

THE VILLAGE OF OAKCREEK ASSOCIATION

690 BELL ROCK BOULEVARD SEDONA, ARIZONA 86351

Office (928) 284-1820 Fax (928) 284-3138

ARCHITECTURAL REVIEW / RESTRICTIONS COMMITTEE

RULES, REGULATIONS & INFORMATION

The Village of Oakcreek Architectural Review / Restrictions Committee (ARRC or “Committee”) was established under the provisions of the Village of Oak Creek Association By Laws, with the authority to adopt, amend and repeal Architectural Review and Restrictions Rules and Regulations as set forth in the association documents. The Committee is directed to interpret and implement standards and procedures for architectural design, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features that are recommended for use in the Village of Oakcreek Association.

All improvements and/or alterations to the terrain, building, fence, wall, or other structure or any swimming pool, tennis court, road, driveway, parking area, or any trees, plants, shrubs, grass or other landscaping improvements of every type and kind, within the Village of Oakcreek Association (VOCA), must meet the requirements of the Master Declaration of Restrictive Covenants, By Laws, Yavapai County Planning and Zoning Regulations, and these Rules and Regulations as delegated to the Architectural Review / Restrictions Committee.

TABLE OF CONTENTS:

Section

1. New Construction and Remodeling - Page 2
2. Licensed Contractor Regulations - Page 4
3. Landscaping Regulations - Page 4
4. Weeds, Landscaping and Property Maintenance - Page 5
5. Painting and Roofing Regulations - Page 5
6. Sheds, Storage & Play Equipment - Page 6
7. Fences - Page 7
8. Courtyard, Retaining and Accent / Garden Walls - Page 8
9. Screens for Propane, Butane tanks, H.V.A.C. Etc. - Page 8
10. Screens for RVs, Boats, Trailers, Campers, Trash & Recycling, etc. - Page 9
11. Screening Systems for Homes Adjoining the Golf Course – Page 10
12. Satellite Dishes, Flag Poles and Antennas - Page 11
13. Solar Panels / Solar System Installation Guidelines - Page 11
14. Parking, RV Short Term Parking. Limitation of Vehicles Regulations - Page 12
15. Approved Driveway Surface - Page 13
16. Residential Signage - Page 13
17. Noxious Activity – Page 13
18. Rubbish, Trash and Garbage – Page 13
19. Fire Safety - Page 13
20. Vehicles - Page 13
21. Speed Limit - Page 13
22. Animals - Page 14
23. Garage Sale - Page 14
24. Home Occupation & Short Term Rentals – Page 14
25. Subdivision CC&R’s – Page 15
26. Lot Combinations – Page 15
27. General Rules and Regulations for Rental Properties – Page 15
28. Medical Marijuana - 16
29. Schedule of Fines – Page 17
30. Procedure to Levee Fines – Page 19
31. Consequences for Non-Compliance & Non-Payment of Fines – Page 20

Section 1 - NEW CONSTRUCTION AND REMODELING

1. Plans and Specifications shall be submitted in duplicate and shall show in detail the design, elevations and heights, structural details, materials, finishes, site location and grades and shall include a landscaping and site plan of the building site proposed to be improved. A copy of the plans and specifications as finally approved shall be retained in the records of the Committee for three years. (Master Declaration Article 3.02)

2. Building plans, submitted in duplicate, shall include:

Plot Plan Showing:

- (1) Setbacks; front, sides and rear.
- (2) Location of utilities including septic systems and alternate systems.
- (3) Easements.
- (4) Property lines, dimensions, and bearings.
- (5) Structural location(s).
- (6) Driveway and parking locations. (Paved surface required on all new construction)
- (7) Decorative walls, fences and swimming pool locations.
- (8) Screening for tanks, heating and cooling units, screening for motor homes, and RV units.
- (9) Retaining walls.
- (10) Satellite dish, antenna and shed locations.

B. Site Plan showing:

- (1) High point of site.
- (2) All existing and proposed contour grades, culvert and drainage courses.
- (3) Landscaping and ground cover per Article 3.04 of the Master Declarations.
- (4) Surface drainage control – see Article 4.21 of the Master Declarations.
- (5) Location of all easements.

C. Foundation Plan.

D. Floor Plan(s).

E. Cross Sections.

F. Four exterior Elevations. (Showing building height above high point of lot)

G. County building permits. (Pre-approval may be requested pending County Permits)

3. Landscaping shall include, but not be limited to, control of erosion by water and wind, control of weed growth and drainage of surface water on the entire lot. A landscaping plan for all new construction shall be prepared in accordance with the Architectural Review Regulations and submitted to the Committee for approval prior to occupancy. Landscaping must be substantially completed in accordance with the approved plan within five months from the date the plan is approved, unless otherwise permitted by the Committee. (Ref: Master Declaration Article 3.04)

4. Architectural design and material of the building shall be compatible with other buildings in the area (Ref: Master Declaration Article 3.06).

5. Contractors and Time of Completion: Each building shall be constructed by a licensed contractor or, in lieu of using a licensed contractor, the property owner shall provide a performance bond or post a cash deposit in an amount to be established by the Architectural Review Committee. All buildings shall be substantially completed and present a finished exterior appearance within five-5 months after commencement of construction (Ref: Master Declaration Article 3.08 and A.R.C. “Licensed Contractors Regulations”).

6. Any construction that exceeds the applicable completion time provided for under the original permit for such construction shall require timely submission of a permit extension and payment of an additional fee. The Architectural Review Committee may approve such request for permit extension at its sole discretion. Construction that is not completed within the time period approved under the original permit or permit extension shall be considered as a violation of Master Declaration Article 3.08

6.1 – No improvements other than Committee approved structures shall be erected, moved onto, or permitted to remain on any lot or unit. (Ref: Master Declaration Article 3-3.7)

(Section 1 Continued)

7. The owner or the builder shall be responsible for removing building material and debris from the property from time to time during construction and shall within 30 days of completion of construction, be responsible for clearing all building material and debris from the property. Owners or builders are expected to acceptably maintain the appearance of the property until occupancy.

8. Height of the building shall not exceed sixteen-16 feet above the highest point of the lot for residential zoning and thirty-30 feet above the highest point of the lot for commercial zoning. Chimney mass: The height of a chimney mass shall not exceed a maximum height of three-3 feet above the highest point of the structure within ten-10 feet of such chimney mass. The overall height of a chimney mass shall include the cap. (Refer to subdivision restrictions for additional information).

9. Parking and driveway areas in new construction shall be paved with a permanent covering constructed of concrete, asphalt or similar materials as approved by the Committee. The Plot Plan of any structure must identify and specify the paved parking and driveway areas and parking shall be limited to these designated areas. Gravel Driveways, which have been in existence prior to March 21, 1988, may remain upon the lot as a gravel driveway, provided that the driveway is maintained in an attractive and dust-free manner, and that any new driveway, or any material realignment of the existing gravel driveway must be constructed of a hard surface.

10. Perc holes: Persons desiring to dig perc holes and/or test holes on vacant lots must do the following:

- (1) Fill out the applicable "Application for Construction Approval."
- (2) Gain written consent of owner to dig and provide copy to Committee
- (3) Cover test hole immediately and mark area.
- (4) Refill hole within ten (10) days to natural grade.

11. H.V.A.C. Equipment and/or evaporative coolers shall be ground mounted or wall mounted on new construction as of March 24, 2004. In replacing an existing unit the top of the unit shall not exceed the ridge line of the section it is mounted on or extend above the top of the front parapet wall and shall not exceed height restrictions of any subdivision.

12. Screening of H.V.A.C. ground mounted equipment must consist of a solid screen that will completely conceal all equipment from public view on both the front and side of the property. Under no circumstances shall any equipment be installed on the front elevation of a dwelling and no equipment shall exceed the height restrictions of any subdivision. Any exposed aluminum and/or galvanized metal, or supporting structure, shall be painted to avoid glare. The Architectural Review Committee must approve H.V.A.C. colors.

13. Vacant Lot Damage by a Contractor: No contractor, employee of a contractor or any other person shall be allowed to trespass, cross, store materials, dig or to salvage rock, dirt, plants or any other material from a vacant lot without the expressed written permission of the vacant lot owner. Written permission must be located on the jobsite with the blueprints, permits, etc. and be available for inspection. Failure to observe this restriction requirement shall be immediately fined at \$100.00 per incident. In the event of damage to or storage upon the vacant lot, the Contractor will be enjoined from further construction until all damage has been repaired, all stored items thereon have been removed and all fines have been paid. All damage shall be immediately repaired to its natural state, in a manner acceptable to the lot owner, by the Contractor of record, of the project that caused the damage, whether the Contractor is, himself, responsible for the damage or not..

14. Trash dumpsters: Trash Dumpsters may remain on the premise for a temporary basis without screening so long as a permit from the VOCA Architectural Committee has been issued. The removal date of the dumpster is expected to be timely and will be noted on the issued permit.

15. When underground service for utilities must cross driveways, walkways and highways, the developer or builder must make prior arrangements with Yavapai County and the utility companies and shall be responsible, upon completion of the installation of lines, for returning the trenched area to a condition approved by the County.

16. Light Pollution Control: Effective April 19, 2006 all new construction and remodels where lighting is impacted must conform to the current and most recent Yavapai County Residential Outdoor Lighting guidelines. For further specific details see Yavapai County Zoning Ordinance Section 603 Light Pollution Control also known as the Dark Skies Ordinance. This is available on the County website at www.co.yavapai.az.us.

Section 2 - LICENSED CONTRACTORS REGULATIONS

Each structure shall be constructed by a contractor licensed by the State of Arizona. Construction must be pursued diligently and all buildings shall be substantially completed and present a finished exterior within five months after commencement of construction.

The Committee may waive the licensed contractor requirement for any Owner it deems qualified to act as his own prime contractor, provided a bond or collateral is posted to insure completion of the building. The Committee shall fix the amount of such bond.

The contractor/builder/agent's name that is listed on the application for construction approval shall provide the Architectural Review Committee, upon request, a notarized statement that he is the contractor for the specified project and will be responsible for its completion.

In the event the property owner dismisses, for any reason, the contractor of record with the Architectural Review Committee, all work on the project will cease immediately. The project will not resume until a new contractor is assigned to the permit or a bond is deposited in compliance with the Village of Oakcreek Master Declaration, Article 3.08. It will be the property owner's responsibility to notify the Architectural Review Committee of contractor dismissal and to assign a new contractor or put up the required bond.

Section 3 - LANDSCAPING REGULATIONS

GOAL: To allow for flexibility in landscape design while assuring compatibility with the interpretation of existing CC&R's, VOCA policy, residential style and neighborhood ambiance.

The Concept: The homeowner or their representatives shall prepare a landscaping design concept for review and approval by the Architectural Review Committee. Per Paragraph 3.01 of the Master Declarations, Approval of Committee: No alteration of the terrain or improvement shall be erected, added, altered, placed or permitted to remain on any Lot or Unit ("Exterior Alteration"), unless the plans and specifications therefore have been previously delivered to and approved in writing by the Committee. "Exterior Alteration" means any construction, installation, addition, alteration, repair, change, change of color, landscaping, removal, demolition, or other work that alters the exterior appearance of the Lot or Improvements located thereon.

1-Removals and Grading: For landscape revisions and new construction indicate type and trunk diameter of trees to be removed, indicate existing drainage patterns and any changes to surface water flow across the lot.

2-Surface Water Drainage: No residential unit, structure, building, fence, wall, or other improvement shall be constructed, installed, placed, or maintained in any manner that would obstruct, interfere with, or change the direction or flow of water in accordance with the established drainage plans or pattern, or any part thereof, or for any Lot as shown on the drainage plans on file with Yavapai County. (Ref: Master Declaration Article 4.21)

3-Limitations: Proposed trees and shrubbery shall not be permitted that may create a screen or obstruction as specified in the CC&R's. Hedges or masses of shrubbery that extends past the front plane of the house shall not be allowed to grow to heights exceeding 3 feet.

4-Accent and Garden Walls: (see Courtyard, Retaining & Accent/Garden Walls, Page 7)

5-Ground Cover: Crushed rock, gravel or granite shall be of a type or coarse enough to resist erosion. The color of ground cover materials must be approved by the Committee and should be of natural earth tones consistent with the surrounding area.

6-Turf: While the use of turf is not encouraged, areas of sod within an approved landscape plan are acceptable provided the turf is a variety, which remains green throughout the seasons and is irrigated by an approved automatic irrigation system.

7-Permits and Approvals: Applicant shall submit a completed VOCA Permit Application along with a landscape design concept for Architectural Review Committee approval prior to construction or installation.

(Section 3 Continued)

8-Safety: Not under any condition should landscape materials, walls, fences, garden / accent walls or features be installed or maintained which will block the visibility of person exiting from any driveway onto a public street.

9-Maintenance: As part of approval and permit issuance, the applicant/resident agrees to maintain all landscaping and features in a weed free condition and replace any dead plant material or eroded ground covers.

10-Exceptions: A permit shall not be required for replacement of annual flowers or routine maintenance of previously approved ground covers.

11-Retaining Walls: Unless suitable retaining walls are constructed to support the earth, the natural angle of repose of the ground shall not be altered by excavation within five (5) feet of any boundary line of any Lot by other than a slope of twelve (12) inches horizontal to eight (8) inches vertical, provided, however, that nothing in this paragraph shall be construed to prevent any such alteration in any manner with or without retaining walls, as approved by the Committee. (Ref: Master Declaration Article 3.05)

Section 4 - WEEDS, LANDSCAPING & PROPERTY MAINTENANCE

Weeds and Landscaping: Definition of a weed: "A weed is any undesired, uncultivated plant as determined by normally accepted definitions and practices for the local area".

1-Lots With Homes On Them: Property owners whose lots have been improved are responsible for keeping their lots landscaped and free of weeds of all types, regardless of height. Areas of bare dirt shall be covered in crushed granite, gravel, or other acceptable material, except the bare dirt shall be allowed when it is within the area encompassed by the drip edge of a tree and does not exceed 8 feet in diameter. If such drip edge should exceed 8' in diameter, dead weeds, dead trees, noxious weed species, shrub cuttings, tumbleweeds (alive or dead), and trash must be removed. All grasses planted as a ground cover shall not exceed four (4) inches in height and shall be maintained in a neat and attractive manner. Areas covered in crushed granite, gravel, etc., shall be maintained in a neat and attractive manner free of weeds and grasses. Wild flowers, cultivated for the purpose of beautifying or naturalizing an area shall be allowed, provided they do not create an unsightly condition and do not become a nuisance because of odor or appearance. Landscaping and maintenance shall conform to standards established by the Sedona Fire District and VOCA Rules and Regulations.

2-Vacant Lots: Owners of vacant lots are allowed to maintain a natural cover of native grasses and trees on their lot(s). No lot shall be scraped as a means of eliminating weeds. All native grasses, weeds, induced grasses or non-native weeds shall be maintained at a level that does not create a dangerous or unsightly condition. Dried weeds, dead trees, dead brush, low tree branches, noxious weed species, etc., are required to be removed because of their high potential to burn, negative environmental impact and unsightly appearance. All tumbleweeds (alive or dead), dead plants, dead trees and trash must be removed from undeveloped lots. Landscaping and maintenance shall conform to standards established by the Sedona Fire District and VOCA Rules and Regulations.

3-Property Maintenance: Property owners are responsible for keeping their property maintained so as not to degrade the appearance of the neighborhood. Such maintenance includes all driveway and parking areas, and painting as well as general upkeep. Repainting of homes, fences, etc., are subject to the color code adopted by the Architectural Review Committee.

4-Dumping: No dumping of building materials, rock, gravel, dirt, tree or plant trimmings nor other assorted debris will be permitted on any lot unless temporarily related to approved current construction.

5-Storage of Personal Property: of the Master Declaration Tools, machinery, household effects, toys, containers, boxes, materials, or other items that degrade the appearance of the yards shall be stored as to be concealed from view, except that basketball hoops may be erected which are visible from neighboring property. (Ref: Master Declaration Article 4.08)

Section 5 - PAINTING AND ROOFING REGULATIONS

1-Exterior colors of any building, whether new or, as a repaint, including all roof coverings, shall not be white or have an extremely light color and shall not be of a highly reflective material. Earth tone colors that blend with local earth materials such as tobacco browns, buffs, sandstone's and beige are highly desirable, as well as subtle greens such as olive or sage which match the pinion pine and juniper native to the area. The Light Reflective Value (LRV) of any

(Section 5 Continued)

paint color, roofing material, awning, or window frame shall not exceed an LRV rating of 50. Certain colors, which meet the LRV requirement of 50, may be classified as trim use only. The determination of a color and usage for trim lies solely with the Architectural Review Committee. Trim shall be considered as fascia, window and door moldings.

2-Painting of buildings may consist of two (2) colors; with a third color optional accent in a related hue, the application scheme to be approved by the Architectural Review Committee.

3-Murals are not allowed on any residential structures.

4-Roof vents, ventilators, flashing, or any bare metal on the roof or edges shall be painted to avoid reflections.

5-Structures, whose current paint color has an LRV rating greater than 50 and had been previously approved by the Architectural Review Committee under previous LRV standards, must meet the current LRV requirements at the time the structure is repainted.

6-Touch up painting/repainting of 20 square feet per month is allowed without a permit. Any re-painted areas greater than 20 square feet per month will require a permit. If the touch up painting/repainting exceeds 25% of the exterior surface of the structure, the paint color must meet the LRV rating of no greater than 50.

7-The Village of Oakcreek requires that the property owner and/or their agent obtain a permit from the Architectural Review Committee to paint, or repaint, their house, additions, walls, fences, etc. Additionally, the Village of Oakcreek requires that the property owner and/or their agent obtain a permit from the Architectural Review Committee to roof or re-roof their building. Samples of requested colors should be attached to the permit request along with LRV rating from paint supplier or VOCA LRV testing equipment.

Earth-tone colors that blend with the local earth materials, such as tobacco brown, buff, sandstone and beige, as well as subtle greens, such as olive or sage that match the pinion pine and juniper native to the area, are highly recommended.

Section 6 - SHED, STORAGE BUILDINGS & PLAY EQUIPMENT REGULATIONS

Sheds, Storage buildings, playhouses or Play Equipment (SSPE's) are allowed within the Village of Oakcreek Association (VOCA). However, manufactured or pre-fabricated sheds, storage buildings or playhouses are only allowed in the Pine Creek I Subdivision. All other subdivisions CC&R's within VOCA, specifically prohibit manufactured or pre-fabricated sheds, storage buildings or playhouses unless approved by Architectural Review Committee.

Applications for any SSPE must be prepared on the form "Application for Construction Approval." This form may be obtained at the VOCA office and must be approved, in writing, before construction begins. Any such buildings greater than 200 square feet shall not be considered a shed, storage building, etc., for these purposes and will be subject to other applicable regulations and approval by the Architectural Review Committee. All designs must meet the minimum requirements listed herein.

Applications for proposed SSPE shall include the following: plot plan, elevation, proposed materials, foundations, color samples including roof materials, dimensions and setbacks, and any applicable Yavapai County permits. Paint and roof color should match the existing house.

VOCA recommends contacting the Yavapai County Permitting office to check permit requirements for any accessory building or shed regardless of size. A simple no fee zoning clearance will be required for sheds of 200 to 400 square feet, and a full building permit is required for sheds over 400 square feet. Any shed with electrical or other utilities requires a County Building Permit.

The location of any shed should be reviewed by Yavapai County Flood Control. The location of any utility easements should be identified prior to building any shed. Any shed having electric or other utilities must obtain the required Yavapai County permit.

No SSPE shall be permitted in front of the front plane of a dwelling. The required set backs for sheds, storage buildings or playhouses shall be a minimum of seven (7) feet from the side property line (10 feet on an exterior lot), five (5) feet from the rear property line, and must maintain a required ten (10) foot separation from any other buildings. One accessory building or shed with a maximum of 200 square feet is allowed per residential lot.

(Section 6 Continued)

Play Equipment: Setbacks for play equipment shall be twelve (12) feet from the side property line and twelve (12) feet from the rear property line. No SSPE, or similar structures or items shall be located closer to a dwelling than five (5) feet and shall not exceed ten (10) feet in height as measured from surrounding grade unless otherwise permitted by Architectural Review Committee.

Play Equipment: Setbacks for play equipment shall be twelve (12) feet from the side property line and twelve (12) feet from the rear property line. No SSPE, or similar structures or items shall be located closer to a dwelling than five (5) feet and shall not exceed ten (10) feet in height as measured from surrounding grade unless otherwise permitted by Architectural Review Committee.

Greenhouses: For review purposes greenhouses shall be considered a shed. All greenhouses are subject to design review and approval by the Architectural Review Committee. Proposed greenhouses must be compatible with the architectural character of the house, residential neighborhood setting and should in no way adversely impact neighboring homes. Greenhouses must meet all applicable VOCA and Yavapai County regulations.

Greenhouses shall be a permanent structure with an adequate foundation for the proposed building. The material used in the construction may be of wood or metal frame with rigid clear or opaque glass, fiberglass or plastic windows. Window framing and structural materials should closely match the existing house and may not be white.

Associated garden supplies and equipment must be stored inside away from public view. All exterior lighting must be Dark Sky Compliant. Grow lights intended to extend the growing season are not allowed after dusk or before dawn unless visually confined to the interior of the greenhouse. Greenhouses are intended for the private use of the homeowner. Commercial use is not allowed.

Permit submittal requirements: Two (2) sets of illustrations and photos, if available, material specifications, plot plan showing location of all buildings, Heights and setbacks, detailed set of building plans to scale as needed.

Section 7 – FENCES & WALLS

For these purposes a fence is any wood, board, plastic, metal, hedge, masonry or chain link installed to denote a boundary or to provide a landscaping or architectural effect. Plans showing the location, length, height, design, materials, finishes and colors of fences and walls must be submitted to and approved in writing by the Architectural Review Committee. (Note: chain link fencing is not allowed in Cathedral View Subdivision) As such, a fence may be placed at the edge of a property or on the premises if it does not exceed five-5'-0" in height (unless otherwise specified in the applicable subdivision CC&R's or allowed by the Committee) on either side of the fence or wall. Height shall be determined for fences and walls above the average elevation of the ground level within a six (6') radius of the point of measurement on the fence or wall. (Yavapai County Planning & Zoning Regulations Section 540, Article B.1). A fence shall not extend past the front plane of the structure under any circumstance. In all instances, fences and walls shall have the finish side facing toward the street and/or neighboring properties. Factory coated vinyl chain link and wrought iron fences are permissible in all areas except those subdivisions specifically prohibiting them. No other type of wire fences, i.e., electric, chicken wire, field fence, et cetera, shall be permitted without prior review and approval by the Architectural Review Committee. Block walls must have a finished surface and be painted an approved color consistent with the surrounding structures. Additional restrictions may apply to properties adjoining the Golf Course. No fence, hedge, wall or rail in excess of 3 feet in height shall be constructed, planted or maintained within 18 feet of any lot line common to the golf course and the lot. Please refer to specific subdivision CC&R's.

Swimming pool fencing must meet Yavapai County Building Safety Codes and the height regulations as stated in each Subdivision's CC&R's which may be more restrictive than Yavapai County Building Codes. Pools cannot extend beyond the front plane of the house. *All fences shall be constructed with substantial and permanent materials as allowed per Subdivision CC&R's. (Refer to subdivision restrictions for additional information and Ref. 2, Article 4.07).*

(Section 7 Continued)

Limitations – Proposed trees and shrubbery shall not be permitted that may create a continuous hedge, screen or obstruction as specified in the CC&R's. Hedges or masses of shrubbery that extends past the front plane of the house shall not be allowed to grow to heights exceeding three-3 feet.

Safety - Not under any condition should walls, fences, accent / garden walls or features be installed which will block the visibility of person exiting from any driveway onto a public street.

Please check your individual subdivision for exceptions or additions to these regulations. Yavapai County permits may be required for walls and fences depending on height, materials used and cost.

Limitations – Proposed trees and shrubbery shall not be permitted that may create a continuous hedge, screen or obstruction as specified in the CC&R's. Hedges or masses of shrubbery that extends past the front plane of the house shall not be allowed to grow to heights exceeding three-3 feet.

Safety - Not under any condition should walls, fences, accent / garden walls or features be installed which will block the visibility of person exiting from any driveway onto a public street.

Section 8 - COURTYARD, RETAINING AND ACCENT / GARDEN WALLS

For these purposes, a wall is any masonry structure erected to enclose a patio or courtyard, for pressure retention or accenting a garden area.

Courtyard Walls: Courtyard walls shall be of the same texture and color as the structure they are a part of, or appended to, and shall be as approved by the VOCA Architectural Review Committee. Courtyard walls will be attached to the dwelling if used to enclose a patio or courtyard and shall be constructed so that its front plane shall not be closer than 20'-0" from the front lot line. The wall shall not exceed five feet above the grade on the exterior side of the wall.

Retaining Walls: Retaining walls are to be constructed to support the earth or provide for soil or water retention. Retaining walls as defined herein may extend past the front plane of a structure provided that the finished height shall not exceed eighteen-18 inches above the highest natural grade or street directly adjacent to such a retaining wall.

Accent/Garden Walls: Accent/garden walls may consist of boulders, stacked rocks, split rail, stucco or masonry. Accent/garden walls may be placed as a single unit provided no segment facing the street or front of the property exceeds three-3 feet in height. An artificial slope may be created on the street or outside facing side of the wall as long as the slope does not exceed a one-foot elevation gain for every five feet from the wall, this would effectively allow a maximum inward facing or inside height of five-5 feet. Materials shall be compatible with residences architectural theme. Approval is subject to Architectural Review Committee's review and requires the submission of a detailed landscaping plan.

Section 9 - SCREENS FOR PROPANE, BUTANE TANKS, H.V.A.C, ETC.

All propane, butane tanks, etc., shall be screened from view as approved by the Architectural Review Committee. The local Fire Marshall must approve the location and screening of tanks. Tanks shall be located in the rear or side yards of a residence. No tank may be located in a front yard without the permission of the Architectural Review Committee unless buried. A 250-gallon or smaller tank shall be at least ten-10 feet from the residence and ten-10 feet from the property line. Screening must be of solid construction and of such design that the tank shall not be visible after the screen is erected. All tank installations and screening must meet all State, County, and Local Fire District regulations.

Applications for propane tank screening must be prepared in duplicate on the form "Application for Construction Approval". This form may be obtained at the VOCA office and must be approved before construction begins. Screening plans will be approved or rejected by the Architectural Review Committee within 30 days of submission. While the Architectural Review Committee has final approval of all designs, all designs must meet with the minimum requirements listed herein. The effect of the proposed improvement or structure on the view or outlook from adjacent property must be considered and adhered to by the Architectural Review Committee as required by (Ref: Master Declaration Article 3.06).

(Section 9 Continued)

Screening of H.V.A.C. ground mounted equipment must consist of a solid screen that will completely conceal all equipment from public view on both the front and side of the property and must meet all fence regulations.

Proposed screening drawings must show the following as required on the application for construction approval and a county permit or county zoning clearance must be obtained.

1. Site Plan
2. Screening Plan
3. All Screen Elevations
4. Material
5. Color Samples
6. Dimensions

Other types of screens that were previously approved by the VOCA Board shall be exempt from this regulation until such time it becomes necessary to replace them. At that time they shall be brought into compliance.

The appearance of any wall, fence or screen shall conform in color, texture, design and style as the neighborhood in which constructed and shall acquire the approval of the VOCA Architectural Review Committee.

**Section 10 - SCREENS FOR RECREATIONAL VEHICLES,
BOATS, TRAILERS, CAMPERS, TRASH & RECYCLING CONTAINERS, ETC**

A screen is an enclosure and shall not be considered a fence. It is preferred, and recommended, that all recreational vehicles, boats, trailers of any kind, campers, trash & recycling containers, etc. be parked or stored in garages (See Master Declaration Article 4.13 and the Architectural Review Committee. "Parking and Limitation of Vehicles Regulations"). If these vehicles or containers cannot be parked or stored in garages, or other storage areas, then the following are the minimum requirements for screening as established by the VOCA Architectural Review Committee. The definition of a screen for the purposes of this section shall apply to visual obstruction or enclosure for the purposes of storage of an object and shall not be construed to include window screening which is used for insect deterrence or reduction of sun intensity on porches or other similar structures.

A screen shall not exceed the linear dimensions of the vehicle or the object it is to screen by more than three-3 feet or as otherwise approved by the Architectural Review Committee. Height shall not exceed eight-8 inches above the object it is intended to screen. The screened area must be designed and located to conceal all four sides of the vehicle, or object, from public view. It shall be located at least seven-7 feet from the side property line.

Any fence intended as a screen in excess of 6 (six) feet, 4 (four) feet if solid or block construction, requires a Permit from Yavapai County Planning and Zoning and / or building Safety.

A screen must be located not less than five-5 feet back from the frontal plane of a house on an interior lot. A screen must be five-5 feet back from the sides of a house facing the street on a corner lot. Any variations must have the approval of the Architectural Review Committee.

The screened enclosure must be substantial and permanent construction and may be one of the following types or as approved by the Architectural Review Committee: Picket fence, a picket fence may be constructed of 2"x2", or 1"x4" lumber with the gap between the pickets being no greater than one half inch (1/2"). Siding or board fence, finished to match the home. Brick, masonry or stucco, must be finished to match the home.

No wire fencing of any type or any metal or plastic or similar extruded hydrocarbons may be used as a screening material. PVC or wood lattice is not allowed.

All screening enclosures shall be painted or stained to match the home to which it is attached. The finished surface of any screen shall face outward towards the neighbors and/or the street.

A fenced yard shall not be construed as an enclosure or screening for a vehicle.

(Section 10 Continued)

RV parking within the screened enclosure shall have a paved surface. A “Paved” surface shall be defined as any permanent firm covering constructed of concrete, asphalt or other hard surface. Strips of “pavers” may be used to conform to this regulation as long as they are constructed of a permanent firm material and are sufficiently wide to contain the track of any vehicle utilizing the strips.

Section 11 – PROTECTIVE SCREENING SYSTEMS FOR HOMES ADJOINING THE GOLF COURSE

1. Definition: For purposes of this regulation a screen shall be defined as any vinyl, metal, wooden, or any other natural or manmade fabric or material, with or without openings or holes between strips; layers, pieces or strands of the material of which the fabric is made.

2. Definition: For purposes of this regulation a screening system shall be defined as all materials needed to support a screen to include, galvanized pipe, plastic pipe, steel pipe, clamps, steel cable, rope, twine, bolts, nuts, all other hardware required to be erected to support or hold the screen.

3. It shall be the intent of this regulation to regulate these screens and/or screening systems to provide maximum safety from stray or errant golf balls to both life and property, while maintaining the beauty and harmony of the properties adjoining the golf course.

4. All golf course screening systems are subject to review and approval by the Village of Oak Creek Golf Course Superintendent and must receive final approval by the Architectural Review Committee.

5. All screens and screening systems are limited in size to protect the area directly in the possible in flight path of a golf ball that would be in flight from the surrounding tee or fairway area.

6. All screens and screening systems shall be located as close a possible to the property or area they are protecting, taking into account the deflection of the screening material if struck by a golf ball, and to allow for maintenance of structure, grass, plants, etc. Trees, bushes, large plants, etc., shall be deemed as not needing protection from being struck by golf balls and therefore require no protection from the same and shall be located outside the protective area of the screen or screening system. A maximum distance of five-5 feet between structures or inhabited area and the screen or screening system shall be maintained. The length of the screen or screen system shall be determined by the angle of trajectory of the golf ball taken from the point or points where the ball may originate from and the area of the structure that requires protection and shall not exceed this length. In no case shall the height of the screen or screen system be allowed to exceed the wall height of the structure it is protecting.

7. All screening material shall be of a color and texture as to present the minimum visual obstruction to the property it is protecting. All Screen material will match the color of the screening system as closely as possible. All screen systems will match the color of the property it is protecting as closely as is possible. The Architectural Review Committee will have sole authority to regulate colors allowed. No screen or screening system shall be constructed or erected of solid wood, metal, vinyl, or any other solid natural or manmade material not approved by the Architectural Review Committee.

8. All screen and screening systems shall be constructed of quality new materials and shall be designed to withstand the sun, heat, rain, and wind found in the local area immediate to the golf course. Frames to support and contain screening fabric shall not be solid wood or any other natural or manmade material except as follows: All frames shall be constructed of Metal Pipe (2-inch diameter maximum) with threaded or welded joints. Support poles shall be cemented a minimum of Eighteen-18 inches in the ground. The screen fabric shall be affixed to the frame with steel cable, metal or plastic ties or other methods as approved by the Architectural Review Committee.

9. All screens and screening systems must be properly maintained. Any screens or screening systems not kept in good repair shall be referred to the Restrictions Committee for immediate action.

10. No screen or screen system shall be allowed to unreasonably impact the view of a neighbor or impact the harmony of the neighborhood nor shall it in any way effect the play of the game of golf as an obstruction or intrusion into the bounds area of the golf course. The Architectural Review Committee shall have authority to apply this paragraph to the accepting or rejecting of any proposal as it deems applicable

Section 12 - SATELLITE DISHES, FLAG POLES AND ANTENNAS

1-Telecommunication: Antennas, Satellite Dishes, Flagpoles, HVAC equipment, towers, solar panels, etc., shall conform to Article 4.15, the Architectural Review Committee Regulations for the same and the FCC Telecommunications Act of 1996 and revised 2002. The Architectural Review Committee encourages satellite dish placement in a functional but obscure location with the dish painted to match the building surface.

2-Communication Antennas and Flag Poles: if mounted on the ground shall not be located within seven-7 feet of any property line. If installed on a roof, no antenna shall exceed a height limitation of 3-three feet above the peak, ridge or parapet wall of the dwelling on which it is mounted and shall not, under any circumstances, be mounted on the frontal elevation of the dwelling. All ground mounted antennas shall not exceed 3-feet above the peak, ridge or parapet wall of the adjoining buildings. All communication antennas or satellite dishes, which exceed the eighteen-18 inch diagonal measurement, as outlined in the FCC Telecommunications Act of 1996 must secure a permit from the Architectural Review Committee.

3-Satellite dishes and telecommunication antennas may be installed to receive line-of-sight reception and require a permit from the VOCA Architectural Review Committee. Homeowners must notify the VOCA Architectural Review Committee of their intent to install any satellite dishes or although the Committee cannot restrict or ban this equipment, the Committee can require the following so long as it does not impair the function of the device, restrict its use or adversely affect the cost or efficiency of the device. The satellite dish or antenna be placed so that it is not visible from the street.

The owner to comply with the following safety rules:

1. Rules preventing owners from installing antennas on fire escapes
2. Restrictions requiring that an antenna not be placed within a certain distance from a power line
3. Electrical code requirements to property ground the antenna
4. Installation requirements that describe the proper method to secure the antenna
5. Landscaping be placed around the satellite dish or antenna

Section 13 - SOLAR PANELS

Solar Panels may be roof or ground mounted and should not extend above the ridge or front parapet wall of the roof on which they are mounted and should not exceed the height restrictions of any subdivision. Solar panel frames, and/or supporting structures, should be a color to harmonize with colors surrounding the unit and to avoid glare. Whenever possible the placement of solar panels should not be mounted on the front side of the dwelling and panels should be shielded from public view from the street, or streets, and from adjacent properties so long as it does not impair or restrict its use or adversely affect the cost or efficiency of the device. The VOCA Architectural Review Committee must approve all solar panel installations.

Solar System Installation Guidelines

The Village of Oak Creek Association acknowledges the benefits of residential solar energy to our property owners and to the environment as a whole.

The Architectural Review Committee seeks to suggest reasonable guidelines for the design and installation of residential solar systems while remaining compliant with Arizona State Statute 33-1816.

These guidelines are meant to assist in maintaining the visual quality of our neighborhoods as well as the performance, cost and efficiency of the proposed solar installation. When followed these guidelines will help to eliminate possible conflict within the community and will foster a greater understanding and acceptance of residential solar applications.

1. Solar units not mounted on the roof (ground mounted) should be installed according to Yavapai County zoning setbacks requirements. Any such structures may need to be concealed from neighbor's view when reasonably possible.
2. Solar collectors, whenever possible, should be installed on the plane of the roof (flush mounted). Solar collectors should not extend above the roof line and should remain within Association height requirements.

(Section 13 Continued)

3. Exposed metal framing and the back surface of solar collectors, if visible should be anodized or otherwise color treated to blend in with the existing roof or building color.
4. Solar units must be firmly attached to the roof in accordance with local building codes. All solar installations will require a Yavapai County permit prior to VOCA approval.
5. All exterior plumbing and electrical conduit lines must be painted in a color scheme consistent with the structure, i.e. pipes on walls should be the wall color and pipes on the roof should be the roof color.
6. A sample or illustrated brochure of the proposed solar unit, which clearly depicts the unit and defines the materials used, should be submitted with the application. If possible photos of similar installations should be provided.
7. Construction drawings should be provided showing; the location, collector elevation number and area of collectors required, attachment to the roof, description and location of any other exterior system components.

**Section 14 - PARKING, RV SHORT TERM PARKING, LIMITATION OF VEHICLES,
DRIVEWAY REGULATIONS**

1-Proposed locations for driveways and on-property parking shall be clearly indicated on drawings submitted to the VOCA Architectural Review Committee with the "Application for Construction Approval." Information submitted shall include specifications pertaining to size, general appearance and surfacing material.

2-Adequate paved off-street parking shall be provided to accommodate the intended use of the Owner's lot. No Owner shall park or drive, or permit others to park or drive, on unpaved portions of the property. In-street parking should be reserved for deliveries, pick-ups or for short term visitors only.

3-Where restricted by the Declaration for residential use, no repair or maintenance work shall be performed on any motor vehicle or other piece of equipment on the Property, except wholly inside a garage. Disabled vehicles and equipment shall be stored in a garage or removed from the Property.

4-Unless expressly permitted by the Declaration, no commercial vehicle, industrial equipment, recreational vehicle, motor home, boat, boat trailer, utility trailer, mounted or un-mounted camper, travel trailer or mobile home shall remain on the Property unless located inside a closed garage or area screened from public view as outlined in the Architectural Review Committee. "Fences, Walls and Screens Regulations."

5-Short term parking for unscreened RV's, boats, camper trailers and travel trailers (hereafter referred to as "RV Vehicles") shall be allowed in the Village of Oakcreek Home Owners Association (VOCA) for the purpose of loading, unloading, cleaning and minor maintenance (such as checking fluid levels, tire pressure, light bulb replacement or similar items) only. A period of up to, but not to exceed, 72 continuous hours shall be allowed for this purpose. This 72-hour period cannot be repeated within a period of not less than fifteen-15 consecutive days. The "RV Vehicles" must be parked in the approved parking area of the property and must be totally contained within the boundaries of the property. Parking extending into the street, parking extending onto another persons property, or parking on non-paved or non-approved areas of the property is not permitted. Boats are defined as any type of powered or un-powered watercraft including ski-do type craft.

6-Un-mounted campers are not allowed on any property unless properly concealed in an approved screened area. No maintenance shall be performed on any vehicle unless it is totally enclosed in a garage or an approved screen out of sight of any roadway, neighbor, and passerby or from any common area. In no event shall the motor home, travel trailer or camper be occupied overnight during the 72 hour period it is on the property.

Section 15 - APPROVED DRIVEWAY SURFACE

Parking and driveway areas in new construction shall be paved with a permanent covering constructed of concrete, asphalt or similar materials as approved by the Committee. The Plot Plan of any structure must identify and specify the paved parking and driveway areas and parking shall be limited to these designated areas. Gravel Driveways, which have been in existence prior to March 21, 1988, may remain upon the lot as a gravel driveway, provided that the driveway is maintained in an attractive and dust-free manner, and that any new driveway, or any material realignment of the existing gravel driveway must be constructed of a hard surface.

Section 16 – RESIDENTIAL SIGNAGE

1-General signs on residential lots are limited to "For Sale", "For Rent", "No Trespassing" and "Beware of Dog", with a maximum four square feet in size and limited to one sign for each building site. Political signs may be displayed so long as they conform to Arizona Law 33-1808 and Yavapai County Ordinance. Political signs are allowed on private property, provided however, that such signs shall be erected no more than sixty (60) calendar days prior to the first day of casting ballots, and removed within ten (10) calendar days following the last day of casting ballots of the election to which they refer; and the total sign area permitted for any individual sign shall not exceed thirty-two (32) square feet. Commercial signs on residential property are not allowed.

Section 17 - NOXIOUS ACTIVITY

No noxious, offensive or unlawful activity shall be conducted on the property, nor shall any condition be created or allowed to exist on the property, which may be or become an annoyance, nuisance or hazard to others. No sounds, which are unreasonably loud or annoying, and no odor which is noxious or offensive to others, shall be emitted from any lot or unit. No unreasonably bright light, or light which causes unreasonable reflection shall be permitted, and all exterior lighting must be properly shielded so as not to create a nuisance or annoyance to others. (Ref: Master Declaration Article 4.12)

The Architectural Review Committee requires exterior lighting for new construction and remodels to comply with Yavapai County "Dark Skies" Ordinance

Section 18 – RUBBISH, TRASH & GARBAGE

Rubbish, Trash and Garbage states: All rubbish, trash, garbage or other waste materials shall be kept in covered, sanitary containers or shall be promptly removed from the property. The sanitary containers shall be stored in the garage, in a screened area approved by the Committee, or other suitable location, which is not visible from the roadways, common areas or adjacent or neighboring property. The sanitary containers may be exposed to public view for such period as is reasonably necessary for proper disposal. All containers must be promptly removed to the storage area following proper disposal of the contents. (Ref: Master Declaration Article 4.11).

Section 19 - FIRE SAFETY

A screen with openings no larger than 1/2 inch must cover all chimney outlets on houses and other structures. Air pollution rules set forth by the State of Arizona prohibit all open fires of any kind. A special permit must be obtained from the Sedona Fire District except for household barbecue stands.

Section 20 - VEHICLES

No motorized vehicles or towed vehicles including scooters, motorized trail bikes or motorized aircraft will be permitted on paved or unpaved Common Areas except as authorized by the Village of Oakcreek Association. In-street parking should be reserved for deliveries, pick-ups or for short term visitors only.

Section 21 - SPEED LIMIT

No person shall drive a vehicle (with the exception of emergency vehicles) upon the roads within the Village of Oakcreek at a speed greater than 25 miles per hour, or as posted. Said speed limit shall not be deemed to allow any speed greater than is reasonable or prudent, having due regard for weather, visibility, traffic and the condition of the roads. In no event shall a person drive so as to endanger persons or property.

Section 22 - ANIMALS

Animals must be kept in an enclosed yard or on a leash at all times. Excrement shall not be allowed to accumulate on the owner's lot or within animal enclosures and owners are required to pick up after their animals at all times. Notwithstanding the foregoing, no animals or fowl may be kept on the property, which results in an annoyance, or otherwise disturb the peace and quiet of any VOCA resident.

Section 23 - GARAGE SALES

Property owners are restricted to two-2 garage sales per calendar year with three-3 day duration or a total of six-6 days per year. (Adopted 6-19-96). The use of loud speakers, amplifiers, etc for the use in an auction setting is prohibited as a noxious activity.

Section 24 - HOME OCCUPATION & SHORT TERM RENTALS

With certain exceptions as noted in the relevant recorded documents referenced above, all subdivisions in VOCA state that no building, except a single family residential dwelling and a storage building, garage or carport for use in connection with this dwelling, shall be erected, maintained or permitted on any lot.

The VOCA Board of Directors, under the authority provided in Article V, Paragraph 1 of the By-Laws, define "single family dwelling" as follows:

A single-family dwelling is a dwelling utilized for residential purposes only in which there reside one family who are Owners, tenants or invitees of the Owner. For these purposes, a family shall consist of a group of persons related by blood or marriage, or two adult persons who are not related but who have close personal bonds of affection and/or who recognize significant obligations towards one another, together with their children or other blood relations. Under no circumstances shall more than -three adult persons, all of whom are unrelated by blood or marriage, living in the same household be considered a single family. It shall be the burden of the persons claiming family status to demonstrate with objective evidence that they meet this definition.

Short term and Vacation Rentals: In addition, the Owner shall in no event rent or lease to a tenant or guest for a period of less than 30 consecutive days.

Rentals of less than 30 days are a violation of Yavapai County Ordinances and any violations will be referred to the Yavapai County Compliance Officer.

With the exception of the above, the General Land Use Regulations, Paragraph 4 of the Master Declaration, prevail. Particular note of the following paragraphs must be taken:

Master Declaration 4.02 Residential Use: Where restricted by the Declaration for residential use, an Owner shall not occupy or use his lot or unit or permit the same or any part thereof to be occupied or used for any purpose other than for personal residential purposes by the Owner, his family or permitted guests.

Commercial Business: No store office or other place of business of any kind and no hospital, sanitarium or other place for the care or treatment of the physically or mentally ill shall be erected or permitted, and no business of any kind or character whatsoever shall be conducted from or located on any lot or unit other than: (Ref: Master Declaration Article 4.03)

1. The activities of the Association in furtherance of its powers and purposes; or
2. As expressly permitted in the Declaration; or
3. Home occupations prescribed by the rules and regulations of the Board and conducted according to the rules.

Master Declaration 4.04 Home Occupation: It is recognized by this Declaration that an Owner on his lot or unit can conduct certain home occupations without violation to the principle purpose of the residential use and enjoyment of the Property. Subject to applicable zoning regulations, the Rules may allow such commercial activities as may be unobtrusively conducted at a residence without odor, noise, traffic or parking congestion or any other noxious condition that would interfere with the residential use and enjoyment of the owners of adjacent or neighboring Property. Any permitted home occupation shall be conducted as a matter of grace resting in the sole discretion of the Board, and shall be allowed only as long as the Rules permit such occupation. The operation of any home occupation shall strictly

(Section 24 Continued)

conform with the Rules governing such activities which Rules may, without limitation of the scope of such Rules, restrict the number of employees and the hours of operation.”

Any home occupation will require a ‘Home Occupation Permit’ from Yavapai County Development Services and a VOCA “Application for Home Occupation” and must be approved by the Architectural Review Committee.

Section 25 - SUBDIVISION CC&R’S

Each VOCA Subdivision is governed by an additional set of Rules and Regulations CC&R’s. Copies of each subdivision CC&R’s may be obtained from the VOCA office.

Whenever planning any project owners should always review VOCA Rules and Regulations and their specific subdivision CC&R’s.

Section 26 - LOT COMBINATIONS

Any number of lots may be combined for the purpose of creating a single lot upon which to build a structure that conforms to applicable zoning and habitation requirements. This combination of lots shall be treated as one lot for the purpose of applying the architectural rules and regulations of the Village of Oakcreek Association. Lot combinations require the approval of Yavapai County, VOCA Architectural Review Committee, and VOCA Board of Directors. Complete copies of this regulation and approval process are available at the VOCA office.

Section 27 - GENERAL RULES AND REGULATIONS FOR RENTAL PROPERTIES

Welcome to the Village of Oakcreek Home Owners Association. You are residing in a managed community with a variety of rules and regulations designed to protect the rights of all residents and to create a quality living environment for property owners and renters alike. Please take the time to review some of our rules and regulations.

NOXIOUS ACTIVITY

No noxious, offensive or unlawful activity shall be conducted on the property, nor shall any condition be created or allowed to exist on the property, which may be or become an annoyance, nuisance or hazard to others. No sounds, which are unreasonably loud or annoying, and no odor which is noxious or offensive to others, shall be emitted from any lot or unit. No unreasonably bright light, or light which causes unreasonable reflection shall be permitted, and all exterior lighting must be properly shielded so as not to create a nuisance or annoyance to others.

RUBBISH, TRASH & GARBAGE

All rubbish, trash, garbage or other waste materials shall be kept in covered, sanitary containers or shall be promptly removed from the property. The sanitary containers shall be stored in the garage, in a screened area approved by the Committee, or other suitable location, which is not visible from the roadways, common areas or adjacent or neighboring property. The sanitary containers may be exposed to public view for such period as is reasonably necessary for proper disposal. All containers must be promptly removed to the storage area following proper disposal of the contents.

ANIMALS

Animals must be kept in an enclosed yard or on a leash at all times. Excrement shall not be allowed to accumulate on the owner’s lot or within animal enclosures and owners are required to pick up after their animals at all times. Notwithstanding the foregoing, no animals or fowl may be kept on the property, which results in an annoyance, or otherwise disturb the peace and quiet of any VOCA resident.

GARAGE SALES

Property owners are restricted to two-2 garage sales per calendar year with three-3 day duration or a total of six-6 days per year. The use of loud speakers, amplifiers, etc for the use in an auction setting is prohibited as a noxious activity.

WEEDS AND PROPERTY MAINTENANCE

Property owners whose lots have been improved are responsible for keeping their lots landscaped and free of weeds of all types, regardless of height. All grasses planted as a ground cover shall not exceed four (4) inches in height and shall be maintained in a neat and attractive manner. Areas covered in crushed granite, gravel, etc., shall be maintained in a

(Section 27 Continued)

neat and attractive manner free of weeds and grasses. Wild flowers, cultivated for the purpose of beautifying or naturalizing an area shall be allowed, provided they do not exceed twenty-four (24) inches in height and do not become a nuisance because of odor or appearance.

STORAGE OF PERSONAL PROPERTY

Tools, machinery, household effects, toys, containers, boxes, materials, or other items that degrade the appearance of the yards shall be stored as to be concealed from view, except that basketball hoops may be erected which are visible from neighboring property.

PARKING

Adequate paved off-street parking shall be provided to accommodate the intended use of the Owner's lot. No Owner or tenant shall park or drive, or permit others to park or drive, on unpaved portions of the property. Extended on street parking is not allowed in the Cathedral View Subdivision. In-street parking should be reserved for deliveries, pick-ups or for short term visitors only. No repair or maintenance work shall be performed on any motor vehicle or other piece of equipment on the property, except wholly inside a garage. No commercial vehicle, industrial equipment, recreational vehicle, motor home, boat, boat trailer, utility trailer, mounted or un-mounted camper, travel trailer or mobile home shall remain on the Property unless located inside a closed garage.

Short term parking for unscreened RV's, boats, camper trailers and travel trailers (hereafter referred to as "RV Vehicles") shall be allowed in the Village of Oakcreek Home Owners Association (VOCA) for the purpose of loading, unloading, cleaning and minor maintenance (such as checking fluid levels, tire pressure, light bulb replacement or similar items) only. A period of up to, but not to exceed, 72 continuous hours shall be allowed for this purpose. This 72-hour period cannot be repeated within a period of not less than fifteen-15 consecutive days. The "RV Vehicles" must be parked in the approved parking area of the property and must be totally contained within the boundaries of the property. Parking extending into the street, parking extending onto another persons property, or parking on non-paved or non-approved areas of the property is not permitted. Boats are defined as any type of powered or un-powered watercraft including ski-do type craft. Un-mounted campers are not allowed on any property unless properly concealed in an approved screened area. In no event shall a motor home, travel trailer or camper be occupied overnight during the 72 hour period it is on the property.

GOLF COURSE USE

Discounted golf privileges may be transferred from the property owner to the tenant. Please have the property owner contact the VOCA office for details. Any unauthorized use of the golf course is prohibited. Use of cart paths is limited to foot traffic prior to the first tee time and after dusk. Dogs must be on leash at all times. Owners must pick up after their pets. Please protect your pet from harmful chemicals and fertilizers by keeping them on the cart path at all times.

COMPLIANCE

Property owners are responsible for compliance with all VOCA CC&R's regardless of any arrangements that have been made with their tenants. Any violations of the CC&R's will be reported to the property owner with a request to have the violation corrected as soon as possible. In cases when violations are reoccurring or not corrected fines may be charged to the landlord/property owner.

For more information about the Association, activities, facilities and a complete copy of The Village of Oakcreek Rules, Regulations and Information please contact us or visit our office at:

Section 28 - Medical Marijuana

For these purposes medical Marijuana is defined as any controlled substance used, possessed or cultivated in accordance with the rules and regulations outlined in Arizona Prop 203 passed in November 2010.

Use and Cultivation of Medical Marijuana – The use of Medical Marijuana is prohibited within any Village of Oakcreek Association or Oak Creek Country Club building or on any Village of Oakcreek Association or Oak Creek Country Club common areas. The cultivation of Medical Marijuana is prohibited within any Village of Oakcreek Association or Oak Creek Country Club common areas.

(Section 28 Continued)

The use of Medical Marijuana on private property within the Association must be confined to the property boundaries so as to prevent noxious affects (smoke and/or odor) from entering adjoining properties. The cultivation of Medical Marijuana on private property within the Association must be conducted in a secure manner so as to prevent access by any unauthorized persons.

Section 29 - SCHEDULE OF FINES

Construction:

First notice (15 days to comply), Second notice, pre-fine notice and approval (15 days to comply), Third Notice, initial fine invoice sent (15 days to comply), Fourth notice, subsequent fine invoice for \$250.00, placed into monthly fine system. Some construction related violations may require a Cease & Desist Order to be issued that will stay in effect until the violation is brought into compliance. Normal fines will remain in effect while the Cease & Desist order is in effect. In some instances the Cease & Desist order may be lifted if the owner or contractor shows that they are working toward compliance in a timely manner and are acting in good faith.

Initial Fine: \$100.00

Subsequent Fines: \$250.00 (per month)

Cease and Desist: \$500.00 (per daily violation of order)

Late Permit Fee: \$50.00

Examples only: Additional violations are listed in the Architectural & Restrictions Rules, Regulations & Information and will be assigned categories where appropriate.

1. Building Without Approval
2. Non Submission of Building Plans
3. Landscaping (subject to size and scope of the project)
4. Retaining Walls (subject to size and scope of the project & if county permits are required)
5. Additional Permitted Structure
6. Contractor Time of Completion
7. Fencing (subject to size and scope of the project & if County permits are required)

Property Care & Maintenance:

Initial Fine: \$50.00

Subsequent Fines: \$150.00 (per month)

First notice 15 to 30 days to comply, Second notice, pre-fine notice (15 to 30 days to comply), Third Notice, initial fine invoice sent (15 days to comply), Fourth notice, subsequent fine invoice for \$150.00, placed into monthly fine system.

Examples only: Additional violations are listed in the Architectural & Restrictions Rules, Regulations & Information and will be assigned categories where appropriate.

1. Fencing (subject to size and scope of the project & if County permits are required)
2. Storage of Personal Property
3. Weeds (developed lot)
4. Property Maintenance
5. Exterior Color
6. Residential Signage
7. Dumping
8. Propane / HVAC Screening
9. Perk Holes /Test Holes
10. Antennas, Towers, Sat dishes
11. Rubbish Trash and Garbage

Noxious Activity:

Initial Fine: \$50.00

Subsequent Fines: \$50.00 (per occurrence)

First notice (7 days to comply), Second notice, pre-fine notice (7 days to comply), Third notice (initial fine invoice for \$50.00 then subject to inspections and subsequent fines of \$50.00 per occurrence)

(Section 29 Continued)

Examples only: Additional violations are listed in the Architectural & Restrictions Rules, Regulations & Information and will be assigned categories where appropriate.

1. Single Family / Home Occupation
2. Animals
3. Outdoor Laundry Areas
4. Limitation of Habitation
5. Noxious Activity (noise, light, odors, etc.)

Limitation of Vehicles

Initial Fine: \$50.00

Subsequent Fines: \$150.00

First notice/ pre fine notice; Notice posted on vehicle at time of inspection and written letter of violation, storage facilities list and RV Extension form by mail. 72 hours to comply.

Second notice / Fines: After 72 hours from first notice property subject to a \$50.00 fine.

Subsequent fines: A fine of \$150 may be assessed after each 72 hour period that the vehicle is observed at the property.

Repeat violation: Vehicles must remain off the property for 15 consecutive days after compliance. Any repeat of this violation within the 15 day period will result in an immediate fine of \$150.00 without notice.

Weeds Vacant Lot:

Initial Fine: \$125.00

Subsequent Fines \$200.00

First notice (certified/return receipt) will serve as first notice and pre-fine notice and will allow 20 days to comply

Second notice, Fine Notice \$125.00 and will allow 15-30 days to comply

Third notice, Additional Fines \$200.00 and \$200.00 thereafter per month

Remediation:

Remediation: billed at the actual cost of services provided. (labor & associated expense)

Service Charge: \$50.00

Security Deposit: Equal to the cost of services provided

Fines: Any accumulated fines will remain attached to the property

- If a violation is not cured within (60) days VOCA or its agent may enter a lot and effect remediation of the violation.
- Property owner will be responsible for all cost to bring the property into compliance including any accumulated fines.
- A service charge of \$50.00 will be assessed.
- The property owner may be required to post an additional security deposit equal to the cost of service in order to ensure future compliance.

Commercial Signage:

Initial Fine: \$100.00

Subsequent Fines: \$250.00 (per week)

First notice / Pre-Fine Notice (15 days to comply), Second notice, Initial fine levied for \$100.00 (7 days to comply),

Third notice, Subsequent fine levied for \$250.00, placed into weekly fine system.

Collections:

Any association service fees, cost of services and accumulated fines that remain unpaid will result in the loss of VOCA property owner's rights and possible action against the property. Delinquent accounts will be turned over to an independent agency for collection in accordance with current VOCA policies.

Section 30 - RESTRICTIONS COMMITTEE PROCEDURES TO LEVEE FINES

1. Observations are received and dated at the (VOCA) office.
2. VOCA Property inspector visits the property to confirm the existence of a violation and to document the violation with photos if necessary.
3. The first written notice is sent to the property owners address on file asking for their help, and will include the following information: *All efforts will be made to resolve issues with the homeowners in a fair, positive and cooperative effort. VOCA will offer any assistance necessary to avoid further action.*
 - a. A Restrictions File Number will be assigned to the case.
 - b. The violation that the inspector has observed along with pictures if appropriate.
 - c. The VOCA Article or Rule that has been violated.
 - d. The property owner will be encouraged to contact VOCA as soon as possible.
 - e. The owner will be asked to bring their property into compliance within a time frame set by the Restrictions Committee, usually 15 to 30 days depending on the violation. A date will be set for re-inspection.
 - f. The property is re-inspected.
 - g. If the property is still non-compliant, the VOCA Compliance Coordinator will proceed to the second written notice.
4. The second written notice (PRE-FINE NOTICE) is sent to the property owners address on file and will include the following information:
 - a. The violation that the inspector has observed along with pictures if appropriate.
 - b. The VOCA Article or Rule that has been violated.
 - c. Pre-fine information:
 1. The amount of the initial and possible subsequent fines for the violation.
 2. The consequences of remaining non-compliance and non payment of fines.
 3. Notification of the right to appeal.
 - d. The owner will be asked to bring their property into compliance within a time frame set by the Restrictions Committee, usually 15 to 30 days depending on the violation. A date will be set for re-inspection.
 - e. The property is re-inspected.
 - f. If the property is still non-compliant the VOCA Compliance Coordinator will ask the Restrictions Committee to review the file and for approval to levee fines if appropriate.
 - g. After receiving approval to levee fines, the VOCA Compliance Coordinator will proceed to the final written notice.
5. The final written notice (FINE NOTICE) is sent (certified mail) to the property owners address on file and will include the following information:
 - a. The violation that the inspector has observed along with pictures if appropriate.
 - b. The VOCA Article or Rule that has been violated.
 - c. Notice that the Restrictions Committee has approved fines against the property.
 - d. Invoice for the fine amount.
 - e. Notice regarding possibility of additional fines if the property remains non-compliant
 - f. Details listing the consequences of non-payment or remaining non-compliant. The date when the property will be re-inspected
 - g. The owner will be asked to bring their property into compliance within a time frame set by the Restrictions Committee, usually 15 to 30 days depending on the violation. A date will be set for re-inspection.

(Section 30 Continued)

- h. Information about the owners right of appeal
- i. The property is re-inspected.
- j. If the property is still non-compliant, the VOCA Compliance Coordinator will place the property in the ongoing fine system. Inspections will be made when called for in the fine notice and fines and interest will be levied and will continue until the property owner has resolved all violations or has contacted VOCA to make arrangements to address the issues.

Section 31-CONSEQUENCES FOR REMAINING NON-COMPLIANT & FAILURE TO PAY FINES

- 1. Unpaid balances for fines and interest will remain attached to the property until resolved.
- 2. The property owner can lose all rights as a member in good standing of the Village of Oak Creek Association such as:
 - a. Right to vote
 - b. The right to use VOCA common areas
 - c. Loss of golf privileges
 - d.
- 3. Unpaid balances for fines and interest may be turned over to VOCA Legal Counsel for collection.
- 4. Legal judgment may be levied against the property owner.
- 5. Full disclosure of restrictions violations, unpaid balances for fines and interest are required, prior to the close of any real-estate transactions could cloud the title and delay any transfer of ownership.

NOTE:

- On The 25th of each month the Restrictions Compliance Coordinator will provide information to the VOCA Controller on the Restrictions Files that are non-compliant and the amount of initial or continuing fines that need to be levied.
- The Controller will generate invoices for fines by the end of each month, posted for the 1st of the next month.
- A letter with invoice for fine amount to be paid is sent to the homeowner.

Please refer to the VOCA By-Laws, Master Declaration of Restrictive Covenants and your specific Subdivision CC&R's for additional regulations not contained in these documents.

The Committee may, in its sole and absolute discretion, adopt, amend and repeal, by unanimous vote or written consent, rules and regulations, to be known as "Architectural Review/Restrictions Regulations. As such, the Committee may authorize, by unanimous vote, a variance from the A.R.C. Rules and Regulations as will not be contrary to the general interests of the Association, where owning to specific conditions a literal enforcement of the provisions will in the Committee's opinion result in unnecessary hardship.

For additional information: Village of Oakcreek Association By-Laws, Master Declaration for the Village of Oakcreek, and individual Subdivision CC&R's. These documents are available at the Village of Oakcreek offices. Infraction of these Rules and Regulations, The Master Declarations, or specific subdivision CC&R's, are subject to review and enforcement by the VOCA Restrictions and Architectural Review Committees.

NOTE:

Each VOCA Subdivision is governed by an additional set of Rules and Regulations CC&R's. Copies of each subdivision CC&R's may be obtained from the VOCA office. Whenever planning any project owners should always review VOCA Rules and Regulations and their specific subdivision CC&R's.