vista Del Corazon. Fines may be imposed against the Builder and/or its Builder's Bond for repeated violations. Adhering to the speed limits shall be a condition included in the contract between the Builder and its subcontractors/suppliers.

5.9 Excavation Materials

Excess Excavation materials must be hauled away from Vista Del Corazon and disposed of properly. Dumping of excess Excavation materials within Vista Del Corazon is prohibited.

5.10 Blasting

If any blasting is to occur, the Committee and the Association must be informed at least four (4) weeks in advance to allow each to make such investigation as each deems necessary and to review any proposed protective measures to be taken prior to the blasting. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the Committee and the Association. Applicable governmental requirements concerning blasting must be observed. The Committee and the Association assume no liability resulting from any blasting nor does the Committee or Association pass judgment on the appropriateness of any proposed protective measures.

5.11 Restoration or Repair of Other Property Damage

Damage and scarring to property other than the Lot, resulting from construction operations including, but not limited to, open space, landscape, boulders, other Lots, roads, driveways, concrete curb and gutter, and/or other Improvements, will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the Builder.

In order to avoid disputes after the fact, it is the responsibility of the Builder to declare in writing to the Committee any existing damage to the surrounding area prior to any construction activity on the Lot. For example, if a concrete curb on the street in front of the Lot is cracked before any construction commences, it is beneficial to the Builder to declare this damage in writing to the Committee in order to avoid any potential claims of damage at a later time.

5.12 Miscellaneous and General Practices

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, Builders, contractors, and subcontractors while on the premises of Vista Del Corazon. The following practices are prohibited:

- a. Changing oil or otherwise servicing any vehicle or equipment on the site itself or at any other location within Vista Del Corazon, other than at a location designated for that purpose by the Committee.
- b. Allowing concrete suppliers, plasterers, painters or any other subcontractor to clean their equipment other than at locations specifically designated for that purpose by the Committee. Residue from cleaning is not allowed to flow into washes, drainage ways or Natural Area locations.
- c. Removing any rocks, plant material, topsoil or similar items from any property of others within Vista Del Corazon, including other constructions sites.
- d. Carrying any type of firearms other than as specifically permitted by Arizona State Law within Vista Del Corazon.
- e. Using disposal methods or units other than those approved by the Committee.
- f. Careless disposition of cigarettes and other flammable material. Due to fire and litter concerns, each job site shall have an ash urn for the disposition of cigarettes. This urn may be as simple as a five-gallon bucket filled with sand.
- g. Careless treatment or removal of any desert plant materials not previously approved for removal.
- h. Use of, or transit over, any golf course area, including golf cart paths or golf maintenance paths.
- i. Use of, or transit over, any Common Area paths or trails.
- j. No pets, particularly dogs, may be brought into Vista Del Corazon by construction personnel. In the event of any violation hereof, the Committee, or the HOA shall have the right to contact County authorities to impound the pets, to refuse to permit the Builder or subcontractor involved to continue work on the project, or to take such other action as may be permitted by law, these Guidelines or the Declaration.
- k. Radios and other audio equipment playing music on construction sites within Vista Del Corazon are not permitted. This restriction is to avoid impacting homeowners living at Vista Del Corazon.

- l. Catering trucks will not be permitted to use their horns; their schedules are routine enough for workers to be aware of break times. Also, trash generated by the purchase of items from these trucks should be contained and disposed of properly. Repeated problems with these requirements could result in the catering trucks being denied admittance to the property.
- m. Fires for the purpose of warming in winter.
- n. Storage or parking of non-construction-related vehicles, such as trailers, boats, etc., at the construction site.

5.13 Construction Access

The only approved construction access during the time a Residence or other Improvement is under construction will be over the approved driveway location for the Lot, unless the Committee approved an alternative access point. In no event shall more than one (1) construction access be permitted onto any Lot.

The location of the construction entrance into the Vista Del Corazon project, along with the standard procedures and operations of the gate, will be determined from time to time by the Association and issued to each Builder working within Vista Del Corazon.

5.14 Dust and Noise

The Builder shall be responsible for controlling dust and noise, including without limitation music, on the construction site.

5.15 Temporary Construction Signage

In an effort to maintain the residential character of Vista Del Corazon and to minimize the visual clutter that unlimited construction signage can cause, except for signage required by State or County regulations, the Committee will require all temporary construction signs to meet the following criteria:

- a. Signs, if any, shall be single-faced, panel type, with a maximum area of six (6) square feet. No additional signs may be attached to the main sign or be suspended below it, although separate sign panels that link together to form a single visual sign that meets all the requirements of this section will be acceptable. No lighting of construction signage is allowed.
- b. Colors of the sign backgrounds should be muted earth tones which harmonize with the desert colors rather than sharply contrast with them. Letter colors should relate harmoniously with the background colors while providing sufficient contrast to enable the sign to be read from approximately twenty (20) feet away.
- c. Temporary construction signs must be removed at the time the house is substantially complete or when the Committee directs the sign to be removed.

5.16 Fire Protection

At least one full and operable 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times. Absence of such a device may result in fines against the Builder or the Builder being denied access to the construction site.

5.17 Daily Operation

Daily working hours for each construction site shall be determined by the Association and the Committee. Typically, these hours shall not be earlier than thirty (30) minutes before sunrise nor later than thirty (30) minutes after sunset, although the Committee and the Association shall have the right to establish other restrictions and regulations on hours of construction. Requests for working hours outside those established must be submitted to the Community Manager. No construction shall be allowed on Sundays, unless specifically approved by the Committee or the Community Manager.

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