

(b) no annexation of any property into the Property or de-annexation of any property from the Property shall be effective without the prior written consent of Lender, which may be given or withheld in Lender's reasonable discretion; except Declarant may, without needing Lender's consent, annex future phases that are included in the PAD Zoning for the Property approved by the Town of Queen Creek, Arizona, under Zoning Ordinance No. 295-04 as amended by Zoning Ordinance 405-07, provided that such future phases are consistent in lot size, design and restrictions with Phase 2 and Phase 3 and such annexation does not create or impose undue or unequal burdens, dues, costs or expenses on the Property or any portion thereof or on the Association. As used in this Amendment, "Lender" shall include any successor or assign of Lender's interest in the Loan.

3. Approval of Board of Directors. By executing the approval below, the Board of Directors of the Association approves this Amendment.

4. Section 2.1. Purpose: All Property Subjected. Section 2.1 is hereby deleted in its entirety and replaced with the following:

The purpose of imposing design standards on the Property is to ensure aesthetic integrity as well as the potential long-term economic viability, feasibility and sustainability of the Project, to protect the health and welfare of residents, to protect the natural environment, including some of the original pecan trees, and to prevent nuisances detrimental to persons or real property within the Property to the extent practicable. In connection with such purposes the Property is hereby made subject to the jurisdiction of the DRC, and all Owners and users of the Property shall comply with the requirements of the DRC. All improvements, standards, definitions, and general land use regulations refer to those contained in the Design Guidelines of this Declaration or the Project Documents. Notwithstanding the foregoing, the Property possesses unique and varying characteristics, including, but not limited to, varied Lot sizes, varied Lot configurations, and the number and types of vegetation within the Project. It is not the intention of Declarant nor the DRC for the Property to be uniform, but it shall maintain its unique character and unique qualities to the extent practicable. Therefore, in accordance with Section 2.10 below, Declarant intends for the DRC to liberally grant variances and exceptions as provided in said Section which may result in fewer restrictions on the Property, which shall be granted on a Lot by Lot determination only at the sole discretion of the DRC or the Board. All references to Ordinance 295-05 shall also be deemed a reference to Ordinance 405-07 and to any past and future amendments or modifications to either; and they shall no longer apply if the Town of Queen Creek terminates the same.

5. Section 2.2(e). Design Review Committee. Section 2.2(e) is hereby amended by adding the following at the end thereof:

Notwithstanding the foregoing, the DRC may also modify or withdraw Design Guidelines from time to time in its sole discretion provided such modification or withdrawal is consistent with this Declaration.

6. Section 2.4(c). Design Guidelines – Residences, Garages and Other Structures. Section 2.4(c) is hereby amended by adding the following at the end thereof:

Notwithstanding the foregoing, and in accordance with Section 2.10 below, the DRC, in its sole discretion, but subject to Board approval, on a Lot by Lot determination only, may approve a variance in whole or in part of the foregoing requirements allowing less than the minimum square feet and

**THE PECANS
DESIGN GUIDELINES
ADDENDUM 1
9-30-06**

1. **Introduction INT-1** Replace Jomar Management and phone number with The Pecans Design Review Committee (480-~~831-2000~~)
987-2442
2. **Site Grading RES-14 Retention and Drainage** Second paragraph, second and third sentence change to read: "Lots shall require building pads to be consistent with the Town of Queen Creek requirements, The Pecans Grading and Drainage Plan and The Pecans Drainage Report. This may require the Owner to import suitable soil from off the property to achieve the proper pad elevation. Current third sentence is eliminated.
3. **Corner Lot Fencing RES-21 Lot Fencing** The first sentence of this section shall be changed to read: All lots (except corner lots) require fencing along the full length of the rear lot line and both side lot lines.
4. **Corner Lot Fencing RES-22 Lot Fencing (continued)** The first full sentence of this page shall be changed to read: "These front fences shall be placed no less than 8 ft. back and parallel to the front plane of the residence except on corner lots. Street frontage fencing on corner lots shall not extend beyond the rear corner of the home".
5. **Lot Fencing (continued) RES-22** Under Contracting for Fencing. Change reference from Jomar to The Pecans Homeowners Association.
6. **Lot Signage RES-26 Lot Resale Sign** The following sentence shall be inserted after the second sentence: "The sign shall be installed by the Association adjacent to the existing lot number sign". The relocation of the resale sign and the lot number sign shall not be altered by anyone other than a representative of the Association.

DESIGN GUIDELINES ADDENDUM CONTINUED

7. **Design Review Fee DES-3** First paragraph should reference Application for Conceptual Review not Primary Design Review Application.
8. **Pre-Design Meeting Location DES-3 Pre-Design Conference** The first sentence of this section shall be changed to read: "Before submitting preliminary plans for any improvement, the owner and the design professional(s) shall meet with the DRC at the office of the Association.
9. **Current Edition of Guidelines Contact DES-3 Pre-Design Conference** Change contact from Jomar Management to The Pecans Design Review Committee (480-831-2000)
10. **Submittal Checklist with Application DES-4 Primary Design Submittal** The first sentence of this section shall be changed to read: "The following documents, plans and specifications comprise the complete Primary Design Review submittal:
 - application and checklist for Primary Design Review (exhibit A-2)
11. **Color Board Format DES-5 Color/Materials Sample Board**
The first sentence of this section shall be changed to read: "Provide 8 ½ x 11 sample boards illustrating all proposed exterior finishes, colors And accent material. Sample boards shall use the forms shown on (exhibit H).

Add fourth section to this category to read: Provide an oblique perspective rendering, in color, illustrating the street elevation and a portion of one side of the home. This rendering shall be prepared by a professional approved by the DRC. Black and white elevations of all 4 elevations are required as well. Shade and shadow treatment of the elevations is encouraged but not required.
12. **Final Design Submittal DES-7 Final Design Submittal**
The bullet under the first sentence shall be changed to read:
 - Application for Final Design Review (exhibit A-3)

DESIGN GUIDELINES



THE
PECANS

A small, detailed illustration of pecan leaves and nuts, positioned below the title. It shows several leaves with serrated edges and a cluster of pecan nuts on a branch.

INTRODUCTION

Designing a home in an environment as extraordinary as this 30-year old working pecan grove requires a level of care and attention that should prove inspirational for anyone choosing to be a part of the community. Design Guidelines at The Pecans assure that every house will be an architectural treasure and that the building process will be a positive experience. These design standards have been created for The Pecans to assure aesthetic integrity, to protect the health and welfare of residents, to preserve the pecan trees and the natural environment, and to prevent nuisances detrimental to residents or real property within the community.

The Pecans Homeowner's Association (HOA) has appointed a Design Review Committee (DRC) and adopted these Design Guidelines to govern and influence the design and construction of residences, appurtenant improvements, and related matters. The requirements of the Design Review Committee apply to all Owners and users of The Pecans. The Town of Queen Creek also has zoning and building ordinances that apply both generally and specifically to The Pecans. These Guidelines are separate and apart from the regulations of the Town of Queen Creek. However, when any of the provisions of these Guidelines conflict with any of the

provisions of the Town of Queen Creek, the more restrictive of the two shall govern. When working with these guidelines assure that you have the most current edition by checking the web site "www.thepecans.com". Go to "[The Community](#)", then to "[Residences](#)", and click on "[Download Design Guidelines](#)" or by contacting The Pecans Design Review Committee (480-831-2000).

The Association reserves the right to adjust the guidelines as necessary to respond to on-going conditions on the property, to further clarify issues that arise in their interpretation, or to maintain the design quality of the community.



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The Guidelines is organized into the following sections to facilitate your use.

The Residences
The Landscape
The Design Review Process
The Construction Process
The Design Review Committee
Definitions
Exhibits

Note: All improvements, including new construction, additions, exterior remodeling, landscaping, exterior installations, and any other improvement, changes or additions that in any way alters the exterior appearance of a lot will require DRC approval.

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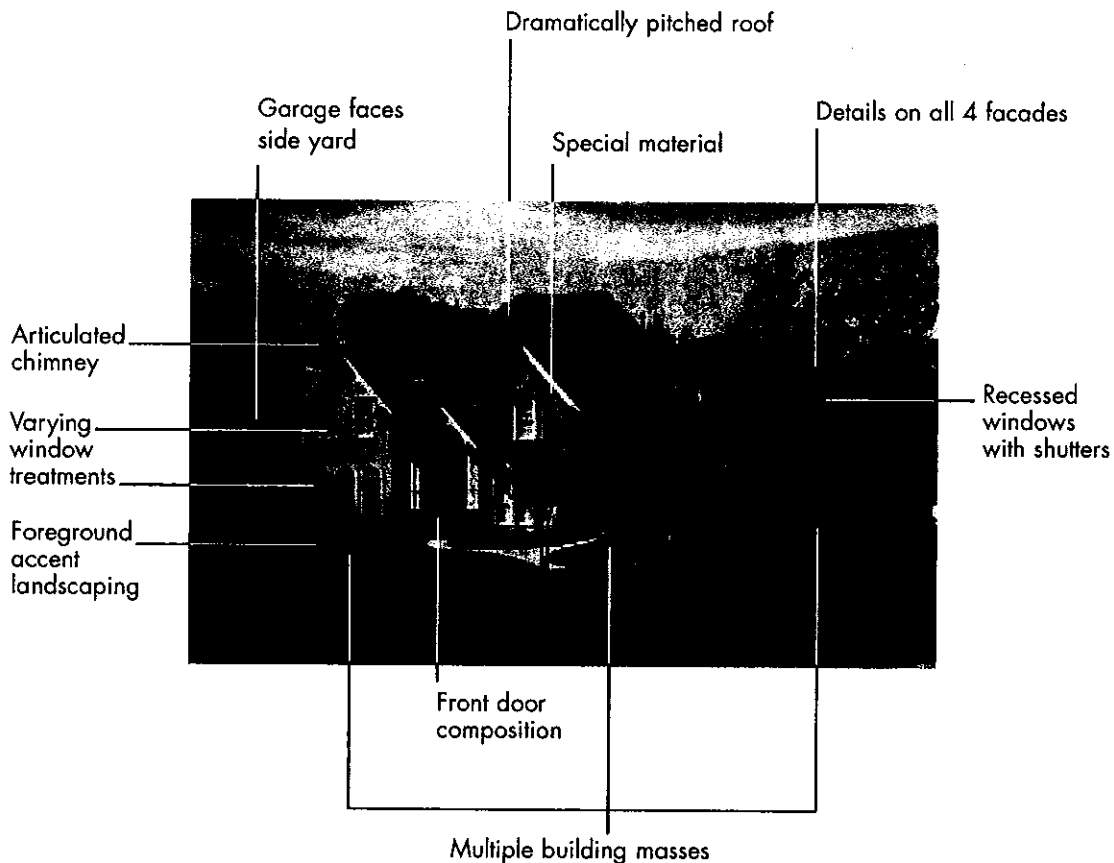
THE RESIDENCES

THE ARCHITECTURAL VERNACULAR OF THE PECANS

The Pecans is a unique property. Its thousands of mature deciduous trees provide a setting for the design and construction of homes with charm and character to emulate traditional estate communities that have become the standard for great residential neighborhoods. The architecture is conceived and planned to capture the ambiance of the noble residences typical of the classic suburbs of the northeast, midwest and old south, as well as drawing from the historic influences of European architectural style and design.

The examples shown on these pages demonstrate the character and quality of homes to be designed for The Pecans.

Features that will make the homes distinct and special are called out. Criteria for all design are found within these guidelines.



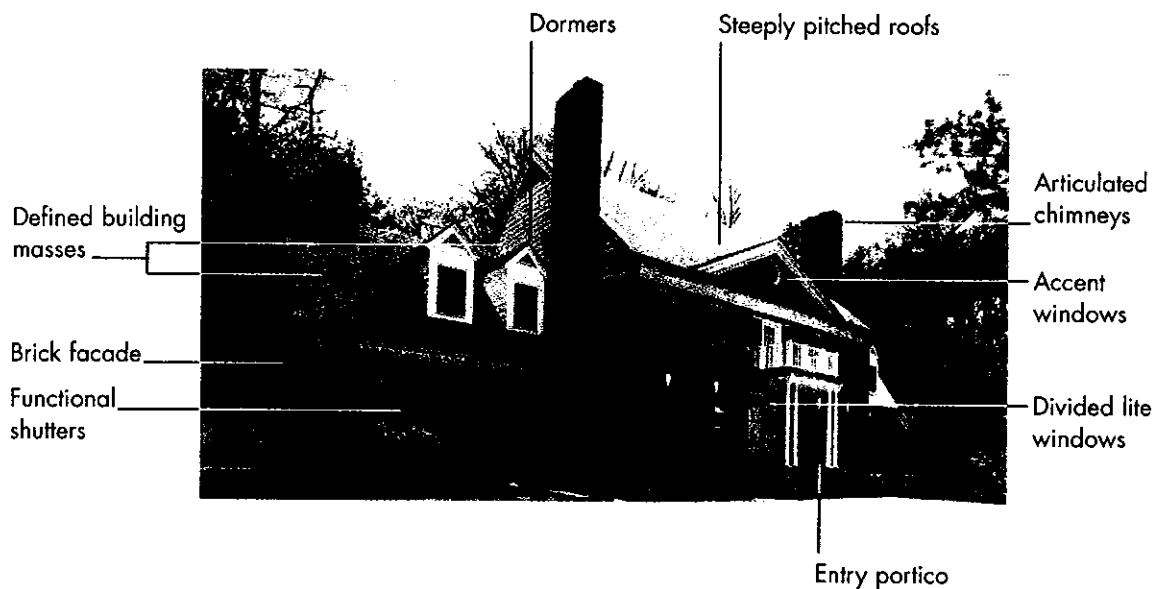
Architecture at The Pecans will reflect the tradition and romance of those settings and times when great care and attention was taken in crafting wonderful, one of a kind residences that expressed the individual tastes and desires of discerning Owners. Home design at The Pecans will embrace the qualities and character of the many styles of these beautiful and enduring homes. Residences at The Pecans will not be parodies of established architectural examples but rather exacting designs that capture the integrity of the proportions, massing, shapes and forms of older estate homes. From roof-lines to fenestration,

pediments to portals, successful integration of every architectural element will combine to portray a romantic quality that evokes the handcrafted look and flavor of the past and creates a community of unprecedented charm. Detailing will be expressive of the home's derivative style. Features such as steeply pitched roofs, copper finials, roof-top cupolas and turrets, quoins at building corners, ornamental iron balconies and trims, deeply recessed doors and windows and full scale shutters will be welcome counterpoints to the plain mass-produced look that is prevalent in so many of today's residential neighborhoods.



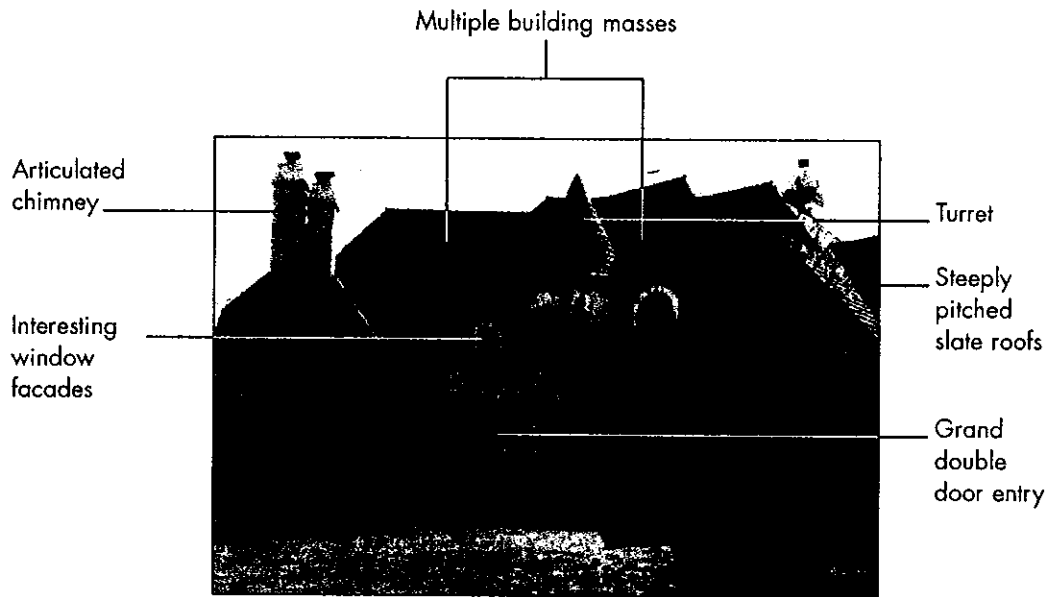
There is no single vernacular that typifies a home at The Pecans. Architectural character is influenced from a variety of period and regional styles. French Provincial, Georgian, Antebellum, Greek Revival, Italianate, Colonial, Queen Anne and Tuscan, are all compatible and complementary vernaculars within The Pecans. Whether derived from a classic French country chateau or a stone English carriage house, the materials and textures, massing and forms and every detail will create an ensemble that in concert, present stately buildings and surroundings of beauty, graciousness and charm.

Comprehensive guidelines and rigorous review will assure each residence at The Pecans adheres to the design aspirations for the community. Architects will understand the design intent for the community and the environmental opportunities and constraints of the individual parcels. Building envelopes have been defined to govern siting to protect the pecan trees. The Pecans is a community that embraces the equity created by the orchard and has responded with an architectural and environmental program that will make it truly special.



Although no single architectural style typifies a home at The Pecans, common design expressions will make the community character rich and vibrant. Some of

the design details that will contribute to making each residence a special place are indicated in this example.



BUILDING ENVELOPES

Each lot at The Pecans has unique features and characteristics and therefore offers distinct design opportunities. Accordingly, each lot has its own prescribed area, called the building envelope, in which the construction of the residence will occur. The building envelope is determined by its unique features, the Town of Queen Creek zoning ordinance and other planning considerations. Primary residences must be confined to the building envelope.

Tree preservation is the primary consideration in the designation of the building envelope (particularly the front yard setback line) and will be an important element in the review and approval of the residence footprint. Owners are strongly encouraged to creatively integrate existing trees into the footprint design of the home.

The initial Owner of a lot at The Pecans will be provided a Lot Exhibit showing the property lines, building envelope, location and placement of all utilities on the property and an inventory of all existing pecan trees on the site at the time the exhibit is prepared, along with their approximate loca-

tion. (Lot exhibits are also available at "www.thepecans.com"). Go to "The Community", then to "[Site Plan](#)". Click on the site plan rendering, then on the box indicating the phase in which the lot is located. Next click on the specific lot and the lot exhibit will appear.

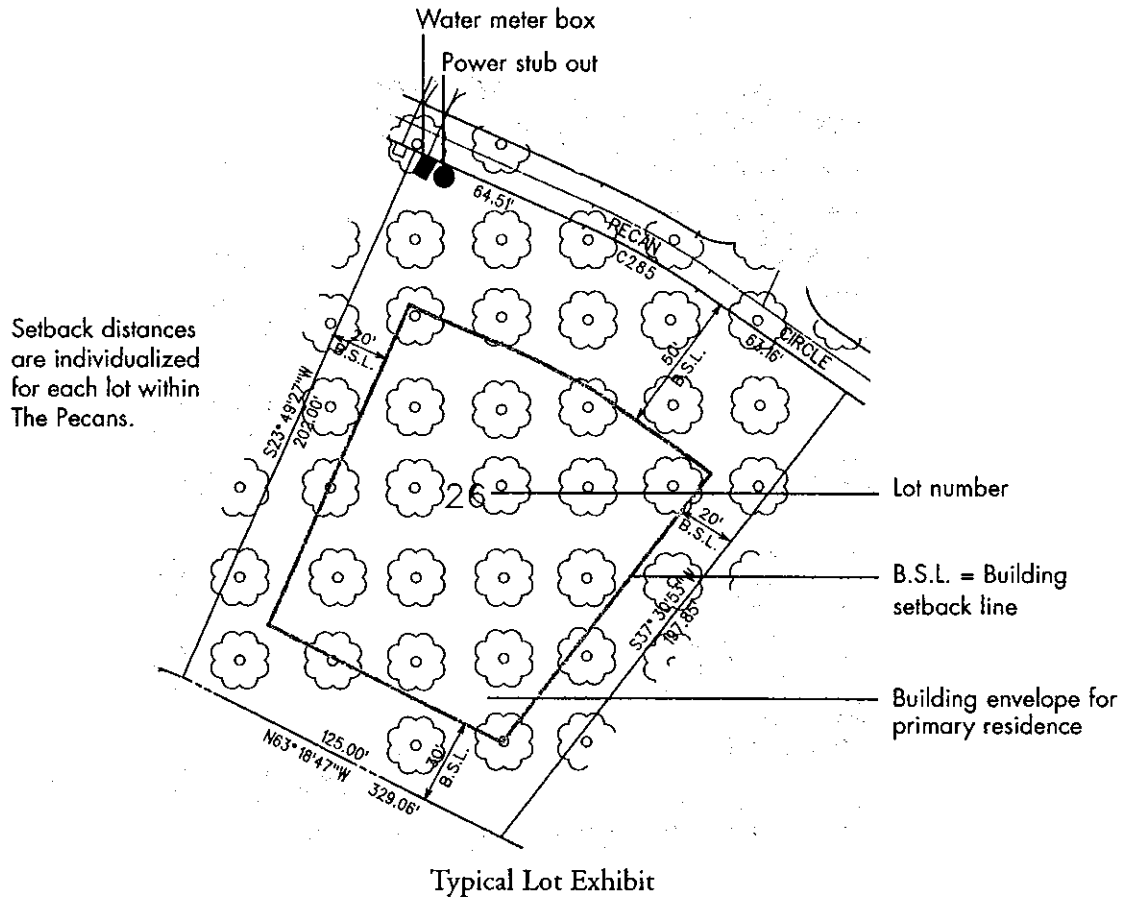
The Lot Exhibit, provided to each home Owner, indicates the setback requirements for each lot. However, any Owner constructing a two-story residence must allow a side and rear yard setback that is at least equal to the height of the home closest to the side yard. For example, if the height of the home adjacent to the side yard is twenty-five feet (25') high, the setback distance must be at least twenty-five feet (25').

Site improvements or landscape shall not encroach upon any adjoining lots. Any restrictions that do not appear on the Lot Exhibit shall conform to the information in these guidelines.

Note: Prior to the primary design submittal the Owner must commission a survey that identifies the exact number and accurate location of all trees on the lot.



BUILDING ENVELOPES CONT.

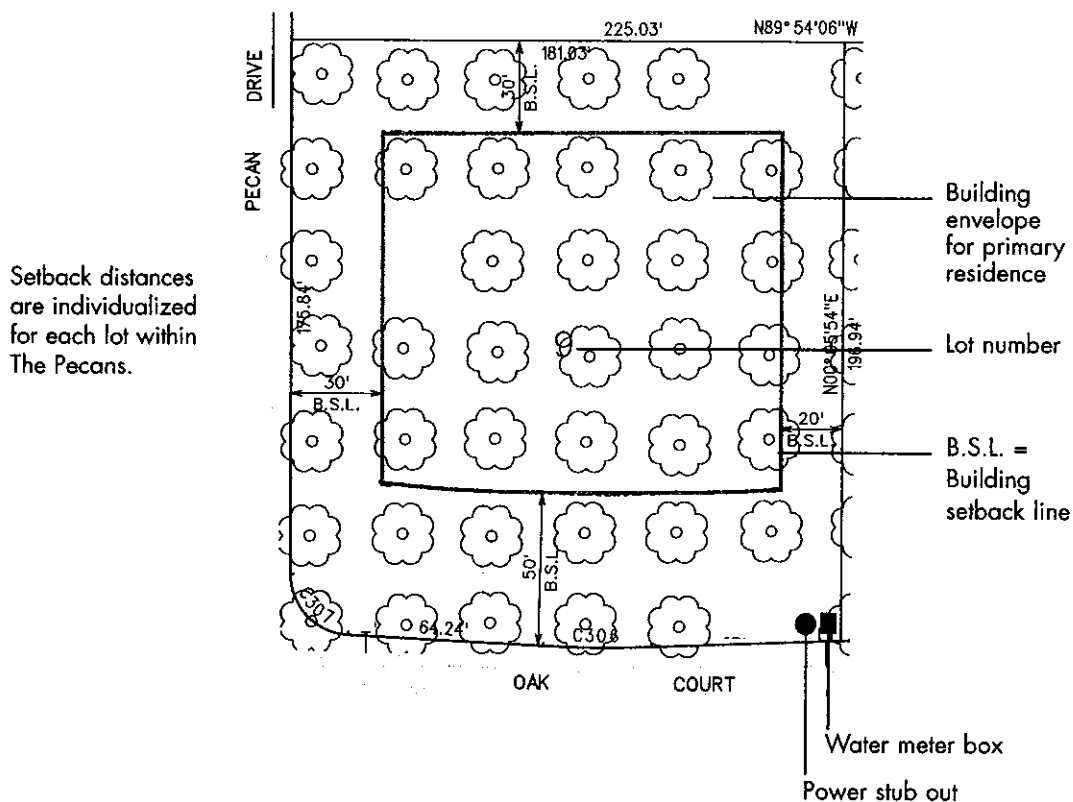


BUILDING ENVELOPES - CORNER LOTS

Lots within The Pecans that front two (2) streets have additional considerations relative to their building envelopes.

Massing - Homes on corner lots must exhibit proper massing and consistent architectural detail on both street fronting sides of the homes.

Accessory buildings – Any accessory buildings on corner lots should be located opposite the side yard that faces the street. Refer to “Accessory Buildings” on page RES-14 for setback guidelines.



Typical Lot Exhibit



PECAN TREE PRESERVATION AND LOT ZONES

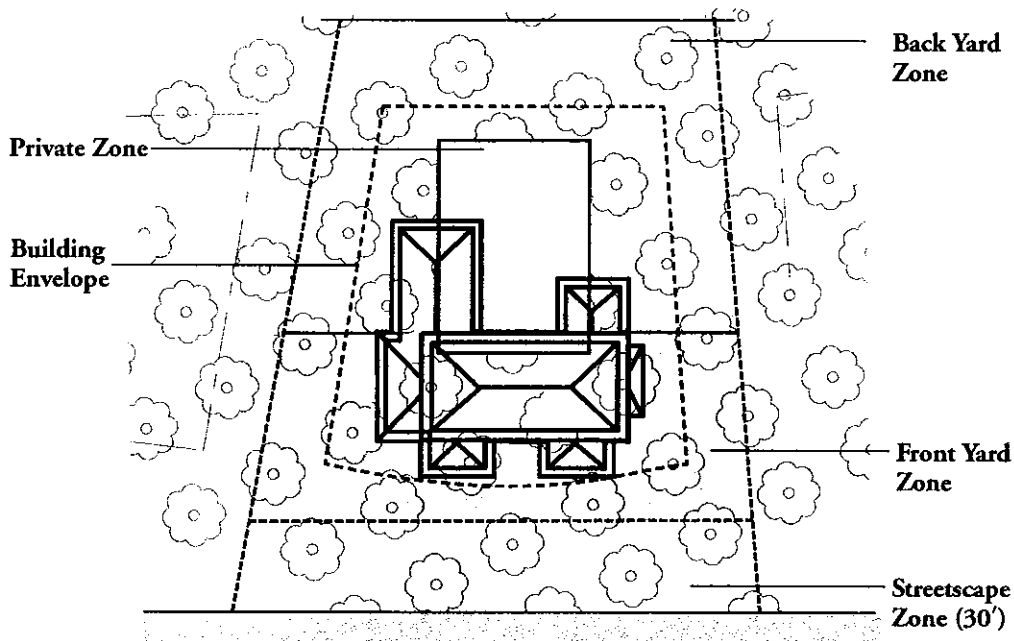
The Pecans is a community that celebrates the natural riches of the pecan grove. Preservation of the trees is paramount to the ambiance, character and quality of the environment. Care must be taken to preserve as many trees as is possible and practical. For purposes of planning, architecture and landscape design, each lot will be divided into four distinct zones. Each zone has different

preservation requirements for the pecan trees. Overall retention of pecan trees must be a minimum of thirty-five percent (35%) of trees present on the lot at time of purchase.

Owners of lots with sparse tree coverage should make every attempt to preserve and/or relocate every tree possible. DRC will be especially sensitive to removing trees on these lots.



PECAN TREE PRESERVATION AND LOT ZONES CONT.



The Streetscape Zone is any part of a lot that lies within the area measured thirty feet (30') from the back of the street curb. In order to maintain the grove's shady ambiance, all Streetscape Zones will be landscaped and maintained to a consistent program. Most pecan trees will be preserved. Driveways will be sited in an attempt to avoid the removal of most pecan trees. The ground plane beneath the trees will be dominated with grass lawns, low growing shrubs, vines and groundcovers.

Back Yard Zone is that area of the lot that lies to the rear of the home and within the side yard fences and outside the Private Zone. This area of the property is landscaped in a more natural context. Preservation of at least forty percent (40%) of the pecan trees is required. To the degree that the site improvements allow, preservation of a higher percentage of the trees is encouraged.

Front Yard Zone is that area of a lot that lies between the Streetscape Zone and the front of the residence. This zone also extends around the sides of the residence to the side yard fence returns. Front Yard Zone landscaping requires that at least fifty percent (50%) of the existing pecan trees on the lot must be retained. To the degree that the site improvements allow, preservation of a higher percentage is encouraged.

The Private Zone is that area of a lot which is used for recreational and entertainment improvements such as patios and pools. The Private Zone is not visible from any streets or adjacent properties and must be within the building envelope. Preservation of pecan trees within this area of the lot is not required.



LOT COVERAGE

The DRC recognizes the diverse conditions on properties within The Pecans and that achieving these pecan tree preservation goals is dependent, in part, on the individual lot configuration and the existing pecan tree grid. Therefore, DRC review and approvals will be on a lot by lot basis.

Maximum lot coverage including, but not limited to, residences and accessory buildings shall be determined by tree preservation, the wastewater system, and drainage and retention requirements. The maximum area under roof shall in no

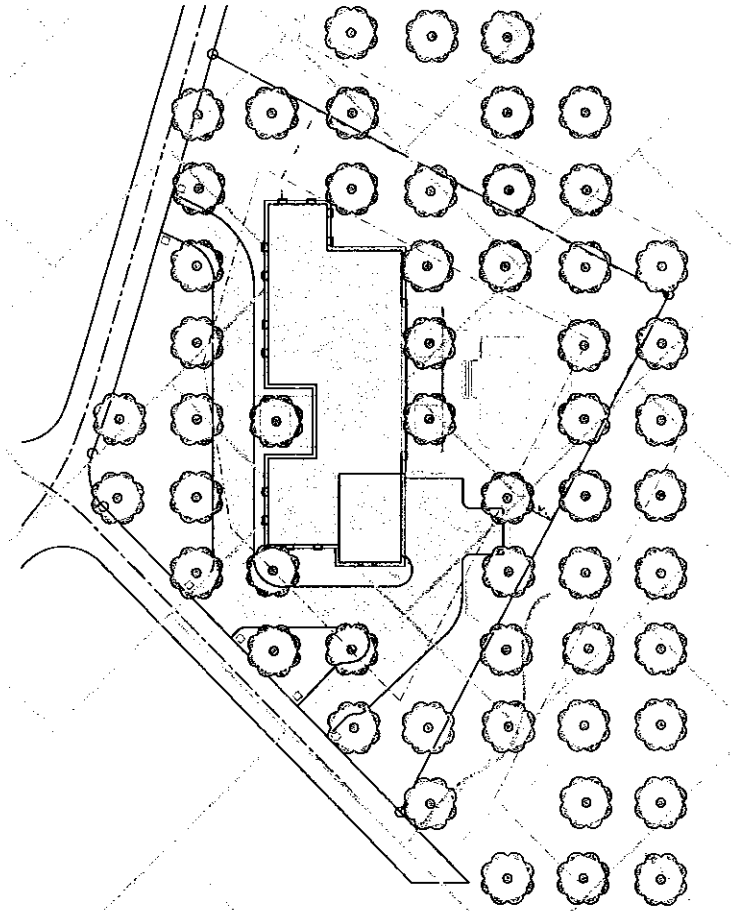
case exceed thirty-five percent (35%) of the lot area.

Design of the residence, driveways, and patios shall take into account continuing growth of the pecan trees, including both the tree canopy and the tree roots.

The following exhibits show examples of representative site plans for lots within The Pecans indicating "creative" placement of the primary residence, driveways, accessory buildings, garage, and other features.



LOT 15 REPRESENTATIVE LOT COVERAGE

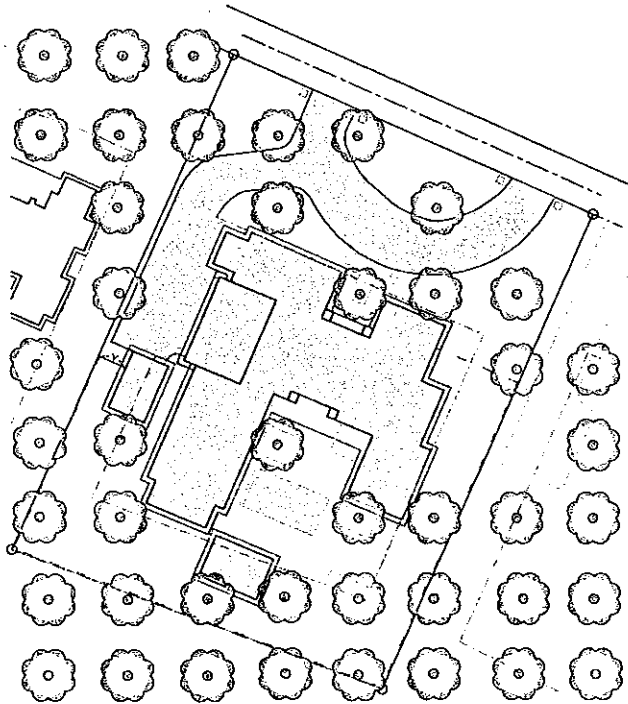


Lot Area	36,234 SF
Building Envelope Area	17,573 SF
Floor Area	
Residence	5135 SF
Garage	835 SF
Floor Area Total	5970 SF
Coverage Area*	
Residence	5674 SF
Garage	936 SF
Coverage Area Total	6610 SF
Coverage %	19 %
Trees Saved	27 66 %
Trees Removed	14 34 %
Total Trees	41 100 %

* Coverage Area includes all areas under roof



LOT 27 REPRESENTATIVE COVERAGE



Lot Area	31,312 SF
Building Envelope Area	12,987 SF
Floor Area	
Residence	6023 SF
Garage	816 SF
Accessory Bldg.	403 SF
Rec. Vehicle Garage	352 SF
Floor Area Total	7594 SF

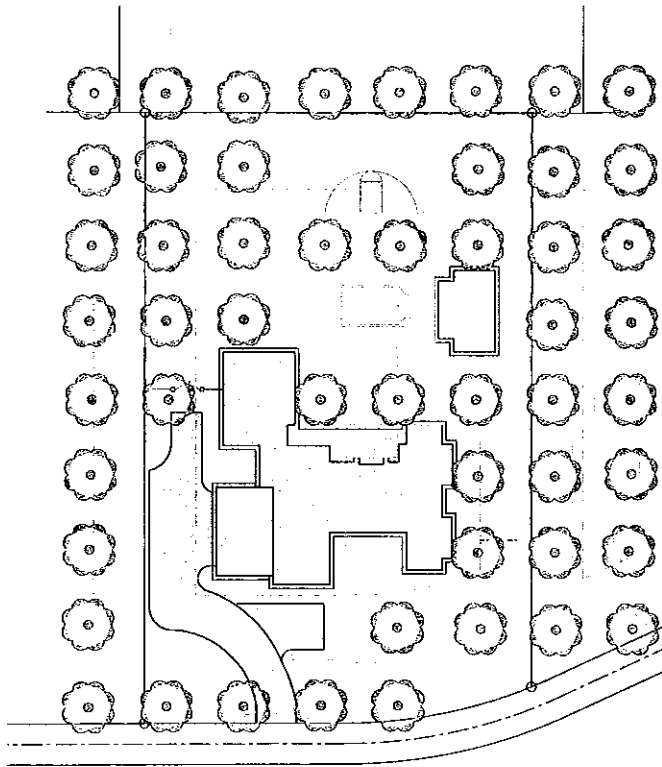
Coverage Area	
Residence	7294 SF
Garage	905 SF
Accessory Bldg.	582 SF
Rec. Vehicle Garage	523 SF
Coverage Area Total	9304 SF
Coverage %	30 %

Trees Saved	18	55 %
Trees Removed	15	45 %
Total Trees	33	100 %

*Coverage Area includes all areas under roof



LOT 41 REPRESENTATIVE COVERAGE



Lot Area	35,466 SF
Building Envelope Area	17,280 SF
Floor Area	
Residence	4005 SF
Garage	768 SF
Accessory Bldg.	643 SF
Floor Area Total	5416 SF
Coverage Area	
Residence	4967 SF
Garage	879 SF
Accessory Bldg.	814 SF
Coverage Area Total	6660 SF
Coverage %	19 %
Trees Saved	
22	56 %
Trees Removed	
17	44 %
Total Trees	39 100 %

* Coverage Area includes all areas under roof



SITE GRADING: RETENTION AND DRAINAGE

Each lot requires an effective grading and drainage plan. The Owner is responsible for the plan and it must conform to the Town of Queen Creek regulations.

Each lot will be required to retain its own storm water. Lots will require building pads to be consistent with the Town of Queen Creek requirements, the Pecans Grading and Drainage plan and the Pecans Drainage Report. This may require the Owner to import suitable soil from off the property to achieve the proper pad elevation. The maximum pad grade shall not exceed twenty-four inches (24") from adjacent top of curb.

To protect the pecan trees, changing the grade within more than thirty-three percent (33%) of the drip line is not permitted. If a tree is removed by either the Association or the Owner, the remaining hole must be backfilled and properly compacted at the Owners expense.

The Town of Queen Creek's engineering department must review and approve all drainage and retention plans. Even when landscape and site plans are approved by the DRC, there is no assurance that the Town will approve them. DRC approvals only address aesthetics, preservation of the pecan trees, and adherence to these guidelines.

RESIDENCE DIMENSIONS

Unless otherwise prohibited by the Town of Queen Creek, residences may be one or two-stories above ground.

Single-story residences shall contain at least four thousand (4,000) square feet of enclosed living area. Two story residences shall contain at least three thousand, two hundred (3,200) square feet of enclosed living area on the first floor. Second floor living area should not exceed fifty percent (50%) of the first floor living area. Two story residences are not permitted on Lots 1, 55, 63, 64, 65, 108, 109, 110, 111, 112, 145, 146, 147, 148, 149, and 150.

No residence or structure may exceed thirty-six feet (36') in height. Height will be measured from the approved pad grade to the highest ridge of the roof. In no case shall a residence height exceed thirty-eight feet (38') measured from natural grade. Since chimneys are required by code to project above the roof, they may exceed the maximum building heights, however, in no case shall the top of chimney exceed forty feet (40').

Basement features such as exit stair rails shall not be visible from neighboring property.



GARAGES AND PARKING

The streets within The Pecans have been designed to minimize hard surface coverage. Accordingly, street side parking is not possible. Owners are strongly encouraged to provide ample parking space on their property through the use of circular drives and/or extended driveways.

Each residence shall have enclosed parking for three cars. All garage doors must be equipped with automatic garage door openers.

Garage openings must be oriented to minimize visibility from the street. Driveways shall include sufficient space to accommodate parking for at least two (2) guest vehicles. Screening these additional parking areas with hardscape or landscape features that are at least two feet (2') high is encouraged.

Garage door design shall complement the architectural style, colors and finishes of the house and must be constructed of wood. Primary residence garage doors shall be a maximum of twenty feet (20') wide and nine feet (9') high and recessed from the adjacent wall plane a minimum of twelve inches (12").

Detached garages that are deemed to be excessive in size will not be allowed. Appropriateness of scale will be considered in the context of their overall height, square

footage, location on the site, setbacks, relationship to the main residence and other design considerations. While there are no specific dimensional specifications or limitations, detached garages will be closely scrutinized by the DRC. It is advisable to discuss plans for detached garages during the Pre-Design Conference or Conceptual Design Submittal to assure that they conform to acceptable criteria.

Doors on detached garages require sensitivity to their proportions in relationship to the size and massing of the building but should not exceed a maximum of ten feet (10') in height and ten feet (10') in width. The DRC will review the size and proportions to assure they are appropriate to the scale of the garage and in keeping with the look and feel of the main residence.

Recreation vehicles, boats, trailers, and other motorized and non-motorized recreational vehicles exceeding six feet (6') in height must be parked inside of garages. Recreational vehicle less than six feet (6') in height not housed in garages must be stored on a brick or concrete pad and completely concealed from neighboring properties. All concealment structures are subject to DRC approval.

ACCESSORY BUILDINGS

Accessory buildings can include a number of functions such as detached garages, guest houses, casitas and storage facilities. They must adhere to the design standards that define buildings throughout the community. All accessory buildings must be designed in

the architectural vernacular and style that matches the primary residence on the site.

The Town of Queen Creek has specific requirements and stipulations for accessory buildings that must be observed.



ACCESSORY BUILDINGS CONT.

A lot at The Pecans may include up to two accessory buildings, one of which may be a dwelling unit (guest house/casita). Non-dwelling units may contain up to one thousand (1000) square feet. The Town of Queen Creek requirements for accessory buildings used as dwelling units, limits them to one per lot and it cannot exceed eleven hundred (1100) livable square feet.

Accessory buildings have specific setback requirements. They must be located in the back yard zone and outside walls must

be at least ten feet (10') from the property line. The maximum height at the ten foot (10') setback can be no higher than ten feet. The roof height may then increase one foot (1') in height for each additional one foot distance from the property line, up to a maximum height of twenty feet (20').

Accessory buildings on corner lots must be positioned away from the street facing the non entry (front door) side of the residence.

RESIDENCE MASSING

Residences at The Pecans must be "four sided" design, which means wall materials, textures, design features, detailing, relief, recesses, and visual characteristics must be consistent on all elevations around the entire perimeter.

In keeping with the goal of achieving a community of classic architectural character, the form and massing of homes is of critical importance. Each elevation of the residence must have three separate and distinctively recognizable masses.

Masses are differentiated by a minimum of four feet (4') of vertical and horizontal

displacement from each adjacent mass. Courtyards and/or porches facing the street are encouraged. They offer variation in the architectural massing and promote a vibrant sense of community.

Dormers, turrets, and other features that break the mass of the roof and add scale distinction hierarchy to the buildings are encouraged.

Homes on corner lots must exhibit proper elevational masses and architectural detail on both street fronting sides of the home.

EXTERIOR WALL FINISH

The use of two (2) or more complementing finishes on the vertical exterior walls of the residence is encouraged. Brick, natural stone, and natural wood finishes are favorable materials. The use of dash or sand finish stucco as a primary building finish is discouraged. Standard lace type stucco finishes are prohibited.

Thin veneers of manufactured materials are prohibited, as is the use of plastic, vinyl, aluminum and composition siding. Faux materials that simulate natural materials will be allowed after review and approval by the DRC.



COLORS

Each residence must develop a color palette for review and approval by the DRC.

Exterior colors will add to the richness and harmony of the Pecans and the palette should complement the architectural design and style of the residence. Colors will be evaluated based on the appropriateness to the architecture, their integration with the natural surroundings and their aesthetic contribution to the community.

The color palette must be used consistently on all elevations and appurtenant structures.

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

DOORS AND WINDOWS

The front door of the residence is a significant focal point of the streetscape elevation. The front door must be incorporated into an integrated architectural design composition that is a minimum of six feet wide by eight feet in height (6' x 8'). Matching sidelights can be a part of the composition.

The surface of all doors and windows shall be recessed a minimum of three inches (3") from the finish face of walls in which they are placed. Surrounds of brick or other accents; and/or, functional wood window shutters (depending on the architectural style), are encouraged.

Traditional divided lites in windows and doors are encouraged if they will be consistent with the home's architectural style. No glass can be mirrored. Use of glass block shall not be visible from any neighboring property.

Fabric-type awnings, exterior sunshades, or any other light-duty, non permanent, shading devices that do not appear integrated into the design of the dwelling are prohibited. Sun control and shading elements must be designed as an integrated part of the dwelling.

ROOFS

Roof pitch shall be a minimum of five in twelve (5:12). The DRC will evaluate materials based on their appropriateness to the architectural character, color and style of the home. Flat concrete, slate, standing seam metal, mission tile, and

fire retardant wood shakes are among the recommended materials. Asphalt shingles are prohibited. Flat roofs exceeding more than twenty percent (20%) of the roof area, are discouraged.



SKYLIGHTS

Skylights are permitted if they are placed to minimize visibility from

neighboring property, and are not visible from the street.

LIGHTING

Interior Lighting

Typically, the interior portions of any house are not a matter of concern to the look and feel of the community. An exception is any instance where the type and placement of interior lighting may cause exterior glare. An example would be windows exposed to unshielded fluorescent lighting in garage or utility areas. Another would be any deck lighting that might be in view from higher elevations through clerestory windows.

The potential problem areas are far too specific to address by way of general restrictions. Complying with the intent of this concern is a matter for each Owner and Builder. The DRC reviews and must approve exterior lighting plans and reserves the right to mandate revisions which may be necessary in order to screen any unwanted hot-spot lighting that stands out from the general ambient character of the surrounding residences. In some cases, the need for remedial treatment may not be evident until after the house has been occupied.

Exterior Lighting

Exterior residence accent lighting is encouraged. An overriding objective is to minimize any unintended harsh utility-type hot spots when viewed from a street, common area or neighboring home.

Spotlights and floodlights must:

- be concealed from view in planters and/or plant material.
- not be visible from neighboring property
- not produce hot spot lighting
- be painted an approved color
- never face the street or driveway.

Exterior wall, fence, and building-mounted light fixtures should be integrated into the architecture of the house and painted a color to appropriately blend within its setting. Gas lamp fixtures are encouraged. Wall, soffit or pathway and landscape light fixture enclosures must be selected or designed to conceal the light source and direct it downward, and must be of an approved color.



FIRE SPRINKLERS

The Town of Queen Creek requires fire sprinkler systems that comply with the National Fire Protection Association (NFPA) criteria and the International Fire Code 2000. Use modified 13-D sprinkler systems with fast response heads. Garage, vehicle storage areas and attics must include sprinklers. Systems must be installed by a licensed contractor. Owners must coordinate plans and drawings with

the appropriate Town of Queen Creek department to assure approval of the system.

Fire sprinkler systems are governed by The Town of Queen Creek and Rural Metro. Compliance with the appropriate codes and regulations is the requirement of the Owner. Additional information on fire safety systems is included in Exhibit E of the Guidelines.

SATELLITE DISHES

The DRC must approve the location and height of any satellite dishes or other wireless communication devices.

They must be placed so as to minimize their visibility from neighboring property.

HEATING, AIR CONDITIONING AND VENTILATION UNITS

Air conditioning, heating or environmental enhancement devices shall be mounted on the ground. Mechanical devices of any kind shall not be located on the roof of a residence. All ground

mounted air conditioning, heating or other environmental enhancement devices must be screened so they cannot be seen from the street or neighboring property.



DRIVEWAYS AND WALKWAYS

When configuring the driveway, preservation of the pecan trees is paramount. The driveway must be carefully integrated into the existing pecan tree pattern in The Streetscape Zones in order to preserve most of the trees within this zone. Driveway edges must not encroach closer than five feet (5') from pecan tree trunks. Nor should driveway surface area coverage exceed thirty three percent (33%) of the canopy area of any existing pecan tree. Curvilinear, circular and other interesting driveway configurations are encouraged.

All driveways and walkways shall be constructed with an upgraded-finish concrete, brick, precast concrete pavers or stone. Flat, gray concrete, regardless of texture finish, without any accent is prohibited. Examples of upgraded-finish concrete acceptable for driveways and walkways at The Pecans include colored concrete, brick or stone inlays, exposed aggregate, stamped and/or patterned concrete or other textured and articulated materials. Materials, color, and finish, should be compatible with those of the residence. Any juxtaposition of concrete and pavers should use complementary textures, finishes and colors.



COMMUNITY FENCING

Fences within The Pecans will be a common design throughout the community. The design is based on preserving an open and unobtrusive appearance, while allow-

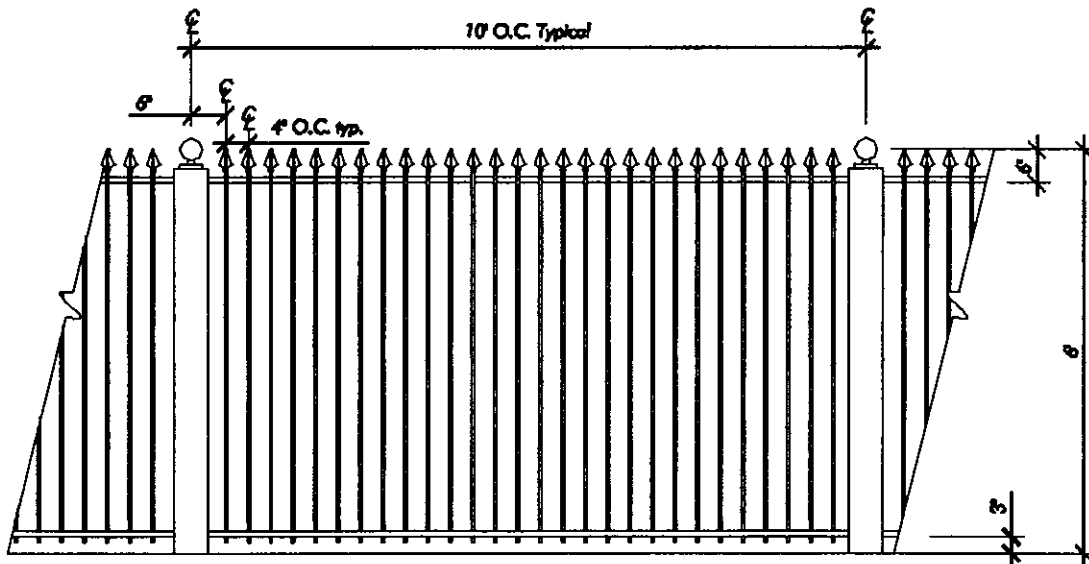
ing a measure of privacy and meeting the engineering requirements of the Town of Queen Creek.

PERIMETER FENCING

The developer will install all perimeter fences. The design of these fences is

shown in the exhibit: Typical Perimeter Fencing Detail.

TYPICAL PERIMETER FENCING DETAIL



LOT FENCING

All lots (except corner lots) require fencing along the full length of the rear lot line and both side lot lines.

Design of the lot fences mirrors the perimeter wide fencing but incorporates a solid privacy element.

The design of the lot fences is shown in the exhibit: Typical Lot Fencing Detail.

Each residence must also have a fence that connects the residence to the side lot line fences in order to separate the front yard from the rear yard. These front fences shall be



Fences on the side and rear property lines shall be constructed as part of the initial site-work and be in place prior to beginning construction of the residence. The remaining walls and fences shall be in place prior to occupancy.

Contracting for Fencing

orders will be coordinated by The Pecans Homeowners Association. Exhibit D contains the form for initiating the order process for fencing at The Pecans.

Where a common fence divides two adjacent properties the resident who moves in first will be required to complete the fencing required for their lot. The resident of an adjacent lot will reimburse the first Owner one-half of the cost of the fence. Payment will be included as a part of DRC plan approval.

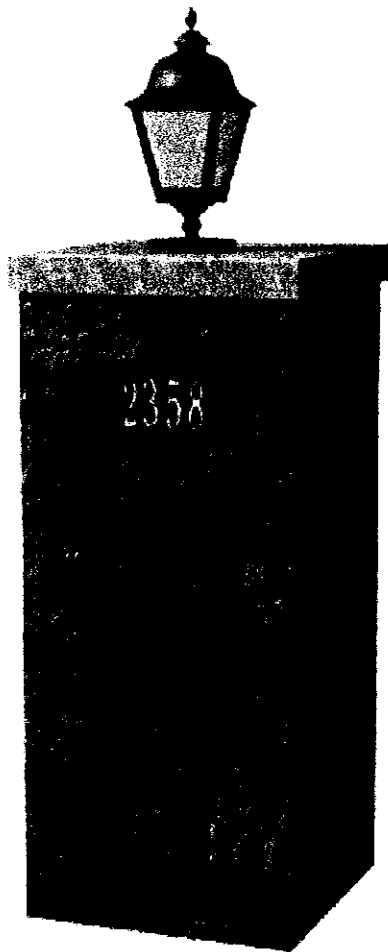
Each Lot must have a gate that opens to ten feet (10') in order to allow the Association vehicular access to the rear yard to maintain the pecan trees. The design of the gate must be consistent with the adjoining fence. The gate must be self closing and securely closed when not in use.

Technical drawing of a fence section. The drawing shows a cross-section of a fence with two main sections: a 10' O.C. Typical section and a 4' O.C. Typical section. The 10' O.C. Typical section is the central part of the fence, and the 4' O.C. Typical section is the end section. The fence has a total height of 6 feet, with a 2-foot section at the bottom and a 4-foot section at the top. The 4' O.C. Typical section is shown on the right side of the drawing. The drawing includes dimensions for height (2' and 4' sections) and spacing (10' O.C. Typical and 4' O.C. Typical). The fence is shown with a cross-hatched pattern for the top section and a solid pattern for the bottom section. The drawing is a technical illustration of a fence design.

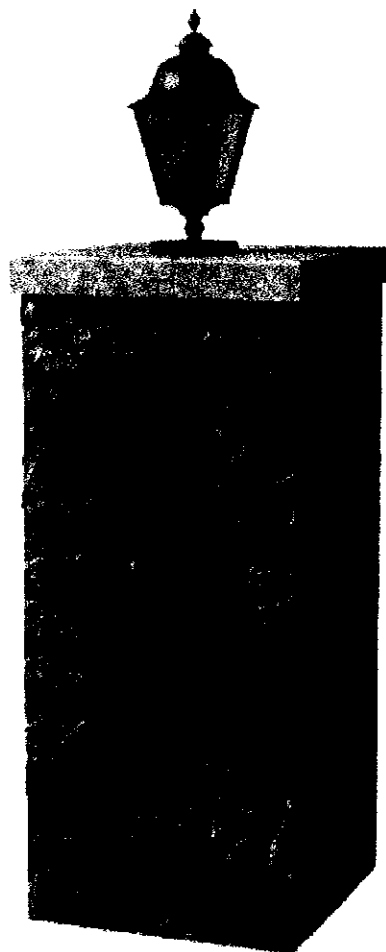
ENTRY BOLLARDS, MAILBOXES, & ADDRESS SIGNS

Each residence requires matching masonry bollards, a minimum of twenty-four by twenty-four inches (24" x 24") wide and a maximum of fifty-four inches (54") high, not including the light fixture. The light fixture should not exceed an additional eighteen inches (18") in height. Bollards shall be installed on both sides of the principal entry drive and/or walkway and be setback two

feet (2') from the rear face of curb. One of the bollards shall incorporate a standard Pecans mailbox. The companion bollard shall incorporate a standard Pecans address plaque. Standard Pecans mailbox and address plaque are shown below and can be ordered with the form on Exhibit F. The bottom of the mailbox should be approximately thirty eight inches (38") from top of the adjacent curb.



Address Bollard



Mailbox Bollard



OUTDOOR RECREATION FACILITIES

Outdoor Recreation Facilities such as play equipment and ball courts that are visible from neighboring property or adjacent streets must be approved by the DRC. Outdoor recreation facilities that are not visible from neighboring

property shall be subject to design review only with regards to their impact on the preserved pecan trees. Permanent basketball goals and poles are not allowed in the front or side yards.

FLAGS

Freestanding flag poles are not allowed on any lot. However a display of the American flag is allowable throughout the year if it is appropriately scaled and is hung from a bracket mounted to the resi-

dence or suspended from a roof overhang. Other flags such as that of the State of Arizona or other special interest flags may be displayed on special occasion for a limited term, not to exceed one week.



SIGNS

Advertising signs are not allowed on any lot with the exception of an information sign during construction and a "For Sale" sign while a residence is being offered for sale.

Off-site directional signage announcing an open house or home for sale, etc. is prohibited.

Construction Signs

A construction sign must be in place while the residence is under construction. It must adhere to the prescribed design and may contain the following information:

- The name of the Owner
(Owner/Occupant sign)
- The address
- The lot number
- A color rendering of the residence.
This should be the architect's rendering approved in the design review process.

- The Builder, architect and/or contractor
- Additional subs as desired or as space permits

The design allows for a contact telephone number which may be used in place of the list of subs. The construction sign must also have a tube for drawings, mounted to the reverse side and not visible from the street.

The construction sign will be located adjacent to the vehicular access point to the property and parallel with the fronting street, a distance of eight feet (8') from the curb.

All construction signs will be provided by the developer and paid for by the Owner. Exhibits C-1 and C-2 are forms on which to provide information from which the sign will be fabricated.



SIGNS CONT.

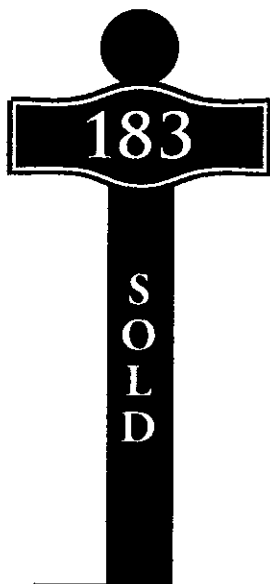
Lot Number Sign

The Pecans will install a lot number sign on each parcel within the community. When the lot is sold a plaque will be placed on the lot number sign indicating the transaction.

Lot Resale Sign

When a lot is offered for resale, the sign designating its availability will be a common design throughout the com-

munity. The sign presents the name of the seller's realty company, the contact person's name and the telephone number. The sign will be installed by the Association adjacent to the existing lot number sign. The location of the resale sign and the lot number sign shall not be altered by anyone other than a representative of the Association. The order form for this sign appears in Exhibit C3.

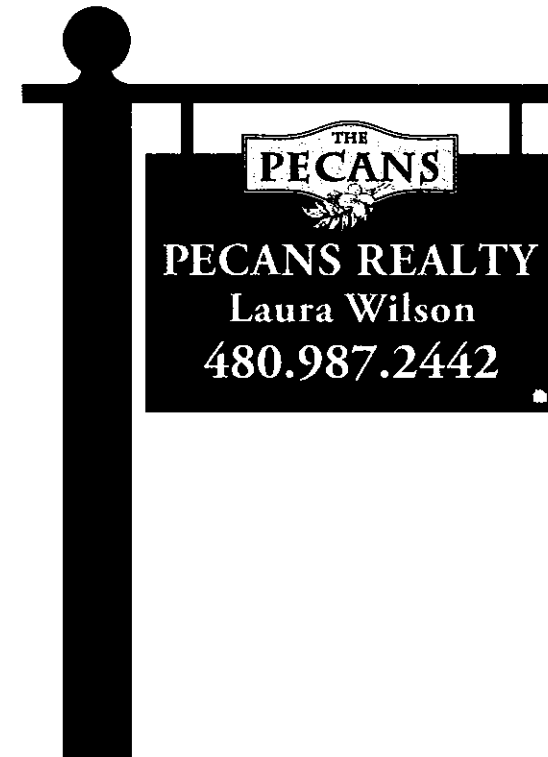


SIGNS CONT.

Residence Resale Sign

When a residence is offered for sale, the sign designating its availability will be a common design throughout the community. The sign presents the name of

the seller's realty company, the contact person's name and the telephone number. The order form for this sign appears in Exhibit C3.



UTILITIES

All utilities shall be installed underground from their connection at the front lot line to the residence. Builders are encouraged to construct utility lines along driveways and pathways to reduce trenching within the canopy of preserved pecan trees. The

final site plan shall indicate the path and depth of all underground wet and dry utilities anywhere on the property. The size, height and location of meters and meter boxes shall be included on the site plan.

WASTEWATER MANAGEMENT

Wastewater disposal shall be via an individual private septic system installed within the lot. The septic system for The Pecans has been designed to minimize impact to the pecan trees and its specifications are described in detail in the Wastewater Management Program Guide.

The septic system shall meet the design and operation requirements of the Wastewater Management Program for The Pecans (*see "Miscellaneous Project Documents") and the Town of Queen Creek and Maricopa County.



THE LANDSCAPE DESIGN GUIDELINES

Residence landscaping at The Pecans will draw inspiration from changing seasonal colors and the dominant character of the pecan trees. The deciduous pecan grove will be predominantly shaded and cooler during the hot summer season with an open, sunny environment during the cooler winter season. The guidelines suggest defined landscape zones that incorporate generous amounts of turf, dark green groundcovers, flowering shrubs, and small to medium sized complimentary trees. While the plant palette may be restrictive in particular zones, when all zones are combined a wide range of plant varieties are available for dynamic landscape design.

Landscape drawings must be submitted for Design Review before there is a Certificate of Occupancy from the Town of Queen Creek. All landscaping in the Streetscape Zone and Front Yard Zone must be 100% complete no later than ninety days (90) from the date of the Certificate of Occupancy from the Town of Queen Creek.

THE LANDSCAPE CONCEPT

The pecan grove will be the dominant theme for all residential landscapes at The Pecans. Designs must reflect the dominant nature of the pecan grove by choosing plant and hardscape materials that are compatible with the pecan tree while blending into the seasonal changes of the pecan grove. Tree plantings should not be designed in a way that would compete with the dominant nature of the pecan grove. Rather, small and medium sized trees should be used to accent or provide understory in the landscape while complimenting the larger pecan trees. Shrub and groundcover plantings should be designed as mass plantings that

blend with the cool, lush, and shady environment provided by the canopy of the pecan tree. Mass plantings should be heavy with dominant species of large and mid-sized bushes layered above thick plantings of shade tolerant groundcovers. Heavy shrub masses are recommended as foundation plantings next to homes and along the edge of property lines. Designs that include formal hedge plantings that define property lines or provide privacy are encouraged. Hedges that border mass plantings, turf, or walkways and drive-ways can also be used. Hedges cannot be used to define the property lines in the Streetscape Zone.



THE LANDSCAPE CONCEPT CONT.

Turf will be a very important design element in the Streetscape and Front Yard Zones. Generous areas of turf are required to blend with mass plantings of shrubs. Turf should never be planted to the foundation of the home or all the way to the property line of adjacent homesites. Designs must incorporate a mix of turf areas and shrub/groundcover

plantings at the back of curb along all street frontage.

Landscape Designs that do not attempt to conform to the thick, lush, green landscape concept will be declined.

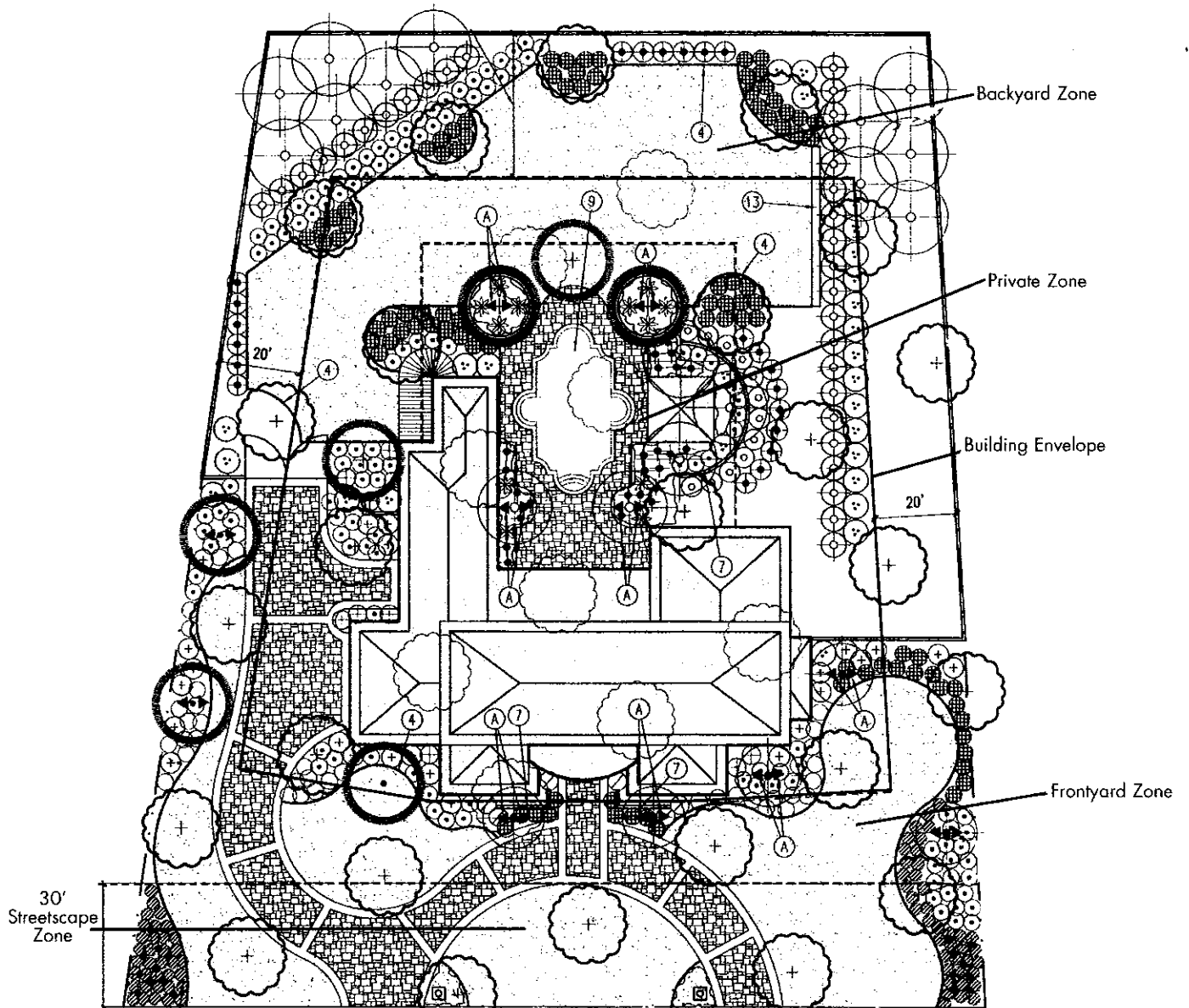
Specific landscape "zone" requirements should be reviewed during all phases of landscape design and development.



LANDSCAPE EXHIBIT

Landscape zones within each lot allow for a variety of plant materials and design features. This exhibit is an example of the

integration of new landscape with the existing pecan trees. It shows the variety of landscape treatments possible in each of the zones.



TOPOGRAPHY

Landscape designs cannot result in the change of topography on a lot that would affect the capacity of retention basin requirements or the natural lot to lot drainage within the pecan grove. Man made mounds and berms must be limited to areas that do not cover more than thirty three percent (33%) of the ground surface area below the canopy of a mature pecan tree. Mounds and berms

can not exceed a height of twenty four inches (24") as measured from adjacent natural grades. Likewise, no cuts in grade should be made to more than thirty three percent (33%) of the ground surface area below the canopy of a mature pecan tree. The natural grade of soil should never be changed within five feet (5') around the trunk of a mature pecan tree.

LANDSCAPE DESIGN AS IT PERTAINS TO PECAN TREE MANAGEMENT

It is strongly recommended that the Tree Management Plan be carefully reviewed prior to design of the residential landscape. The mature pecan trees that are retained on residential lots will be maintained by the master Association. Since pecan tree trimming, removal, replace-

ment and irrigation will be managed by the Association, special consideration should be given to landscape elements such as mass plantings, hardscapes and walls as they pertain to maintenance access to all mature pecan trees.



MASTER IRRIGATION SYSTEM

It is strongly suggested that the Tree Management Plan be carefully reviewed prior to the design of the landscape irrigation system. Each residential lot within The Pecans has a dedicated remote controlled irrigation valve that will be used solely for watering the mature pecan trees on each property. During the development of the homesite, a temporary, above-ground irrigation system installed by the developer will be in place to water all remaining pecan trees. The temporary irrigation system must be maintained by the property Owner throughout the construction of the home. When construction of the home is complete, the temporary irrigation system is to be converted

to a permanent system, at the expense of the Owner and per Association specifications, utilizing the dedicated irrigation valve, all subject to compliance inspection by the DRC. At no time during development should the temporary irrigation system be used for on-site construction purposes by the Owner. Each dedicated valve is piped into the master irrigation system which is managed and maintained by the Association.

It is important to maintain the isolation of the master irrigation system. Irrigation of private landscape installations with either the dedicated irrigation valve or lines provided for the pecan trees is prohibited.

PRIVATE IRRIGATION SYSTEMS

Residential landscapes within The Pecans must be designed, constructed, and maintained utilizing an automated underground irrigation system. All landscape plantings on each property shall be watered by the automated irrigation system which will be connected to the homeowner's private water meter. The private irrigation system will be managed and maintained by the homeowner. It is important to keep the privately maintained homeowner irrigation system completely isolated from the Association maintained master irrigation system. The private homeowner irrigation system

should not supply a second primary irrigation system to the Association maintained pecan trees. However, turf areas, shrubs, and ground covers that do overlap under mature pecan trees can have water provided to them from the Owner's private irrigation system.

When trenching next to mature pecan trees, special care should be made not to destroy a significant amount of the very important "feeder roots". As a rule of thumb, do not destroy more than thirty-three percent (33%) of the ground surface area below the canopy of a mature pecan tree.



PRIVATE IRRIGATION SYSTEMS CONT.

Mainline irrigation pipe shall be installed a minimum of twelve inches (12") in depth. Lateral lines including all poly drip irrigation lines must be installed a minimum of six inches (6") in depth. Remote control valves must be utilized for specific landscape requirements and each valve must be wired to an irrigation controller. All remote controlled irrigation valves must be concealed in a buried irrigation valve box. No above-ground valve manifold systems will be allowed.

Overhead spray irrigation systems will be limited to turf and flowerbeds. Turf irrigation systems must be efficiently designed

with one hundred percent (100%), head to head overlap coverage. Overspray and runoff onto streets or neighboring properties is prohibited.

There must be at least one irrigation remote control valve and one controller station terminal dedicated for drip irrigation in the Streetscape Zone. All drip irrigation in the Streetscape Zone must be constructed of P.V.C. hard pipe. No poly systems will be allowed in the Streetscape Zone. Due to the damage caused by gophers in the pecan grove, hard pipe is recommended for *all* drip irrigation systems.

TURF AND WINTER RYE OVERSEED

All turf areas visible from the street shall be sodded with "Bullseye" hybrid bermudagrass. "Bullseye" is sold under the trade-name "BOBSOD" and distributed by Western Sod Company. "BOBSOD" was selected because it is more tolerant of shaded locations than other hybrid bermuda-

grass varieties. All turf areas must be overseeded with *perennial* ryegrass at a rate of no less than fourteen (14) pounds per one thousand (1000) square feet from October through May each year. All "BOBSOD" that is installed during ryegrass months must be pre-seeded with perennial ryegrass.

LANDSCAPE CURBS AND HEADERS

Physical barriers such as concrete curbs and brick or stone headers must be installed between turf areas and adjacent shrub, groundcover or flower plantings.

The barrier must be a minimum of six inches (6") in width. Concrete must be colored. Wood, metal and plastic barriers are not allowed.



LANDSCAPE ACCENT LIGHTING

Various styles and applications of accent lighting are encouraged throughout all zones of the landscape. Accent lighting shall be constructed of low voltage wire and fixtures. No plastic fixtures will be allowed. Low voltage wire must be buried to a minimum six inches (6") depth. Low voltage transformers cannot be visible from the street. No colored lenses are

allowed except during holiday seasons. Driveway and pathway lights are acceptable, however the backs of curbs along street frontages should not be lined with light fixtures. Light fixtures must have their lamps shielded to eliminate direct exposure to streets or neighboring lots and are subject to all applicable requirements by the Town of Queen Creek.

DECORATIVE LANDSCAPE WALLS, RETAINING WALLS AND PLANTER BEDS

The addition of decorative walls and planters are encouraged in the Front Yard, Back Yard and Private landscape zones. Landscape walls should be designed in a style that compliments the dominant "grove" nature of the pecan trees. No walls of any type are allowed to be constructed in the Streetscape Zone nor can walls be constructed in a long, stretching, linear alignment separating the Streetscape Zone from the Front Yard Zone. Walls must be architecturally compatible with the home architecture, i.e., color, texture, details, and constructed with "like" materials. Walls cannot exceed an overall height of thirty six inches (36") in the Front Yard Zone. The 36" height shall be measured from the closest driveway, walkway or if the wall is in close proximity to the front of the home, from the finished floor elevation. In the Back Yard Zone and the

Private Zone, decorative walls can be constructed to an overall height of sixty inches (60"). The height shall be measured from natural lot elevation or from the finished floor elevation. No decorative walls will be approved that are designed to follow long stretches of the property line. No stacked block or "keystone" walls will be allowed in any landscape zone. Special care must be made not to design walls that traverse more than thirty three percent (33%) of the root zone surface area beneath the canopy of a mature pecan tree. Walls that retain soil such as raised planters or man made mounds must be properly engineered, grouted solid and waterproofed to prevent unsightly water leaching, cracking and peeling paint. All decorative walls must be designed to comply with town of Queen Creek drainage reports.



PLANT BED TOPDRESSING

Plant bed topdressing requirements change from zone to zone. Streetscape Zone plant beds must be topdressed with a minimum two inch (2") layer of well decomposed sawdust mulch. New mulch must be added regularly until groundcovers are well established. Front Yard and Back Yard plant beds must be topdressed with the same decomposed sawdust mulch used in the Streetscape Zone or as an alternative, a minimum

one and one-half inch (1½") thick layer of granite. The only acceptable color of granite is Apache Brown. Acceptable gradations of Apache Brown Granite will be fine one-fourth inch (¼") to three-eighth inch (⅜") minus or coarse one-half inch (½") screened. No one-half inch (½") minus, five-eighth inch (⅝") minus, three-fourth inch (¾") minus, or one inch (1") minus gradations will be allowed.



STREETSCAPE ZONE

The Streetscape Zone is any part of the lot that lies within the area measured thirty feet (30') from the back of the street curb and includes both street fronting sides of corner lots. In order to maintain the shady grove-like nature of The Pecans, all streets will be landscaped and maintained as a consistent theme of pecan trees, with an understory dominated with grass lawns, masses of low growing shrubs, vines and groundcovers.

The Streetscape Zone is the most restrictive landscape zone and only plant species selected from the Streetscape Zone plant species list can be used. Grass lawns are required in this zone and, as a minimum, seventy five percent (75%) of this area must be planted and maintained as such. A minimum six inch (6") wide concrete curb, brick, or stone border must separate grass lawns from all adjacent plantings. Walls and hedges are not allowed in this zone. Grass lawns,

plus all additional planting combined, must achieve a minimum coverage of ninety percent (90%) of the total area. Driveways are excluded from area measurements. Coverage calculations for plantings are based on reasonably achieved mature plant sizes.

Hardscapes, landscape borders, and plantings of grass or shrubs, cannot be designed in a manner that artificially creates a noticeable straight or rigid line at side property lines or along the imaginary thirty foot (30') zone line. Design elements such as grass lawns and mass plantings must blend, flow or meander with adjacent zones and adjacent lots.

Where two properties adjoin within the Streetscape Zone, there must be a minimum distance of ten feet (10'), measured from the property line, planted with shrub or groundcover species selected from the Streetscape Zone Plant List. Turf cannot be planted to the property line.



STREETSCAPE ZONE PLANT SPECIES

GENUS AND SPECIES	'VARIETY'	COMMON NAME	MINIMUM SIZE
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TREES:

<i>Carya illinoensis</i>		Pecan	36" Box
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SHRUBS:

<i>Abelia grandiflora</i>	'Edward Goucher'	Abelia	5 gallon
<i>Carissa macrocarpa</i>	'Green Carpet'	Carissa	5 gallon
<i>Ilex vomitoria</i>	'Nana'	Dwarf Yaupon Holly	5 gallon
<i>Pittosporum tobira</i>	'Wheeler's Dwarf', 'Turners' Variegated	Pittosporum Dwarf	5 gallon
<i>Raphiolepis indica</i>	'Dwarf Pink'	Indian Hawthorne	5 gallon

CLUMPS & ACCENTS:

<i>Agapanthus africanus</i>	'Peter Pan'	Agapanthus	1 gallon
<i>Dietes bicolor</i>		Fortnight Lily	5 gallon
<i>Guara lindheimeri</i>		Guara	1 gallon
<i>Hemerocallis hybrids</i>		Daylily	5 gallon
<i>Nandina domestica</i>		Heavenly Bamboo	5 gallon
<i>Philodendron bipinnatifidum</i>		Splitleaf Philodendron	5 gallon

GROUNDCOVERS & VINES:

<i>Asparagus densiflorus</i>	'Sprengeri'	Asparagus Fern	1 gallon
<i>Bougainvillea spectabilis</i>	'Crimson Jewel'	Bougainvillea	5 gallon
<i>Hedera helix</i>		English Ivy	1 gallon
<i>Lantana montevidensis</i>		Purple lantana	1 gallon
<i>Lonicera japonica</i>		Halls Honeysuckle	1 gallon
<i>Myoporum parvifolium</i>		Myoporum	1 gallon
<i>Oenothera speciosa</i>		Mexican Primrose	1 gallon
<i>Rosa species</i>	'Cecile Brunner'	Rose	5 gallon
<i>Rosmarinus officinalis</i>	'Prostrate'	Rosemary	1 gallon
<i>Trachelospermum asiaticum</i>		Asiatic Jasmine	1 gallon
<i>Tradescantia fluminensis</i>		Wandering Jew	1 gallon
<i>Vinca minor</i>		Dwarf Periwinkle	1 gallon
<i>Wedelia tribolata</i>		Wedelia	1 gallon



FRONT YARD ZONE

The Front Yard Zone is that area of the lot that lies between the Streetscape Zone and the front of the home. This zone extends around the sides of the home to the side yard fence returns. Plant species for this zone should be selected from the Front Yard and Streetscape Zone plant lists.

Grass lawns are required in this zone and, as a minimum, forty percent (40%) of this area must be planted and maintained as such. Grass lawns, plus all additional plantings combined, must achieve a minimum coverage of seventy-five percent (75%) of the total area. The square footage of this area excludes driveways, parking areas, and walkways. Coverage calculations for plantings are based on reasonably achieved mature plant sizes.

Decorative landscape walls are allowed in the Front Yard Zone but must not exceed thirty six inches (36") in height. Walls cannot be designed to follow the side yard property lines. Grass lawns and their borders cannot be designed in a manner that artificially creates a noticeably straight or rigid line at the side property lines or along the imaginary thirty foot (30') zone line. A minimum six inch (6") wide concrete curb, brick, or stone border must separate grass lawns from all adjacent plantings. Hedges are allowed in the Front Yard Zone, but they cannot exceed 4 feet (4') in height. Design elements such as walls, grass lawns and mass plantings must blend, flow or meander with the adjacent Streetscape Zone.



FRONT YARD ZONE PLANT SPECIES

GENUS AND SPECIES	'VARIETY'	COMMON NAME	MINIMUM SIZE
TREES:			
Bauhinia purpurea	All varieties	Orchid	36" Box
Fraxinus velutina	'Rio Grand'	Fantex Ash	36" Box
Magnolia grandiflora		Magnolia	36" Box
Nerium oleander		Oleander Tree	24" Box
Olea europaea	'Swan Hill'	Olive	36" Box
Pinus canariensis		Canary Island Pine	36" Box
Pinus eldarica		Eldarica Pine	24" Box
Pistacia chinensis		Pistachio	36" Box
Prunus cerasifera		Purple Leaf Plum	36" Box
Pyrus calleryana		Bradford Pear	36" Box
Pyrus kawakamii		Flowering Pear	36" Box
Schinus terebinthefolios		Brazilian Pepper	36" Box
Thevetia peruviana		Lucky Nut Tree	24" Box
Thuja orientalis		Arborvitae	24" Box
Ulmus parvifolia		Chinese Elm	36" Box
Vitex agnus castus		Monk's Pepper	24" Box

SHRUBS:

Buxus japonica		Japanese Boxwood	5 gallon
Carissa macrocarpa	'Tuttlei'	Natal Plum	5 gallon
Cocculus laurifolius		Cocculus	5 gallon
Euonymus japonica	'Silver Queen' 'Gold Spot'	Euonymus	5 gallon
Feijoa sellowiana		Pineapple Guava	5 gallon
Gardenia jasminoides		Gardenia	5 gallon
Grewia occidentalis		Lavender Starflower	5 gallon
Hibiscus rosa sinensis	'All Varieties'	Hibiscus	5 gallon
Jasminum mesnyi		Primrose Jasmine	5 gallon
Jasminum sambac		Sambac Jasmine	5 gallon
Juniperus species		Juniper	5 gallon
Justicia spicigera		Mexican Honeysuckle	5 gallon
Lagerstroemia indica		Crape Myrtle	5 gallon
Laurus nobilis		Sweet Bay	5 gallon
Ligustrum japonicum		Japanese Privet	5 gallon
Ligustrum lucidum		Wax Leaf Privet	5 gallon
Myrtus communis	'Compacta'	Dwarf Myrtle	5 gallon
Nerium oleander	'Petite'	Dwarf Oleander	5 gallon
Photinia fraseri		Photinia	5 gallon
Pittosporum tobira	'Variegata'	Variegated Pittosporum	5 gallon
Plumbago auriculata		Cape Plumbago	5 gallon
Podocarpus macrophyllus		Yew Pine	5 gallon
Portulacaria afra		Elephant's Food	1 gallon
Prunus caroliniana		Carolina Cherry	5 gallon



FRONT YARD ZONE PLANT SPECIES CONT.

GENUS AND SPECIES	'VARIETY'	COMMON NAME	MINIMUM SIZE
SHRUBS continued:			
<i>Pyracantha</i> species	'Graberii' 'Santa Cruz'	Pyracantha	5 gallon
<i>Punica granatum</i>	'Nana'	Dwarf Pomegranate	5 gallon
<i>Raphiolepis indica</i>	'Pink Lady'	Indian Hawthorne	5 gallon
<i>Rosa</i> species	'All Varieties'	Rose	5 gallon
<i>Ruellia peninsularis</i>	'All Varieties'	Ruellia	5 gallon
<i>Sophora secundiflora</i>		Texas Mountain Laurel	5 gallon
<i>Tecoma stans</i>		Orange or Yellow Bells	5 gallon
<i>Tecomaria capensis</i>		Cape Horn Honeysuckle	5 gallon
<i>Thevetia peruviana</i>		Lucky Nut	5 gallon
<i>Viburnum tinus</i>	'Spring Bouquet'	Viburnum	5 gallon
<i>Xylosma congestum</i>		Xylosma	5 gallon
<i>Zexmenia hispida</i>	'Devil's River'	Zexmenia	5 gallon
ACCENTS & CLUMPS:			
<i>Acanthus mollis</i>		Bear's Breech	5 gallon
<i>Aspidistra elatior</i>		Cast-Iron Plant	5 gallon
<i>Cyperus alternifolius</i>		Umbrella Grass	5 gallon
<i>Lavandula stoechas</i>		Spanish Lavender	1 gallon
<i>Liriope muscari</i>		Lily Turf	1 gallon
<i>Muhlenbergia rigens</i>	'Regal Mist' 'Nashville'	Deer Grass	5 gallon
<i>Sansevieria trifasciata</i>		Mother-In-Law's Tongue	5 gallon
<i>Strelitzia reginae</i>		Tropical Bird of Paradise	5 gallon
<i>Tulbaghia violacea</i>		Society Garlic	1 gallon
GROUNDCOVERS & VINES			
<i>Ajuga reptans</i>		Carpet Bugle	1 gallon
<i>Bougainvillea spectabilis</i>	'All varieties'	Bougainvillea	5 gallon
<i>Campsis radicans</i>		Trumpet Vine	1 gallon
<i>Clytostoma callistegioides</i>		Violet Trumpet Vine	5 gallon
<i>Convolvulus cneorum</i>		Bush Morning Glory	1 gallon
<i>Cuphea hyssopifolia</i>		Mexican Heather	1 gallon
<i>Cuphea llavea</i>		Bat Face Cuphea	1 gallon
<i>Ficus reptans</i>		Creeping Fig	1 gallon
<i>Gazania species</i>		Gazania	1 gallon
<i>Gelsemium sempervirens</i>		Carolina Jessamine	5 gallon
<i>Hardenbergia violacea</i>		Lilac Vine	5 gallon
<i>Jasminum nitidum</i>		Angel Wing Jasmine	5 gallon
<i>Lantana species</i>	'All varieties'	Lantana	1 gallon
<i>Macfadyena unguis-cati</i>		Cat Claw Vine	1 gallon
<i>Osteospermum fruticosum</i>		Trailing African Daisy	1 gallon
<i>Passiflora pfordtii</i>		Passion Vine	5 gallon
<i>Rosa banksiae</i>		Lady Banks Rose	5 gallon
<i>Verbena species</i>	'All varieties'	Verbena	1 gallon



BACK YARD ZONE

The Back Yard Zone is that area of the lot that lies to the rear of the home, and to the rear of side yard fence returns. The plant list for this zone is less restrictive than zones to the front of the home, allowing homeowners to personalize their back yard. However, the list is restrictive enough to maintain the

character of the Pecan Grove. When designing the back yard landscape, the Streetscape and Front Yard Zone plant lists can also be used. Grass lawns are encouraged, but there are no minimum requirements. Hedges are strongly encouraged along property lines and side yard fences.

BACK YARD ZONE PLANT SPECIES

GENUS AND SPECIES	'VARIETY'	COMMON NAME	MINIMUM SIZE
TREES:			
Citrus species	'All Varieties'	Citrus	24" Box or 18" Balled and Burlap
Ceratonia siliqua		Carob	24" Box
Ficus nitida		Ficus	24" Box
Quercus virginiana		Live Oak	24" Box
Rhus lancea		African Sumac	24" Box
Schinus molle		California Pepper	24" Box
SHRUBS:			
Brunfelsia pauciflora	'Floribunda'	Yester-Today-Tomorrow	5 gallon
Calliandra californica		Baja Fairy Duster	5 gallon
Dodoneaea viscosa	'Angustifolia'	Hop Seed	5 gallon
Eremophila species	'Valentine'	Emu Bush	5 gallon
Myrtus communis		Common Myrtle	5 gallon
Nerium oleander	'All Varieties'	Common Oleander	5 gallon
Salvia Greggii		Autumn Sage	5 gallon



BACK YARD ZONE PLANT SPECIES CONT.

GENUS AND SPECIES	'VARIETY'	COMMON NAME	MINIMUM SIZE
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CLUMPS & ACCENTS:

Bulbine frutescens		Bulbine	1 gallon
Caesalpinia pulcherrima		Red Bird-of-Paradise	5 gallon

GROUNDCOVERS & VINES

Aptenia cordifolia		Hearts and Flowers	1 gallon
Carpobrotus species		Ice Plant	1 gallon
Dalea capitata		Yellow Dalea	1 gallon
Dalea frutescens		Black Dalea	1 gallon
Dalea greggii		Trailing Indigo Bush	1 gallon



PRIVATE ZONE

The Private Zone is that area of a lot which is used for recreational and entertainment improvements such as patios and pools. The plant list for the Private Zone is the least restrictive and may include any of the plants from any of the other zones.

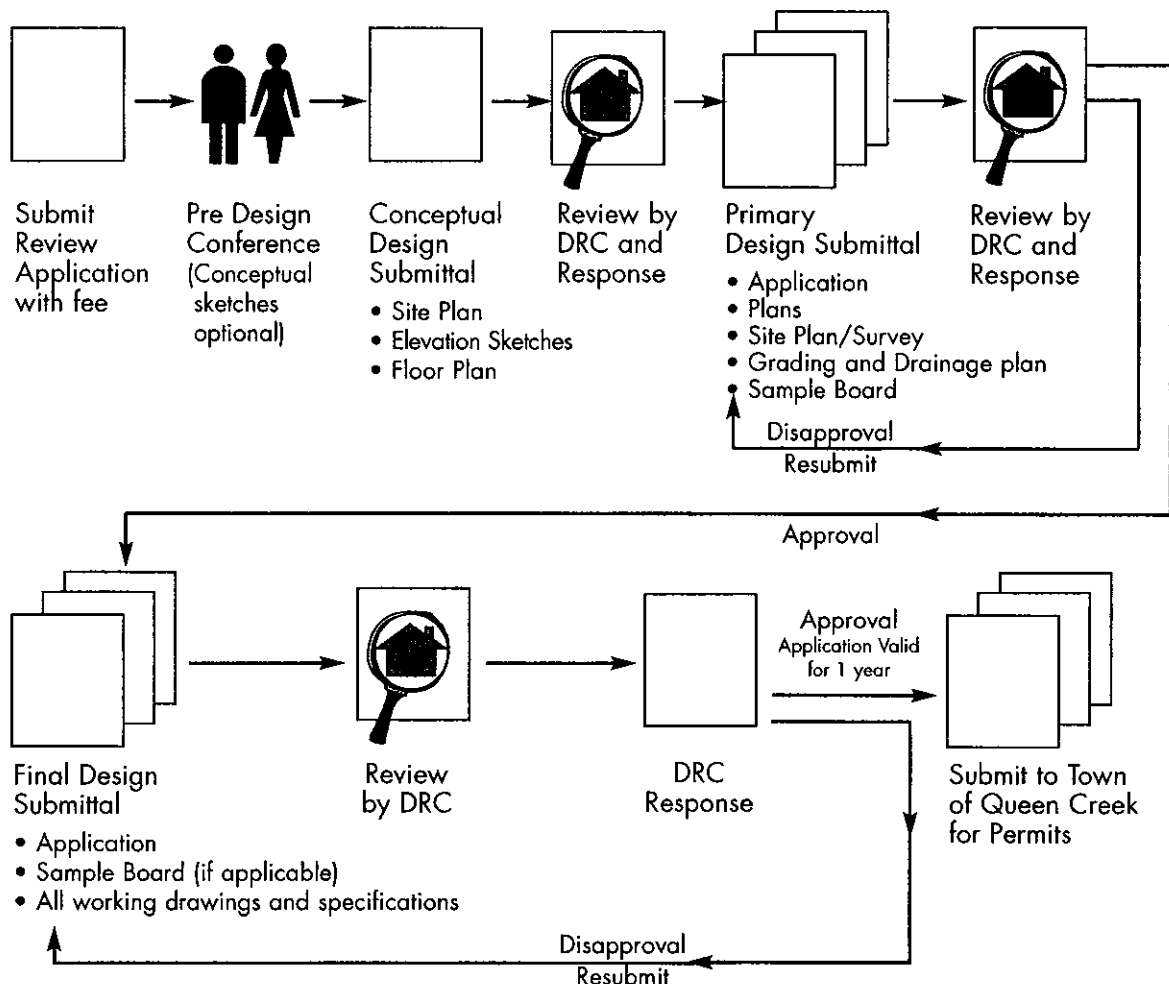
The Private Zone is not visible from any streets or adjacent properties and must be within the building envelope. Preservation of pecan trees within this area of the lot is not required.

PRIVATE ZONE PLANT SPECIES

GENUS AND SPECIES	'VARIETY'	COMMON NAME	MINIMUM SIZE
TREES:			
<i>Ficus benjamina</i>		Ficus	15 gallon
<i>Ficus elastica</i>		Rubber Tree	15 gallon
SHRUBS:			
<i>Anisacanthus thurberi</i>		Chuparosa	1 gallon
<i>Aucuba japonica</i>		Aucuba	1 gallon
<i>Camellia</i> species		Camellia	5 gallon
<i>Ficus lyrata</i>		Fiddle leaf Fig	5 gallon
<i>Leucophyllum</i> species	'All Varieties'	Texas Sage	1 gallon
<i>Senna</i> species		Cassia	1 gallon
CLUMPS & ACCENTS			
<i>Chamaerops humilis</i>		Mediterranean Fan Palm	15 gallon
<i>Asparagus meyeri</i>		Foxtail Fern	1 gallon
Bamboo species		Bamboo	1 gallon
<i>Cycas revolute</i>		Sago Palm	5 gallon
<i>Dicksonia antarctica</i>		Tree Fern	5 gallon
<i>Dioon edule</i>		Dioon	5 gallon
<i>Dypsis decaryi</i>		Triangle Palm	5 gallon
<i>Nephrolepis</i>		Sword Fern	1 gallon
<i>Pachypodium lamerei</i>		Madagascar Palm	5 gallon
<i>Phoenix roebelenii</i>		Pygmy Palm	5 gallon
GROUNDCOVERS & VINES			
<i>Antigonon leptopus</i>		Queen's Wreath	1 gallon
<i>Asparagus retrofractus</i>		Ming Fern	1 gallon
<i>Cordia parvifolia</i>		Little Leaf Cordia	1 gallon
<i>Mandevilla</i> species		Mandevilla	1 gallon



DESIGN REVIEW PROCESS



The above diagram shows the steps in the Design Review process in summary format. To assure that the submittal responds to all requirements, carefully read the text in this section. It thoroughly describes the details necessary for a complete submittal.

Expect at least thirty (30) days for the completion of each review by the DRC.



GENERAL PROVISIONS

Conferences will be scheduled, and plans and specifications shall be submitted to the DRC in accordance with the following procedures. The Design Review process

will proceed most efficiently if the Owner, design professionals, and Builder adhere to these procedures.

QUALIFIED DESIGN SERVICES

The DRC will review all submittals for adherence to the provisions of these guidelines. To assure satisfactory compliance, Owners are strongly encouraged to utilize design professionals with expertise and experience in the design and construction of environments consistent with those called for at The Pecans.

While engagement of the services of a State-of-Arizona registered architect, landscape architect, and/or civil engineer is recommended, regardless of the provider of the design services, all submissions must display the professionalism, technical competence and thoroughness that indicates the design meets the aesthetic and technical standards required by these guidelines.

REVIEW OF PLANS BY DRC

The DRC will conduct plan reviews during its regular meetings or at such other times as it deems appropriate. Regularly scheduled meetings of the DRC are working sessions for collaborative review and discussion by the DRC members and are not intended to be public hearings or forums. Neither members nor representatives of the DRC will be able to discuss results of reviews over the telephone. Any response the applicant or any Owner may wish to make in reference to issues contained in the DRC's comments or actions following review of submitted plans must be addressed to the DRC in writing.

It is the intent of the DRC to enforce all provisions of the Design Guidelines. The following will be of particular concern:

- Preservation of the pecan trees
- Design integrity and visual strength of the architectural style and setting
- Building heights, massing, roof, and window and door opening design
- Exterior materials and colors
- Landscape plan

The DRC has the authority and sole discretion to determine whether a home and/or landscape plan meets the intent of the Design Guidelines and/or the community.



DESIGN REVIEW FEE

Prior to the pre-design conference, the Application for Conceptual Design Review (Exhibit A-1) and fee (Exhibit B) are required. If the Owner decides not

to proceed with submittal of plans for primary review, eighty percent (80%) of the Primary Review fee will be returned.

THE PRE-DESIGN REVIEW PROCESS

Preliminary design review entails a process that will assure the Owner that the direction for the design of their home will meet the intent of these guidelines. Early dialog and coordination with the DRC will eliminate any false starts or misdirection that could add to the time, expense or appropriateness of the home for The Pecans.

Pre-Design Conference

Before submitting preliminary plans for any improvement, the owner and the design professional(s) shall meet with the DRC at the office of the Association. Builders are encouraged to attend. The purpose of this conference is to answer design questions and provide clarification and answers regarding the Guidelines and their application to the Owner's lot. Please allow at least fourteen (14) days to schedule this meeting.

At this meeting the Owner and the DRC representative(s) will be available to discuss direction for the design of the home, intent of the Guidelines, opportunities and constraints of the Owner's lot and to clarify any other issues or points of concern. Owners are encouraged to bring conceptual sketches to the conference for discussion and comment.

The Owner and design professional(s) are urged to carefully review these Guidelines and their individual lot

exhibit prior to the conference. Make sure that you are working with the most current edition of the Guidelines and addendums by logging onto the website (www.thepecans.com) and clicking "Community" and then "Residences" or by contacting The Pecans Design Review Committee (480-831-2000).

Conceptual Design Submittal

Early in the design of the home, Owners are requested to provide the DRC with sketches and plans that indicate the concept for the home. Sketches can be hand drawn elevations that demonstrate the massing and form of the home (including all four sides) and an indication of materials, as well as simple site and floor plans to show the placement of the home on the property (and the relationship of the house to the existing trees) and the footprint of the home for elevational clarity. The elevation should include a statement that identifies the intended architectural style of the home.



PRIMARY DESIGN SUBMITTAL

Architecture and Landscape

The following documents, plans and specifications comprise the complete Primary Design Review submittal:

- application and checklist for Primary Design Review (Exhibit A-2)

Three (3) sets of 24" x 36" plans, including:

Site Plan (scale at 1" = 30' minimum)

Note: Must be submitted on a new survey, commissioned by the Owners, which will include the following:

- ☐ Lot boundaries
- ☐ Topography
- ☐ Tree locations
- ☐ Utility stub out locations
- ☐ Building envelope with setbacks called out
- ☐ Lot area

Using the above survey as a base show:

- ☐ Primary residence and all other planned structures
- ☐ Finished floor elevations
- ☐ Septic system location
- ☐ Delineation of the 4 lot zones including the
 - Streetscape zone
 - Front Yard zone
 - Back Yard zone
 - Private zone
- ☐ All site walls
- ☐ Connecting perimeter fencing and gates
- ☐ Driveway and walks
- ☐ Guest parking area

- ☐ Patio area (covered and open)
- ☐ Proposed pad and retention areas
- ☐ All pecan trees and pecan trees proposed for removal
- ☐ Location of wet and dry utilities (as shown on the Lot Exhibit) and all proposed utility trenching lines (as shown on the Lot Exhibit)
- ☐ Descriptions of site materials (drives, borders, bollards, patios, terraces, planters, etc.)

The site plan must include the following area calculations:

- ☐ Total enclosed living area by floor
- ☐ Total non-livable interior area by floor (garages, storage, etc.)
- ☐ Total area under cover as percentage of lot area
- ☐ Percentage of existing pecan trees to be retained
- ☐ Information identifying the lot number, the Owner's name and address and the name and address of the design team members

Grading and Drainage Plan

Note: Must conform to the Master Drainage Study for The Pecans.

- Topographic contours at a minimum interval of one foot (1')
- Surface water drainage arrows
- Retention basins
- Finished grades of structures
- Key spot elevations around residence



PRIMARY DESIGN SUBMITTAL CONT.

Architecture and Landscape

Floor and Roof Plan

(scale 1/8" = 1' or larger)

- ☐ Provide sufficient dimensions to verify the calculations provided on the site plan

Exterior Elevations

(scale 1/8" = 1' or larger)

- ☐ Show all sides of the residence, all heights including dimension grade-to-ridge heights
- ☐ Roof pitch
- ☐ Description of all exterior materials

Color/Materials Sample Board

- ☐ Provide 8 1/2 x 11" sample boards illustrating all proposed exterior finishes, colors and accent material. Sample boards shall use the forms shown on (Exhibit H).
- ☐ Pictures or illustrations showing the proposed roofing material must also be submitted. Color samples should be applied to the same material that will be used in construction

- ☐ We encourage the submittal of a model or additional 3-dimensional color rendering(s), if the applicant feels it would help the DRC's understanding of a unique or complex concept
- ☐ Provide an oblique perspective rendering, in color, illustrating the street elevation and a portion of one side of the home. This rendering shall be prepared by a professional approved by the DRC. Black and white elevations of all 4 elevations are required as well. Shade and shadow treatment of the elevations is encouraged but not required.

Landscape Conceptual Plan

(scale 1"=20' minimum)

- ☐ The pecan trees that will be retained
- ☐ Landscape zones
- ☐ Designated areas for planting, ground cover and turf
- ☐ All hardscape improvements, bollards, freestanding and planter walls

All material will be retained by the DRC to compare to the final submittal.



PRIMARY DESIGN REVIEW BY DRC

Architecture and Landscape

The Owner (or the Owner's design professional if so authorized) will be notified by the DRC if the primary submittal is incomplete. Please expect at least

thirty (30) working days for the DRC to respond in writing.

PRIMARY DESIGN SUBMITTAL RESPONSE

Architecture and Landscape

The DRC will review the preliminary submittal and issue an approval (with or without conditions and corrections), or will disapprove all or a portion of the primary submittal and provide an explanation. The Owner may respond to the DRC in writing within ten days (10) to gain clarification of the findings. Approval of a primary submittal with or without conditions, will be valid for one (1) year from the date of approval. The submittal will be considered abandoned if final design plans are not submitted within that period and the Owner will be required to re-start the design review process, including payment of design review fees, if the plans become active again.

If a primary submittal is disapproved by the DRC, the Owner may respond by making the appropriate changes and/or corrections to the materials.

Should the submittal require significant or total redesign, the Owner will be allowed one (1) additional submittal without the payment of a new Design Review Fee. Submittals that are deemed to be totally unsatisfactory after a second submittal and review will require reinitiating the submittal process and payment of the appropriate fees.



FINAL DESIGN SUBMITTAL

Construction Drawings and Plan Check

The following documents shall be submitted for final review:

- ☐ Application for Final Design Review
(Exhibit A-3)

If any supplemental materials are required by the DRC, they must be submitted or completed before the final design submittal will be considered complete.

The submittal must include three (3) sets of the final working drawings and specifications for all aspects of architectural and engineering improvements.

Note: The Owner may request in writing, an extension of the time to submit the Landscape Plan.

Also submit:

- ☐ Site plan working drawings
- ☐ Final grading and drainage plans
- ☐ Revised color/materials sample board
(if applicable)
- ☐ Exterior colored rendering
(DRC approved) for construction sign
- ☐ Landscaping and irrigation plan
working drawings



FINAL DRC REVIEW

After receipt of a complete package (and any supplemental materials, or staking of lot if requested by DRC), the final submission of the Owner will be deemed com-

plete and the Owner will be notified in writing. Please expect at least thirty (30) days for the DRC to respond in writing.

FINAL SUBMITTAL RESPONSE

The DRC will approve the final submittal (with or without conditions and corrections) or will disapprove the final submittal and provide an explanation. The applicant or Owner may respond to the results of the design review in writing, to the DRC.

Approval of a final design submittal will be considered valid for one (1) year after the date of approval. The submittal will be considered abandoned if construction is not commenced in that period and the

Owner will be required to start the design review process at the preliminary review stage if the plans become active again. For the purposes of this clause, the project will be considered commenced when footings are installed.

If a final design submittal is disapproved by the DRC, the Owner may change or correct the materials and re-submit one (1) time without additional design review fees.



SUBMITTAL FOR TOWN OF QUEEN CREEK BUILDING PERMIT

Upon DRC approval of the final design the Owner shall submit the plans to the Town of Queen Creek. The DRC will not be responsible for any delays or extra costs if the Owner or the Owner's design professional elects to submit the plans prior to the receiving DRC approval of the final design. DRC review and not include conformance to Town building codes or other town regulations and ordinances.

Engineering design and/or certification of foundations, retention basins, septic system and the securing of a building permit are the responsibility of the Owner.

Construction documents submitted to the Town of Queen Creek (working drawings and specifications) are to be consistent with the final design and plans approved by the DRC. Any revisions required by the Town as part of its Plan Check and permitting process are to be submitted to the DRC before re-filing with the Town. All revisions shall be highlighted and clouded on the drawing. Two (2) copies are required. A photo copy of the final permitted plans (the field copy) shall be provided to the DRC at least two weeks before commencing construction.

Any changes requested by The Town of Queen Creek must be resubmitted for review by the DRC.

HOME MODIFICATIONS

Once a residence has been through the design review process and approved by the DRC, Owners may want to make changes. Modifications to a residence under construction, or to a home where construction has been completed, including landscape, exterior colors and/or other structural alter-

ations, requires the review and approval of the DRC. Proposed changes must be submitted in writing to the DRC prior to commencing any work. Residence modifications will also require an associated fee which will be determined based on the scope of the review.



CONSTRUCTION REGULATIONS

GENERAL PROVISIONS

Construction shall not commence until all of the requirements of the design review submittal are satisfied, the Owner has secured final approval from the DRC, the appropriate permits, are

obtained, and a pre-construction conference with the DRC has been held.

All construction at The Pecans must be performed by a licensed contractor.

RECOVERY OF COSTS INCURRED BY DRC OR ASSOCIATION

The Owner or the Builder shall post a compliance deposit as specified in Exhibit B payable to the "The Pecans Homeowners Association." The first one thousand dollars (\$1,000) is non-refundable and will be allocated to offset the cost of the on-lot temporary irrigation system and the normal wear and tear on infrastructure. The balance is refundable less any charges the DRC has assessed resulting from damage and/or noncompliance. For example, if the Owner, the Builder or any of their agents should violate the declaration or these guidelines and it becomes

necessary for either the DRC or the Association to remedy the violation, the cost of the remedy may be charged directly to the Owner or against the compliance deposit. If during the course of construction, any charges are made against the deposit, the deposit shall be restored to the full level specified in Exhibit B. The balance of the refundable portion of the deposit will be returned after final inspection by the DRC. If the cost of the remedy is charged directly to the Owner, the costs shall be recovered as provided in the CCRs.



CONSTRUCTION PREPARATION

Pre-Construction Conference

Before construction begins, it is mandatory that the Owner and his Builder meet with the representative of the DRC to discuss Design Guidelines, construction regulations, pecan trees removal and/or protection, irrigation and site conditions.

Mark Pecan Trees

At the time of the pre-construction conference, the pecan trees that are approved for removal shall have been marked with orange construction ribbon and the pecan trees that are to be preserved shall have required protective fencing in place and ready for approval by the DRC.

At the pre-construction conference the DRC will notify the Owner and Builder if the Association intends to extract the pecan trees approved for removal. If the Association does not intend to extract the trees the DRC will supply written notification from the Association and the Owner at his sole expense shall be responsible for extracting the trees. In any event,

the Owner shall be responsible for refilling the hole left by removal of a tree. If the Association elects to extract and salvage the pecan trees, they will be extracted at least 10 days prior to the scheduled construction start. Actual schedule will be dependent on number of trees, time of year, and similar activities on other lots.

Construction Site Plan

(scale 1" = 30' min.)

The Owner will provide a plan indicating:

- ☐ The location of the proposed access points into the lot
- ☐ Construction fencing
- ☐ Extinguishers
- ☐ Dumpster
- ☐ Toilet
- ☐ Concrete/stucco washout area

Notification of Changes Required by Town

The Owner will notify the DRC of any changes required by the Town in connection with building permit.



PRIOR TO START OF CONSTRUCTION

Pecan Tree Irrigation System

An Association controlled above ground system irrigates the pecan trees on unimproved lots. The Association will be responsible for removing or modifying that part of the system that serve trees that are designated to be removed. The remainder of the system shall be protected by the Owner and will be left in place to irrigate the preserved pecan trees. The Association will periodically monitor the condition and operation of the system. The Association will repair the system if damaged during construction and the full cost and expense of any such repairs will be charged to the Owner.

Prior to start of construction and installation of temporary fencing, the Owner or the Builder shall contact the DRC to schedule the modification of the irrigation system. The modification will be completed with seven (7) days of notification.

As noted in the Pecans Tree Management Plan, a permanent underground pecan tree irrigation system is required on each lot. The pecan tree irrigation system must be installed prior to all other landscaping. The exact timing of said installation shall be determined in concert with each Owner's construction schedule.

Temporary Construction Fencing

Lot fencing will be installed along the rear and side lot lines prior to the commencement of any construction.

Additionally, a temporary steel chain link fence seven feet (7') tall shall be installed to enclose the construction site along any property line not already fenced. The fence shall be maintained intact and in good condition until the home is secure. Gates shall be securely locked to prevent unauthorized entry to the construction site.



PRIOR TO START OF CONSTRUCTION (CONT.)

Advertising signs are not allowed on any lot with the exception of an information sign during construction and a "For Sale" sign while a residence is being offered for sale.

Off-site directional signage announcing an open house or home for sale, etc. is prohibited.

Construction Signs

A construction sign must be in place while the residence is under construction. It must adhere to the prescribed design and may contain the following information:

- The name of the Owner/Occupant sign
- The address
- The lot number
- A color rendering of the residence.

This should be the architect's rendering approved in the design review process.

- The Builder, architect and/or contractor
- Additional subs as desired or as space permits

The design allows for a contact telephone number which may be used in place of the list of subs. The construction sign must also have a tube for drawings, mounted to the reverse side and not visible from the street.

The construction sign will be located adjacent to the vehicular access point to the property and parallel with the fronting street, a distance of eight feet (8') from the curb.

All construction signs will be provided by the developer and paid for by the Owner. Exhibits C-1 and C-2 are forms on which to provide information from which the sign will be fabricated.



CONDUCT OF CONSTRUCTION

Start of Construction

The Owner shall satisfy these conditions and commence the construction pursuant to the approved plans within one (1) year from the date of approval. If construction does not begin within this time period any approval shall be revoked unless, upon the written request to the DRC prior to the expiration of the one (1) year period, and upon a finding by the DRC that there has been no change in circumstances, commencement may be extended, if approved in writing by the DRC. Only one sixty (60) day extension will be granted. Construction is considered to have commenced when footings have been excavated.

Continuous Effort

Construction must proceed in a continuous manner through the completion of the residence. If construction ceases for a period greater than sixty (60) days, the DRC may require that construction resume immediately or that the lot be returned to its natural condition. The compliance deposit may be forfeited if either remedy is not satisfied within sixty (60) days of written notice to the Owner by the DRC.

Completion

The Owner shall complete construction of any improvement on his lot within eighteen (18) months after footings have been dug. For the purposes of this section "complete construction of any improvement" shall mean the completion of exterior walls, front yard landscaping and all improvements visible from neighboring property.

The Owner shall be excepted from these requirements for any time where completion is rendered impossible or would result in great hardship to the Owner due to labor strikes, fires, national emergencies, or natural calamities.

Failure to Maintain Schedule

If the Owner fails to comply with this schedule, the DRC shall have the right (but not the obligation) to have the exterior of the improvement or the front yard landscaping completed in accordance with the approved plans, or have the improvements removed. Costs incurred by the DRC or the Association will be recovered from the Owner as provided for in the CCRs.



CONDUCT OF CONSTRUCTION (CONT.)

Work Hours

All construction activity that generates noise shall be confined to the hours of thirty minutes (30) before sunrise to one (1) hour after sunset, Monday through Friday. Noise-generating work on Saturday shall not commence until 8:00 a.m. No noise-generating construction activity is allowed on Sundays. The DRC may approve activity outside these time limits under special circumstances.

Trash

Construction dumpsters shall be parked within the construction fence. All trash must be placed in a trash container and the container must be emptied on a regular basis. At the end of each day, the Builder shall clean the construction site. Trash and debris shall not be permitted to accumulate. Lightweight material, packaging, and other items shall be covered or weighted down to prevent them from being blown off the construction site. Builders and their sub-contractors are prohibited from dumping, burying, or burning trash anywhere within The Pecans. During construction, each site shall be kept neat, clean, and properly policed. In the event the DRC or the Association is required to clean up the lot and/or surrounding areas, costs will be recovered from the Owner as provided in the CCRs.

Sanitary Facilities

Each Builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar facilities shall be located within the construction site as approved by the DRC and must be cleaned and emptied no less than once per week.

Parking and Material Storage

Parking locations for vehicles and machinery shall be limited to the Owner's lot driveway and designated community parking spaces, unless otherwise approved by the Design Review Committee. Under no circumstances is any storage or parking allowed on neighboring lots, the streets, or the community open spaces.

Dust and Noise

The Builder and Owner shall be responsible for controlling dust, noise, and music from the site. This includes excessive dirt on The Pecan's private streets. Crushed rock drive-off areas are required for the first thirty feet (30') of drives into any site. Excessive dirt, mud, etc. shall not be allowed to accumulate on paved streets and shall be removed within seven days (7).

O.S.H.A.

All applicable OSHA (Occupational Safety and Health Act Compliance) regulations and guidelines shall be strictly enforced at all times.



CONDUCT OF CONSTRUCTION (CONT.)

General Construction Practices:

Owners will be absolutely responsible for the conduct and behavior of the Builder.

The following practices are prohibited:

Equipment or vehicle maintenance; including washout of concrete or stucco anywhere within The Pecans except on the designated portion of the lot.

Dumping, burying, or burning trash anywhere on the lot or within The Pecans.

Removing rocks, plant material, topsoil, or similar items from other lots or the common areas.

Carrying firearms of any type within The Pecans.

Careless disposition of cigarettes or other flammable material. At least one 10-pound ABC rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.

Use of illegal drugs or intoxicated behavior by any construction worker is prohibited.

Allowing pets to roam at will outside the construction fencing.

INSPECTION OF WORK IN PROGRESS

The DRC may inspect any work in progress, at any time during construction work hours, and without prior notice. The DRC may issue a notice of non-compliance. The Owner shall remedy the non-compliance at the earliest opportunity. In the event that the non-compliance is not remedied, the DRC may take immediate appropriate action or defer action until the final inspection.

Absence of such inspection or notification during the construction period or deferral of action does not constitute an approval by the DRC of work in process or compliance with these Design Guidelines.

To minimize the risk of expensive re-construction, the Builder and/or the Owner are responsible for requesting an inspection by the DRC if any doubt exists about compliance with these Guidelines.



CHANGES DURING CONSTRUCTION

Any proposed changes or revisions during construction to an approved project shall be promptly submitted to the DRC for review and approval. The DRC may require removal or reconstruction of unapproved changes. Significant additions or revisions to an approved project require DRC approval through the design review procedure.

Final Inspection by Town of Queen Creek

The Owner or his Builder shall make all arrangements for final inspections by the Town of Queen Creek and/or any other governmental agency as required. Owner shall meet all requirements of local codes to obtain a Certificate of Occupancy.

Final Inspection by DRC

Upon completion of any residence or other improvement and receipt of a Certificate of Occupancy, the Owner shall notify the DRC in writing that construction is complete and provide a copy of the Certificate of Occupancy. Within ten (10) days of such notification, the DRC will inspect the residence and/or other improvements. If all improvements comply with these Design Guidelines;

the DRC will issue a written approval to the Owner, constituting a final release of the improvements by the DRC. The release will be issued within ten (10) days of the final inspection.

Non-Compliance

If the DRC finds that the work was not done in compliance with the approved plans or any portion of these Design Guidelines, the DRC may issue a written notice of non-compliance to the Owner, specifying the particulars of non-compliance, said notice to be issued within ten (10) days of the final inspection.

The Owner shall have thirty (30) days from the date of notice of non-compliance to remedy the non-compliant portions of the improvement. The Owner may request additional time. If the Owner fails to remedy the non-compliance, the final release will be withheld and the DRC shall have the right (but not the obligation) to either have the non-compliant improvement completed in accordance with the approved plans or remove the improvements. Costs incurred by the DRC or the Association will be recovered from the Owner as provided in the CCRs.



DESIGN REVIEW COMMITTEE

MEMBERSHIP

Members

Initially, and through the Declarant control period, the DRC shall consist of the Declarant and between two and four members appointed by the Declarant for a minimum of three members to a maximum of five members total. Each member shall hold his office until such time as he has resigned or been removed or a successor has been appointed.

The right from time to time to appoint and remove any members of the DRC shall be reserved to and vested in the Declarant.

At the end of the Declarant control period, the right to appoint and remove members shall be vested in the Board of Directors of The Pecans Homeowner's Association. The number of members shall be a minimum of three to a maximum of five. Term of the members shall be for two (2) years, except as may be decided by the Board.

Resignation of Member

Any member of the DRC may, at any time, resign from the DRC upon written notice delivered to Declarant or to The Pecan Homeowners Association, whichever then has the right to appoint and remove members

Compensation

The members of the DRC shall receive no compensation for services rendered unless authorized to do so by the Declarant or The Pecan Homeowners Association. All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with the performance of their duties. Professional consultants and representatives of the DRC used in the review process shall be paid such compensation as the Declarant or The Pecan Homeowners Association determines.



DUTIES

General

It shall be the duty of the DRC to consider and act upon proposals or plans related to the development of The Pecans that are submitted pursuant to the Design Guidelines, to enforce the Design Guidelines, and to amend these Design Guidelines when, and in a manner, deemed appropriate by the DRC.

Design Review

The DRC shall review plans for compliance with these Guidelines only. Approval of any plan by the DRC does not make the DRC liable or responsible to the Owner or others with respect to the adequacy of design, engineering or otherwise. DRC approval does not eliminate or reduce the obligation of the Owner to comply with all legal requirements and responsibilities.

Inspection and Enforcement

The DRC may, at any time, inspect a Lot or Improvement and, upon discovering a violation of these Design Guidelines, provide written notice of noncompliance to the Owner, including a reasonable time limit within which to correct the violation. If an Owner fails to comply within this time period, the DRC or its authorized agents may enter the lot and correct the violation at the expense of the Owner of the lot. Any such expense shall be secured by a lien upon the lot enforceable in accordance with the declaration.

The rights of the DRC to inspect Improvements and to enforce the Design Guidelines, in no way obligates the DRC to perform such inspections or administer such enforcement.

Design Guidelines

During the Declarant control period: The DRC may from time to time at its sole discretion amend or revise any portion of these Design Guidelines, subject to the approval of the Declarant. All such amendments or revisions shall be appended to, and made a part of the Design Guidelines.

Subsequent to the Declarant control period, administrative changes may be made by the DRC. However, changes of a substantial nature shall be submitted by the DRC for approval by the Board of Directors of The Pecans Homeowners Association.

Forms: The DRC shall adopt forms upon which all requests for approvals from the DRC must be submitted.

Fees and Deposits: The DRC shall adopt a fee and deposit schedule in connection with its design review, construction, inspection and enforcement procedures. The fee and deposit schedule shall be published in Exhibit B. Fees and deposits are subject to change at the sole discretion of the DRC.



DUTIES (CONT.)

Review Fees

Review fees shall be made payable to "The Pecans Homeowners Association." The fee is required with the initial design review application. The DRC may impose at its discretion an additional non-refundable fee should plans require a second re-submittal, and at each subsequent re-submittal.

Owner Responsibility: Each Owner is responsible for obtaining a copy of the most recently revised Design Guidelines and addendums before commencing design work for any Improvements to the Owner's lot. (See page DES-3)

Meetings

The DRC shall meet as required to review the application for approvals, but shall not be required to meet more frequently than twice a month. The chairman of the DRC may call special meetings upon two (2) days prior written or oral notice to the other members. Two alternative members shall be designated for the DRC and shall have all of the authority of a regular member while participating.

Architectural Representative

The DRC may retain the services of one or more design professionals to review submitted plans, provide construction inspection for compliance with the Design Guidelines, and/or administer the full or

abbreviated design review procedures.

The representative shall report only to the DRC. Any comments or suggestions by the representative to an Owner, other design professional, or Builder are provided solely for their convenience and do not represent official approval or disapproval by the DRC.

Delegation of Authority

The DRC may delegate all or part of its authority to any one DRC member, or to the architectural representative of the DRC. Under such authority, the actions or approvals of the delegate shall be equivalent to actions and approvals of the DRC. If DRC authority is so delegated, the DRC shall disclose the authority of the individual(s) at the earliest opportunity.

Written Records

The DRC shall keep and safeguard complete written records of all applications for approval submitted to it (including one (1) set of all preliminary and final plans), of all actions of approval or disapproval, and of all other actions taken by it under the provisions of these Design Guidelines. All such records shall be maintained in the offices of The Pecans Homeowners Association for a minimum of three (3) years after approval or disapproval.



POLICIES

Review Periods

After receipt of a complete package for Design Review, the DRC shall review the plans and use its best efforts to respond in writing within 30 days. This time is required to allow for thoughtful review of the submittal as well as anticipation that there may be concurrent submittals by other Owners. It also allows distribution of the plans to the DRC as well as the DRC's Architectural Representative as well as the collection and consolidation of their comments.

Periods of Time

Unless otherwise provided for herein, all periods of time referred to in these Guidelines shall refer to calendar days and shall include all Saturdays, Sundays and state or national holidays, provided that, if such a date or, the last date to perform any act or give any notice with respect to these Guidelines, shall fall on a Saturday, Sunday, or state or national holiday, such act or notice may be timely performed or given on the next succeeding day which is not a Saturday, Sunday or state or national holiday.

Terms

Certain terms used in these Guidelines have meanings specific to The Pecans. All such terms are defined in the section Definitions and Abbreviations.

Non-Waiver

The approval by the DRC of any plans, drawings, or specifications for any work, proposed or completed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing, improvement, or specification subsequently or additionally submitted for approval. Failure to enforce any of the Guidelines shall not constitute a waiver of same.

Variances

The DRC has the authority to deviate from the requirements contained in these Guidelines in extenuating circumstances if following the requirements would create an unreasonable hardship or burden for an Owner. Variances may be granted as part of the approval of Improvements through Design Review or through abbreviated design review. Variances may also be granted in response to a specific request of an Owner.

Appeals (Post Occupancy)

Except as otherwise provided in the CCRs any Owner aggrieved by the decision of the DRC may appeal the decision to The Pecans Homeowners Association. An appeal must be made within fourteen (14) days after the decision notification has been given by the DRC. The appeal must be sent by registered letter to the HOA. If the applicant makes the appeal, the appeal must be accompanied by the written



POLICIES (CONT.)

decision of the DRC together with copies of all applications, drawings and other items submitted to the DRC, and any other relevant evidence.

Nature of Approval

Any approval of plans or specifications for proposed construction given by the DRC shall be only for the purpose of permitting construction of proposed Improvements within The Pecans and shall not constitute compliance with town, county, or state laws. Such approvals shall not constitute any approval, ratification or endorsement of the quality, or architectural or engineering soundness of the proposed Improvement, and neither the DRC, its members, its consultants and representatives, the Board, the officers of The Pecan Homeowners Association, nor the Declarant shall have any liability in connection with or related to approved plans, specifications or improvements.

Right to Waiver or Vary Procedures

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

Non-Liability

Neither the DRC, any member thereof, consultants and representatives of the DRC, nor the Declarant, shall be liable to The Pecans Homeowners Association or to any Owner or other person for any loss or damage claimed on account of any of the following:

- ☐ The approval or disapproval of any plans, drawings and specifications whether or not defective.
- ☐ The construction or performance of any work whether or not pursuant to approved plans, drawings, and specifications.
- ☐ The development, or manner of development, of any Lot within The Pecans.
- ☐ Inspections of improvements, or the absence of such inspections.

Every Owner and other person, by submission of plans and specifications to the DRC for approval, agrees that he will not bring any action or suit against the DRC, any of its Members, any consultant or representative of the DRC, nor the Declarant regarding any action, or the absence of any action, by the DRC.

Severability

If any provision of the Design Guidelines, or any section, clause, sentence, phrase or word, or application thereof in any circumstance, is held invalid, the validity of the remainder of these Design Guidelines, and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstance, shall not be affected thereby, and the remainder of these Design Guidelines shall be construed as if such invalid part were never included therein.



DEFINITIONS

The following defined terms have the meanings set forth hereafter whenever used herein:

Association

The Pecans Homeowners Association, Inc., a Arizona nonprofit corporation organized by the Declarant to administer and enforce the project documents and to exercise the rights, powers and duties set forth therein, and its successors and assigns.

Board

The Board of Directors of the Association.

Builder

A licensed and bonded contractor engaged by the Owner for the purpose of constructing any improvement with the project.

CCRs or Declaration

The Declaration of Covenants, Conditions, and Restrictions for The Pecans, as the same may from time to time be amended.

Common Area

All real property, and all improvements located thereon, owned by the Association for the common use and enjoyment of the Owners. The common area to be owned by the Association at the time of the conveyance of the first lot to a purchaser, except as noted in the CCRs.

Community Trees/Pecan Trees

Pecan trees owned by the Association located on lots and in the community open spaces for the common enjoyment of the Owners.

Community Tree Management Plan

The management and maintenance guidelines as set forth in the Declaration or as otherwise adopted by the board.

Declarant

The Pecans of Queen Creek, LLC, an Arizona limited liability company, its assigns or successors and any person or entity to whom it may expressly assign any or all of its rights under the CCRs.

Declarant Control Period

The period commencing upon the recording of the CCRs and ending on the date that the Class B membership in the Association terminates pursuant to the CCRs.

Design Review Committee

The committee established pursuant to Section 2.2 of the CCRs.

Design Review Committee Rules

The rules adopted by the Design Review Committee.



Design Professional

A licensed architect or landscape architect, or a designer that is highly experienced in working within Design Guidelines and on projects of similar scale and scope.

Developer

The developer as defined in the CCRs.

Residence Completion

The date the residence on any lot receives Certificate of Occupancy from the Town of Queen Creek by passage of a final building inspection.

Guidelines

The Design Guidelines of The Pecans Homeowners Association.

Improvement

Any change, alteration, or addition to a lot, including any excavation, fill, residence of buildings, outbuildings, roads, driveways, parking areas, walls, retaining walls, patios, landscaping, poles, equipment, and any structure or amenity of any kind.

Lot

Any parcel of real property designated as a lot on the plat.

Owner(s)

The record Owner, whether one or more persons or entities, of beneficial or equitable title (and legal title if the same has merged with the beneficial or equitable title) to the fee simple interest of a lot.

Owner shall not include (i) persons or entities having an interest in a lot merely as security for the performance of an obligation, or (ii) a lessee or tenant of a lot.

Owner shall include a purchaser under a contract for the conveyance of real property, a contract for deed, a contract to convey, an agreement for sale or any similar contract through which a seller has conveyed to a purchaser equitable title in a lot under which the seller is obligated to convey to the purchaser the remainder of seller's title in the lot, whether legal or equitable, on payment in full of all monies due under the contract.

Owner shall not include a purchaser under a purchase contract and receipt, escrow instructions or similar executory contracts which are intended to control the rights and obligations of the parties to the executory contracts pending the closing of a sale or purchase transaction. In the case of lots, the fee simple title to which is vested in a trustee pursuant to a subdivision trust agreement or similar agreement, the beneficiary of such trust who is entitled to possession of the trust property shall be deemed to be the Owner.



Project Documents

The CCRs and the Articles of Incorporation, Bylaws, Pecan Tree Management Plan, Rules (if applicable), Drainage Report and Soils Report on file with the Town of Queen Creek, Wastewater Management Plan, and Design Guidelines of the Association.

Property(ies) or Project

The real property or portion thereof described on Exhibit "A" of the CCRs, and such additions thereto or subtractions therefrom as may be made by Declarant at the direction of Declarant, together with all buildings and other improvements located thereon, and all easements, rights and appurtenances belonging thereto. "Property" or "Project" shall mean and refer to The Pecans residential community.

Residence

The building or buildings, including any garage, and other accessory buildings, used for residential purposes on a lot, and any improvements constructed in connection therewith. Residence shall mean single family residence.

Single Family

A group of one or more persons each related to the other by blood, marriage, or legal adoption, together with their domestic servants who maintain a common household in a dwelling.

Single Family Residential Use

The occupation or use of a residence by a single family in conformity with the CCRs and the requirements imposed by applicable zoning laws or other state, county or municipal rules and regulations.

Structure

Anything constructed or erected on a lot, the use of which requires location on the ground or attachment to something having location on the ground.

Tracts

The tracts set forth in the plat.

Visible From Neighboring Property

With respect to any given object, that such object is or would be visible to a person six feet tall, standing on any part of such neighboring property, whether lot, common area, or street, at an elevation no greater than the elevation of the base of the object being viewed.



EXHIBIT A-1

APPLICATION FOR CONCEPTUAL DESIGN REVIEW

Date Submitted: _____ Lot # _____

Owner: _____

Address: _____

Phone(s) _____ E-mail: _____

Architectural Design Professional: _____

Address: _____

Phone(s) _____ E-mail: _____

Landscape Design Professional: _____

Address: _____

Phone(s) _____ E-mail: _____

Approximate square footage of home: _____

Number of car garage: _____

Number of stories: _____

Architectural style being considered: _____

Other structures planned on the property: _____

Check must accompany this application in the amount of \$9,000 (up to \$5,000 of which is refundable).
Make payable to The Pecans Homeowner's Association.

Submit application and fees to:

The Pecans Design Review Committee

Attn: Josh Ehmke

1121 W Warner Rd. Suite 109

Tempe, Az. 85284

480-831-2000

480-893-1604 *fax*

For DRC use only -

Date received by DRC: _____

Review Fee received: _____ (*amount*)

Received by: _____



EXHIBIT A-2

APPLICATION FOR PRIMARY DESIGN REVIEW

Date Submitted: _____ Lot # _____

Owner: _____

Address: _____

Phone(s) _____ E-mail: _____

Design Professional: _____

Address: _____

Phone(s) _____ E-mail: _____

Livable Area (square feet): _____ Other Interior Areas (garage, mech., etc.): _____

Gross Area of all Improvements including Driveway (Disturbed Area): _____ (sf)

Lot size: _____ acres, _____ square feet

Maximum Height of Structure (not including chimney elements): _____

Estimated Cost of Improvements: \$ _____

Applicant comments (if any): _____

Signature of Owner: _____ Date: _____

-or-

Signature of Owner's Representative: _____ Date: _____

Owner's Representative Title (Architect, Builder, etc.): _____

By signing above, the Owner's Representative warrants that he or she has been granted full authority to submit this application on behalf of the owner.

This application will be considered complete only if all the documents and submittals as set forth in the Design Guidelines are included.

Submit application to:

The Pecans Design Review Committee

Attn: Josh Ehmke

1121 W Warner Rd. Suite 109

Tempe, Az. 85284

480-831-2000

480-893-1604 fax

For DRC use only -

Date received by DRC: _____

Review Fee received: _____ (amount)

Received by: _____



EXHIBIT A-3

APPLICATION FOR FINAL DESIGN REVIEW

Date Submitted: _____ Lot # _____

Owner: _____

Address: _____

Phone(s) _____ E-mail: _____

Design Professional: _____

Address: _____

Phone(s) _____ E-mail: _____

Livable Area (square feet): _____ Other Interior Areas (garage, mech., etc.): _____

Gross Area of all Improvements including Driveway (Disturbed Area): _____ (sf)

Lot size: _____ acres, _____ square feet

Maximum Height of Structure (not including chimney elements): _____

Estimated Cost of Improvements: \$ _____

Applicant comments (if any): _____

Signature of Owner: _____ Date: _____

-or-

Signature of Owner's Representative: _____ Date: _____

Owner's Representative Title (Architect, Builder, etc.): _____

By signing above, the Owner's Representative warrants that he or she has been granted full authority to submit this application on behalf of the owner.

This application will be considered complete only if all the documents and submittals as set forth in the Design Guidelines are included.

Submit application to:

The Pecans Design Review Committee

Attn: Josh Ehmke

1121 W Warner Rd. Suite 109

Tempe, Az. 85284

480-831-2000

480-893-1604 fax

For DRC use only -

Date received by DRC: _____

Review Fee received: _____ (amount)

Received by: _____



EXHIBIT B

REVIEW FEES

The DRC has adopted the following fee schedule in connection with the design review process and construction compliance. The total of the Design Review Fee and Construction Compliance Fee are due at prior to the pre-design conference. Fees should be made payable to The Pecans Association.

Schedule of Fees

Design Review Fee: \$4000

Construction Compliance Deposit: \$5000

A portion of the Design Review Fee and the Construction Compliance Fee are refundable.

Design Review Fee Refund

The amount of the refund up to one thousand dollars (\$1,000) is contingent upon the efficiency of the review process.

Construction Compliance Fee Refund

The first one thousand dollars (\$1,000) is non-refundable and will be allocated to offset the cost of the on-lot temporary irrigation system and the normal wear and tear on infrastructure. The balance is refundable less any charges the DRC has assessed resulting from damage and/or noncompliance.

Review and construction fees are subject to change at the sole discretion of the DRC.

Address inquiries to:

The Pecans Design Review Committee

Attn: Josh Ehmke

1121 W Warner Rd. Suite 109

Tempe, Az. 85284

480-831-2000

480-893-1604 *fax*

For DRC use only - Date received by DRC: _____

Review Fee received: _____ *(amount)*

Received by: _____



EXHIBIT C-1

CONSTRUCTION SIGN – OWNER/OCCUPANT

Order Form

Owner's Last Name _____

Address _____

Lot Number _____

Submit an electronic file of the Architect's/Designer's elevation of the home.

List of Consultants/Suppliers/Contractors and Financial Sources.

List name and discipline (limit 6)

1. _____

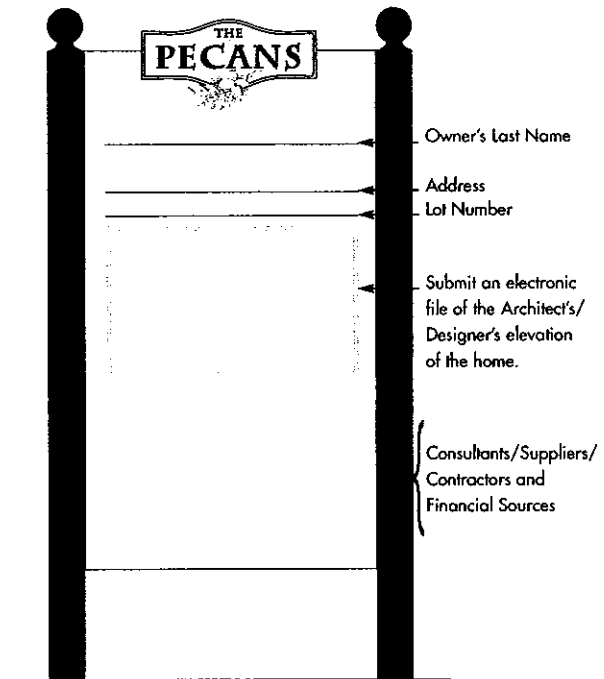
2. _____

3. _____

4. _____

5. _____

6. _____



Please mail or deliver this form along with a check payable to

The Pecans Home Owners Association to:

The Pecans Homeowners Association

Attn: Jerry Ebel

3930 So. Alma School Road

Chandler, AZ 85248

480-704-2900

480-704-2905 *fax*



EXHIBIT C-2

CONSTRUCTION SIGN – FOR SALE RESIDENCE

Order Form

Address _____

Lot Number _____

Submit an electronic file of the Architect's/Designer's elevation of the home.

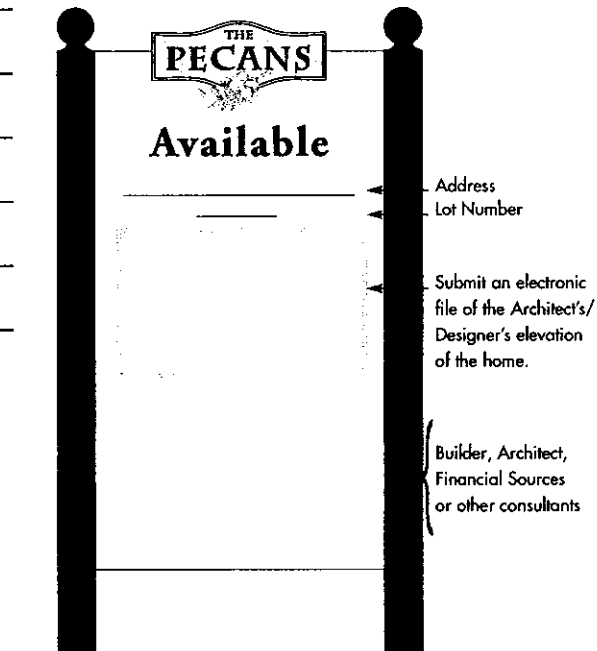
Builder, Architect, Financial Sources or other consultants.

List name and discipline (limit 3)

1. _____

2. _____

3. _____



Please mail or deliver this form along with a check payable to
The Pecans Home Owners Association to:

The Pecans Homeowners Association

Attn: Jerry Ebel

3930 So. Alma School Road

Chandler, AZ 85248

480-704-2900

480-704-2905 *fax*



EXHIBIT C-3

LOT RESALE SIGN

Order Form

Lot Number _____

Realty Company _____

Agent _____

Phone Number _____



Please mail or deliver this form along with a check payable to
The Pecans Home Owners Association to:

The Pecans Homeowners Association

Attn: Jerry Ebel

3930 So. Alma School Road

Chandler, AZ 85248

480-704-2900

480-704-2905 *fax*

Please allow 2-3 business days for sign installation



EXHIBIT C-4

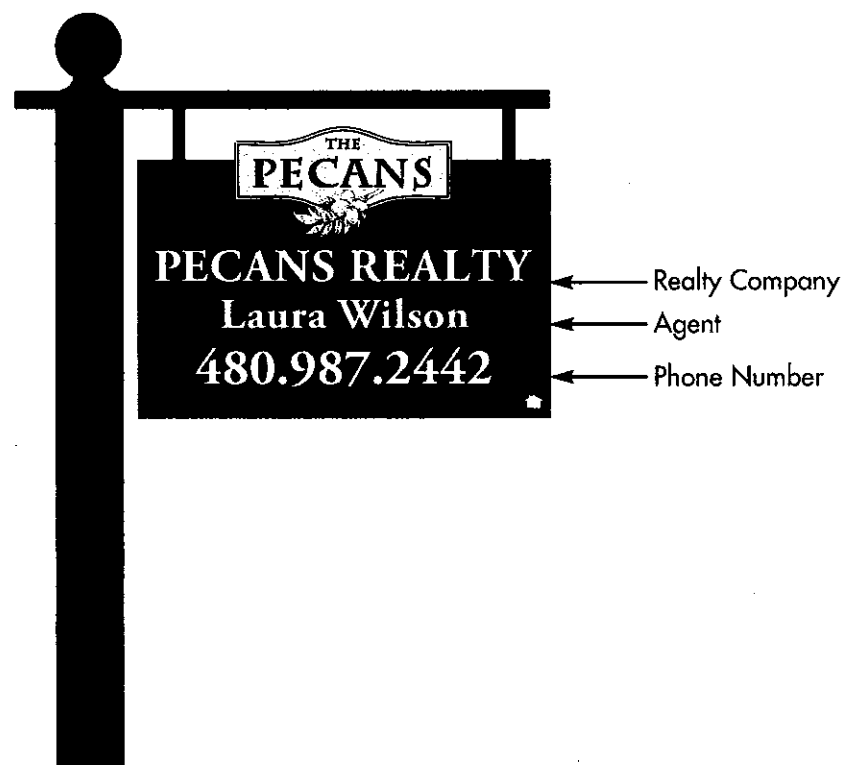
RESIDENCE FOR SALE SIGN

Order Form

Realty Company _____

Agent _____

Phone Number _____



Please mail or deliver this form along with a check payable to
The Pecans Home Owners Association to:

The Pecans Homeowners Association

Attn: Jerry Ebel

3930 So. Alma School Road

Chandler, AZ 85248

480-704-2900

480-704-2905 *fax*

Please allow 2-3 business days for sign installation



EXHIBIT D

FENCING

Order Form

Lot number: _____

Owner's Name: _____

Owner's Address: _____

Owner's Phone Number: _____

Please provide a copy of the Lot Exhibit and site plan showing the location of the home. The Association will calculate the linear feet of fencing required and provide the costs for fabricating and installing the fence. The price will include any allocations of cost for fencing already installed on adjoining property. Premier will invoice the cost of the fencing to the Owner or Builder.

Please mail or deliver this form along with a check payable to
The Pecans Home Owners Association to:

The Pecans Homeowners Association

Attn: Jerry Ebel

3930 So. Alma School Road

Chandler, AZ 85248

480-704-2900



EXHIBIT E

GATES

The Association is in the process of designing alternative gates that will be offered to Lot owners.



EXHIBIT F

MAIL BOX/ADDRESS PLAQUE

The Association is finalizing the specifications for the mailboxes and address plaques. Once complete they will be made available for purchase through the Association.



EXHIBIT G

FIRE PREVENTION

Rural/Metro Fire Department

The rural/metro fire department has established criteria for design of the fire protection and safety elements required for all residences within The Pecans.

- Premises identification must be legible from the street or drive and must be on all plans
- The residence must provide an all weather access road (minimum of 20 feet wide) to all buildings and fire hydrants from public way during construction.
- Private driveway minimums for a single family dwelling
 - 12 ft. drive, all weather surface, grade less than 12%
 - 16 ft. drive, hard surface, grade greater than 12%
 - Turnaround required for drives over 150 ft.
 - Emergency operations platform required for excessive hose play, drive length, or grade
 - Contact fire dept. for meeting for access options and requirements.
 - Drives over 300 feet in length require a 20 foot wide and 45 foot long vehicle passing area over 300 feet.
- Street widths show 16ft on site plans. All residential structures are required to install an approved fire sprinkler system by a licensed contractor.
- Water supply data: minimum residual PSI 20, GPM 1000, Duration 2. If structure has fire sprinklers: min RES. PSI 20, GPM 500, Duration 2.
- Sprinkler system shall be installed to comply with the following NFPA criteria and the international fire code 2000. Per code, sprinkler systems with 100 or more heads are required to have off-site constant supervision. Submit drawings, reviewed by minimum level III Nicet ET, Calculated (per area).
 - Modified 13-D sprinkler system with fast response heads, to include garages and vehicle storage.
 - Modified 13-R system with fast response heads (calculate four remote heads)
 - Modified 13-R system with fast response heads in dwelling units plus attic (calculate four remote heads/ 900 sq. ft. minimum in attic).
- Sprinkler system shall be pressure tested, flushed and witnessed by the fire department, confirming the compliance with NFPA 13.
- All sprinkler systems are required to have a data name plate posted and maintained at each riser.
- If back flow prevention is required by local ordinance, back flow devices for lines shall be part of the civil water, sprinkler and/or plumbing site plans (including domestic calculations) as applicable.
- If propane tank is to be installed, the installing contractor is required to obtain a permit from the fire department prior to installation.
- Other:
 - Street widths show 16ft on site plans. All residential structures are required to install an approved fire sprinkler system by a licensed contractor.



EXHIBIT H

The Design Guidelines for The Pecans provide a detailed overview of the requirements for residential architecture and landscaping. Follow them carefully and consider the following basic concepts when commencing your design for your home.

	Do	Don't
Architectural Style	<ul style="list-style-type: none"><input type="checkbox"/> Initially decide on an architectural vernacular and/or historical style for the home.<input type="checkbox"/> Maintain a clear strong consistency of elevation treatments and exterior details with that style.<input type="checkbox"/> List the intended architectural 'style' on all submittals.	<ul style="list-style-type: none"><input type="checkbox"/> Don't assume that a 'Tuscan' label constitutes a style that will be approved, especially as it is often treated locally with stylized stucco-stone-tile planes with no historical precedent or consistency with historical examples. Also be aware that 'Tuscan' is the least favored style for The Pecans project and so will receive greater scrutiny.
Home Elevations	<ul style="list-style-type: none"><input type="checkbox"/> Maintain 4-sided architectural consistency of elevation treatments including details at walls, corners, base treatments, doors, windows, eaves, roofs, ornamental elements, etc.	<ul style="list-style-type: none"><input type="checkbox"/> Don't enrich the front elevation and neglect the same level of detail on the side and rear elevations.<input type="checkbox"/> Don't assume simply adding veneer materials like stone constitutes architectural detail and/or style.
Window Treatments	<ul style="list-style-type: none"><input type="checkbox"/> Incorporate window shape and head-sill-jamb surround treatments that are consistent with the design style or theme selected for the home. Maintain those basic elements on all elevations.	<ul style="list-style-type: none"><input type="checkbox"/> Don't place un-ornamented windows in walls without addressing the surrounding style treatment.
Submit application and fees to:		
Front Yard	<ul style="list-style-type: none"><input type="checkbox"/> Develop an integrated assemblage of low walls, walks, steps, bollards, drives and landscaping in the front yard to create a rich, visually interesting foreground setting for the home that is consistent with the architectural style.	<ul style="list-style-type: none"><input type="checkbox"/> Don't simply extend a sidewalk from the front door to the street and/or to the driveway and assume that constitutes a rich, visually interesting foreground setting for the home.

The information on the following pages should be completed as a part of your design submission.



EXHIBIT H (CONT.)

COLOR AND MATERIAL SAMPLES

Lot #

Submission Date:

By Owner

Phone:

Front Door Color
or Finish
Color & Manufacturer:

LVR

Paint Chip or
Material Sample

Roof Material & Color
Color & Manufacturer:

LVR

Picture or
Manufacturer sample
(if metal)

Trim Color
(if applicable)
door trim, window trim, banding, etc.
Color & Manufacturer:

LVR

Picture or
Manufacturer sample
(if metal)

Primary Field Color
Color & Manufacturer:

LVR

Paint Chip



EXHIBIT H (CONT.)

COLOR AND MATERIAL SAMPLES

Lot #

Submission Date:

By Owner

Phone:

Secondary Field Color

(optional)

If secondary colors are used, then the exterior elevations should identify their location.

Color & Manufacturer:

Paint Chip

LVR

Fascia Color

(if applicable)

Color & Manufacturer:

Paint Chip

LVR

Accent Color

railings, gates, etc.

Color & Manufacturer:

Paint Chip

LVR

Garage Door Color

Color & Manufacturer:

Paint Chip or
Material Sample

LVR

EXHIBIT H (CONT.)

COLOR AND MATERIAL SAMPLES

Lot #

Submission Date:

By Owner

Phone:

**Window Frame Color
or Finish**

Color & Manufacturer:

LVR

Paint Chip or
Material Sample

Masonry Color

(if applicable)

Color & Manufacturer:

LVR

Picture

Hardscape Color(s)

Paving, walks

Color & Manufacturer:

LVR

Picture

Decorative Lighting

Color & Manufacturer:

LVR

Provide Manufacturer cut sheet
with color boards