

Sierra Heights Homeowners Association



Association Rules & Architectural Guidelines

Revised: April 2017

Managed by:

PREFERRED COMMUNITIES

"LOVING WHERE YOU LIVE."



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Sierra Heights Homeowners Association

Rules and Architectural Guidelines

Originally adopted July 2009

Previously Revised September 2009

Revised, April 24, 2017

The Architectural Review Process

In accordance with the Declaration of Covenants, Conditions and Restrictions (CC&R's) the board of Directors has adopted the following Architectural Guidelines for improvements which shall apply to all lots within Sierra Heights Homeowners Association.

Each lot homeowner must be familiar with the CC&R's recorded with Maricopa County and with these Architectural Guidelines. The Architectural Guidelines are subject to being amended as determined by the Architectural Review Committee and the Board of Directors. The purpose for these Guidelines is to enhance and maintain a high standard of our property values within the Association. They are also provided to assist homeowners in preparing structural and landscape improvement documents for approval by the Architectural Review Committee.

All changes or improvements to the structures or landscaping within the scope of these guidelines on a lot must be submitted to the Architectural Review Committee for approval. Even if the addition or alteration is identical to a previously approved submission, (for the same or different lot) a request must be submitted for approval. If there is any disparity between the Architectural Guidelines and the CC&R's, the CC&R's shall control the final

decision. All architectural approvals will be conditioned upon compliance with applicable City codes.

Current Unapproved Improvements and/or Alterations

All unapproved changes or improvements made by homeowners may be subject to action by the association to restore the structure or landscaping within the Architectural Guidelines and CC&R's. Homeowners are urged to inspect their lots to ensure they are in compliance with the Architectural Standards. If in doubt, submit an Architectural Approval Request to begin the Architecture Review Process.

Architectural Change Request Procedure

Complete an Architectural Approval Request Form. The form and instructions are available on the community website: www.sierraheightsinmesa.com

Include the following information with the form:

1. Plot Plan- a site plan showing dimensions, relation to existing dwelling and property lines (setbacks). Measurements must be included on the plans.
2. Elevation Plans –plans showing finished appearance of additions in relation to the existing dwelling. Photographs of the proposed locations are often helpful in clarifying the work to be accomplished.
3. Specifications- details description of materials, color samples and dimensions must be submitted.

**Submit all Architectural Approval Request Forms
& attachments to:**

Sierra Heights Homeowners Association
C/o Preferred Communities
PO BOX 5720
Mesa, AZ 85211
info@gothoa.com

All buildings and structures erected and land used within Sierra Heights Homeowners Association shall comply with the zoning and code requirement of the City of Mesa, the CC&R's and these Architectural Guidelines.

All finished work must meet the quality workmanship standards intended by the guidelines and the CC&R's. The Board of Directors and Architectural Review Committee reserve the right to reject the approval given for the change or improvement made if the materials, workmanship or specifications submitted in the request are not followed.

Review Process: Approval or Disapproval

The committee shall have 45 days after complete submission of plans and documents to approve or disapprove the plans. Documents submitted to the Committee must be complete and provide as much information as possible for the committee to correctly determine if the proposed changes meet with the Architectural Guidelines and CC&R's. Any request which is unclear or does not contain all information will be returned to the homeowner, delaying the process and re-establishing the 15-day assessment period.

Note: Submissions can not be considered if the homeowner is not current with payments of assessments.

The review process conducted by the Architectural Review Committee will include, but is not limited to:

1. Consideration of material.
2. Quality of workmanship.
3. Matching of color with the existing or neighboring structures.
4. Consistency with the external design.
5. Location of the improvement with respect to topography and finished grade elevation.

Neither the Architectural Review Committee, nor the Board of Directors, shall have a liability in connection with or related to approved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition or its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

All reviews are completed by the Architecture Review Committee, however; submissions, status inquires and notifications will be administered through the management company.

Approval Expiration: construction must be completed within the 90 days of the approval date or the plans must be resubmitted.

Appeal Process

If you would like to appeal an Architectural review Committee's decision, the appeal must be submitted in writing to the Architectural Committee , c/o Preferred Communities, within 30 days following the date of mailing of the Architectural Review Committee's decision.

Architectural Guidelines



Rule of Thumb

Before making any alterations or changes that are visible from the street or neighboring properties, submit for Architectural Approval. Fines will be automatically assessed for changes made without approval.

Accessory Structures

Any structure that exceeds the height of the fence line or is visible from common areas and/or the street must be submitted for approval.

Storage Structures

Definition: A structure used exclusively for storage and does not exceed 120 square feet of roof area. Sheds that do not exceed the height of the immediately surrounding wall(s) or fence(s) and screened from view of all common areas and the street do not need approval.

Materials can be of wood, plastic or painted metal. Consideration must be given to avoid hollow metal sheds that may be of a noise nuisance to neighbors during rainstorms. The structure must be maintained in original condition.

Non-Storage Structures

Definition: Any structure not intended for storage use, or has a height and/or area greater than the above guidelines will be classified as an “accessory building”.

All accessory structures must be submitted to the Architectural Review Committee and will be considered on a case by case basis. Height maximum for accessory buildings is nine (9) feet. Building and roof structures must blend in with the home and surrounding neighborhood. The structure must be maintained in original condition.

Patio Covers

Patio covers are permanent structures attached to the home, painted to match the existing trim of the home. Roofing materials shall match that which was installed by the builder on the original roof or that which was offered as an option by the builder of the patio cover. Asphalt & Shingles are expressly prohibited. The roof shall be flat or match the pitch of the home. All patio covers not installed by the builder, must be reviewed by the Architectural Review Committee on an individual basis prior to installation.

Additions & Alterations

Any addition, alteration to any building, structure, lot or parcel must be approved in writing by the Architectural Review Committee in addition to any approved by the City and prior to the commencement of construction or alteration.

Amplifiers

Loudspeakers must not be directed to the outside of any building so as to be loud enough to disturb neighbors. Disturbance to neighbors resulting from these items shall be considered a nuisance.

Homeowners must also be considerate of their neighbors when using portable radios, car stereos and in-home entertainment systems.

Antennas / Satellite Dishes / Solar Panels

Exterior television, radio antennas and satellite dishes may be placed within the confines of a member's lot within Sierra Heights Homeowners Association. They must be concealed as determined by the following guidelines:

Antennas

Antennas up to 3 feet in length may be inconspicuously placed on the homeowner's home or lot without Architectural Review Committee approval.

Satellite Dishes

A satellite dish up to 18 inches in diameter may be inconspicuously installed on the home, on the side or back lot below the roof line without Architectural Review Committee Approval. All exposed connecting wires must be painted to match the color when they are installed on the house. The Association requests that the homeowner make every effort to install the satellite dish in the following preferred locations:

1. A location in the back yard of the lot where the dish will be screened from view by landscaping or other improvements.
2. An unscreened location in the backyard of the lot.
3. A location in the side yard where the dish and any pole or mast will be

screened from view by landscaping or other improvements.

4. On the roof, but below the roof line.

Solar Panels

Solar collectors and related equipment may be installed on roofs of residential units or other buildings situated on lots with the prior written approval of the Architectural Committee. No antenna, satellite television dish, antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used or maintained on any Lot so as to be Visible from neighboring Property without prior written approval of the Architectural Committee.

(CC&R's Article IV, Section 4.5)

Awnings

Awnings over all windows shall be canvas or similar material, of solid color, which matches the color of the body of the exterior of the home, or roof color, and shall be installed only on the side and/or rear of the home.

1. All awning submittals must include a drawing with the location of the proposed awning installation, sample of material, and the color & design of the awning.
2. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when awning must be repaired and or replaced due to weathering, fading, tearing, ripping etc.

Basketball & Tetherball Equipment

No basketball goal shall be attached to a roof or other part of a structure and the pole for any basketball goal shall be painted to match the body color of the residential Unit.

(CC&R's Article IV, Section 4.20)

Basketball goals shall be installed on the 'interior' side of the driveway if located in the front yard; and on the 'interior' of the lot if located in the rear yard. Goals installed on the 'exterior' of the driveway require the adjacent neighbors' written approval prior to installation. *** Tetherball poles must follow the same guidelines as basketball poles.

1. Only pole mounted backboards and goals are acceptable. Poles may be permanent or portable. Backboards shall not be installed on a building or structure (house, garage, or roof, etc.). Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
2. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped or peeling paints, etc... constitute grounds for fines and/or removal.
3. Painting of the driveway, sidewalk, or street for a court layout or any other purpose is prohibited.
4. Spotlights or other lighting for the purpose of illuminating the area of play for use after sunset is prohibited.
5. The homeowner is fully responsible for ball containment on his/her individual property.
6. Basketball goals located in the rear yard must comply with all above applicable guidelines
7. Temporary or Portable basketball goals must be maintained in good condition. Placement of the goals must be on either side of the driveway no more than 50% of

the distance from the house/garage to the inside edge of the sidewalk. Goals are not to be placed facing the sidewalks or streets.

Building Materials

Finished building materials must be applied to all exterior sides of buildings and structures. Materials must match the same material and texture of the existing home. Permitted exterior finished materials include stucco, brick and flagstone veneer, split or textured decorative block, and rough sawn wood. The Architectural Review Committee may approve other materials. All exterior building materials must be approved by the Architectural Review Committee prior to submittal to the City of Mesa for commencement of any exterior alteration.

Children's Play Structures

Plans for children's play structures, including but not limited to, play houses, forts, swing sets, etc., visible from a neighboring property requires review and approval by the Architectural Review Committee prior to installation. Use the following guidelines:

1. The play structure must be kept in quality condition and not detract from the neighboring properties.
2. Canvas awning or covers, if provided, shall be of a "neutral" color (off-white, beige or light brown) and must blend with the exterior house colors and maintained in good repair.
3. Wood material must be of natural color or painted to match the dwelling.
4. The play structure shall not be placed any closer than five feet of any property line.

The Board reserves the right to require written input of all adjacent neighbors; such input shall include a statement acknowledging the proposed play structure location, height, material and color and must be dated and signed by the legal owner of the property. The adjacent neighbors shall be given at least 15 days to respond in writing.

ALL PLAYGROUND EQUIPMENT VISIBLE ABOVE THE WALL MUST BE SUBMITTED FOR APPROVAL PRIOR TO INSTALLATION.

Chimneys

Chimneys shall be constructed of the same material and texture as the home. Exposed flues are prohibited.

Decorative Items

Decorative items are allowed in rear yards and must be screened from view of neighbors and common areas.

American & Arizona State Flags

For permanently mounted flag poles, the height of the pole can be no greater than 25 feet. Owners must submit for prior written architectural approval for the location of a permanent flag pole.

Temporary flag poles (8 foot maximum) may be placed anywhere on the lot or house, but below the roof line, without prior written approval.

1. Homeowners may display flags allowed by ARS 33-1808. The flags shall be reasonable in size and displayed in accordance with the Federal Flag Code. It is the universal custom to display the flag from sunrise to sunset.
2. No more than 2 flags may be displayed at once.
3. The flags may be displayed 24 hours a day if properly illuminated. Proper illumination shall not disturb the quiet use and enjoyment of the neighboring property.

Holiday / Seasonal Decorative Items

Holiday / Seasonal items which are house mounted below the roofline do not require approval. The Board of Directors of Sierra Heights Homeowners Association reserves the right to require removal of decorative items in front yards based on size, quantity, color, location and any other criteria that the Board of Directors may determine.

1. Seasonal items can be displayed within 30 days of the holiday (before & after). This includes items such as Seasonal flags, Christmas lights, plaques, etc.
2. Professional and collegiate sports team banners and flags (no larger than 3'x5') may be displayed on days the respective team is playing. Such decorations must be removed by the end of the day after the game.
3. Items must be maintained in a good condition at all times. Torn, ripped, faded, etc. constitutes grounds for citation and/or removal.

4. Items may not be offensive. The Board of Directors shall make this determination on a case by case basis.

Water Features.

Water features within rear yard areas do not require Architectural review Committee approval. Any feature in the rear yard must not exceed the fence line height. Water features are permitted in the front yard only if approved by the Architectural Review Committee, are located near the entry to the house and are hidden from the street by a decorative wall or landscaped screen no higher than 48 inches. They must contain a filtration system and be chemically treated to prevent stagnation and a breeding place for insects. Care must also be taken to prevent a drowning exposure to children in the neighborhood.

Fountains / Waterfalls

Fountains and waterfalls must blend with the color of the home and landscape theme and shall not exceed 48 inches in height. Decorative accents on the fountain shall not be offensive in nature. Consideration must be taken to prevent the noise of running water as a nuisance during the quiet hours in the neighborhood between 10:00pm – 6:00am.

Decorative Landscape and Yard Ornamentation (Statuary, etc.)

Decorative landscape enhancements shall be permitted but must blend with the landscape. The Architectural review Committee retains the authority to determine if such enhancements are a nuisance to the surrounding neighbors and properties.

1. Enhancements shall not exceed 36" in height
2. Enhancements shall not be offensive to neighboring lots or common areas
3. If attached to the home itself, the decoration shall not exceed three square feet.

Doors

See Sunscreens / Screen Doors / Security Doors

Driveway Extensions

Requests for driveway extensions must include a dimensioned plan of the existing lot and the direction in which expansion is proposed. The exact measurements of the proposed paved surface must be stated on the plan. Driveway extensions will be reviewed on an individual basis with strong consideration to any impact on the architectural features of the neighborhood. Every effort must be made to landscape the area to maintain visual harmony within the neighborhood.

The Architectural review Committee would prefer that the extension not intersect with the adjacent property line. The maximum driveway extension

width shall not exceed a total of twenty-seven (27) feet for a two and a half car garage or 36 feet for a three car garage. Driveway extensions may not extend any closer than 4 inches from the property line or 2 inches from the wall separating the neighboring property. If the driveway extension ends within one (1) foot or less of the property line, it shall require a request for written input of the adjacent neighbor closest to the edge of the extension. The adjacent neighbor shall be given at least 15 days to respond in writing regarding the proposed extension. Such input should include the homeowner's printed name, lot number, address, date, signature and clear statement of agreement with what is being submitted for approval.

Coated paved surfaces will be approved on a case by case basis.

Exterior Colors, Painting



Please see Exterior Maintenance-Painting Policy
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Fences & Walls

Plans to raise the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s). Prior to the construction of any new or decorative wall an Architectural Request Form with plans and property line verification shall be submitted to the Architectural Review Committee for approval. Walls must be stuccoed, if applicable, and painted to match the existing dwelling or wall in texture and color.

In the event of a cost sharing dispute between Homeowners regarding the construction, repair or rebuilding of a common wall between their properties, homeowners may submit the dispute to the Architectural Review Committee for arbitration. The parties must agree that the decision of the Architectural Review Committee will be binding, subject to the right of appeal to the Board of Directors of the Association.

Perimeter walls on lots bordering common areas may not be torn down to allow access to rear yards. Access must be gained through the front wall on the side of the home. AN ASSESSMENT OF \$2,000 WILL BE APPLIED TO A LOT IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT ARCHITECTURAL COMMITTEE APPROVAL. Repairs to this wall must be completed in a timely manner and include repairing the wall to match the texture and color of the remaining wall.

Repair of any and all damage caused by activity or negligence (i.e. overwatering) to Perimeter walls shared between the lot owner and the Association will be the responsibility of the party who caused the damage.

Garages

The interior of all garages situated on any lot must be maintained in a neat and clean condition or the door kept closed. Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be converted to living quarters or recreational activities without the prior written approval of the Architectural

Review Committee and applicable city and state zoning and code requirements.

Garage doors should be closed when left unattended in order to help deter burglaries and other criminal activity.

Gates

Double gates may be installed with prior approval of the Architectural review Committee to allow wider access to back yard. Shrubs, trees, and plant material should be installed and maintained between the adjacent house and the double gates when possible.

Gutters & Downspouts

Gutters and downspouts will be considered for approval by the Architectural review Committee if the finish matches the color of the home and installation is of quality workmanship. The Association strongly recommends use of high quality materials that offer long life, as the gutters and downspouts must be maintained in good condition. Plans must include the proposed locations of the gutters and downspouts the quality of materials to be used, manufacturer's warranty, and the name and telephone number of the installer.

Heating, Ventilating and Air Conditioning (HVAC) Units

All HVAC equipment must be ground mounted or concealed within the confines of the lot so as not to be visible from the neighboring property. This includes evaporative coolers. Externally mounted

vent lines or attic vents must be painted to match the exterior color of the house. Wind turbines are not allowed. The Architectural Review Committee must approve the installation of all vents and evaporative coolers.

Landscaping

The objective of the landscaping is to screen, accent, soften and improve the visual character of the Sierra Heights Homeowners Association Community. Homeowners are responsible for landscaping and removing trash and debris on their entire lot, including the outside of the perimeter lot walls adjacent to sidewalks and/or curbs. Landscaping must not obstruct public rights-of-way, including streets, sidewalks, signs, fire hydrants and traffic signals. Trees and shrubs must be trimmed to avoid these items. The Association is responsible for the same in all common areas. Landscaping must comply with the approved landscape plans and must not contain plant and hardscape materials that are prohibited.

Border and Paver Material

Borders must be concrete, block or brick and do not need Architectural review Committee approval if the color is in the brown or red family, and the installed height is no higher than three (3) inches above ground level. No other border materials are allowed. Borders shall be used to contain and separate rock ground cover from grass and common areas. Bollards and rope are prohibited in front yard.

Pavers may not exceed 18-24" in width, must be of a natural color that blends with

the home and landscaping décor, shall be flush where they abut other paved areas, and must be of the following materials: brick, Saltillo tile, Mexican tile, concrete pavers or flagstone.

Corner Lots

Homeowners of corner lots must landscape and maintain the area outside of the perimeter fence adjacent to the street running alongside the lot if not in a common area indicated in the parcel map. Landscape plans for this area must include plantings to soften the appearance of the side yard fence and if planted, must be maintained by the homeowner.

Front Yards

Homeowners are encouraged to use drought resistant and water conserving plants. Each lot will include at least one (1) fifteen gallon tree, three (3) five-gallon shrubs, and Ground cover which may be turf, decomposed granite, or other natural rock material approved by the Architectural Review Committee. All bare earth must be covered by an approved organic material to provide a neat appearance. No trees, shrubs, or plants of any kind on any lot or parcel, may overhang or otherwise encroach upon any sidewalk or other pedestrian or bikeway from ground level to a height of eight (8) feet, without the prior approval of the Architectural review Committee. For plant support, trellis or lattice must be painted to match the color of the home. If

higher than 6' in height, it must be submitted for approval consideration. Chicken wire is prohibited.



Rule of Thumb

if a plant/bush/tree dies, replace it before receiving a violation notice!

Grading and Mounding

Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern be maintained when making any changes to the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the City of Mesa's grading and drainage plan. Mounding or berming within an area measured 7 feet behind the back of the curb along the entire frontage of the lot is discouraged. Mound and other proposed grade changes will be closely scrutinized by the Architectural review Committee to assure that the mounding will appear natural.

Hardscape

Any hardscape items proposed for front yard installation must be approved by the Architectural Review Committee. In the rear yard, only hardscape items that will be

visible from neighboring property will require approval. Material included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls and fountains.

Irrigation Systems

All landscaped areas must be equipped with automatic underground irrigation systems. A low-pressure drip irrigation system is encouraged for all trees, shrubs and ground cover areas.

Lighting

Outdoor light fixtures shall not exceed an illumination intensity of more than one (1) foot candle power as measured from the lot line. They shall blend with the décor and color of the home and neighborhood. Low pressure sodium bulbs, Mercury and Metal Halide fixtures are not permitted. Colored light bulbs, lenses, or reflectors are not permitted except as decorative items during special holidays. However, yellow light bulbs used as a pest deterrent are allowed.

Security lighting and motion sensors may be installed only with Architectural Review Committee approval. Lighting shall be directed such that the light shines primarily on the owner's lot and minimizes glare visible from other lots.

Prohibited Plants

The following vegetation types and varieties are expressly prohibited:

1. Olive trees (*Olea europaea*) other than the "Swan Hill" variety
2. Oleanders (*nerium oleander*) other than the dwarf variety and *Thevetia* are prohibited in front yards.
3. Fountain grass (*Pennisetum setaceum*) or Pampas Grass (*Cortaderia Selloana*)
4. All varieties of citrus are permissible within the confines of the rear yard only
5. Mexican Palo Verde (*Parkinsonia Aculeata*)
6. *Pyracantha* vines and bushes

Rock Ground Cover

If decomposed granite or other landscape rock is used, it must be of an earth tone color and not white, green, blue, red or other bright colors. Lava or cinder rock is prohibited. Artificially colored rock yards are not acceptable at any location. Additional natural tone colors may be permissible with Architectural Review Committee approval prior to installation. Approved decomposed granite colors are:

1. Desert Gold, AKA Madison Gold
2. Palm Gold

Boulders must be natural earth tones; no white, brightly colored or artificially colored boulders are permissible. Not more than 10 percent of the front yard landscape may be river run rock.

Weeds and grass must not be allowed to grow in the rock ground cover.

Trees

Care must be taken in the selection and placement of trees within the confines of the homeowner's lot with respect to the problems caused by overhanging canopies, excessive growth, and debris falling in neighboring yards or pools and damage to common walls or plumbing by root expansion. Any damage caused by poor selection of tree type or placement may be subject to corrective action at the owners expense. Owners are responsible to keep trees properly trimmed from intruding on the private space of their neighbors' property and obstructing the sidewalks or street signs within the community.

Turf

The city of Mesa currently does not limit the amount of turf on residential lots or community parks and common areas. However, Sierra Heights Homeowners Association joins the City in encouraging water conservation in our desert climate. We recommend that you consider turf installation for play or utility areas only and consider low-water use landscaping in other areas. Turf areas, if planted, are required to be contained by continuous walkways, driveways, borders or decorative walls. Grass must be mowed and trimmed regularly, sufficiently weeded and watered to

provide a properly maintained appearance. Grass must not be allowed to grow in between or over sidewalk seams, in rock and plant ground cover, borders, decorative fixtures or shrubs. Over seeding turf with winter grass remains optional to homeowners, but if done, must be maintained accordingly.

Machinery & Equipment

No machinery, fixtures, or equipment may be placed on any lot without the prior approval of the Architectural Review Committee. Approval shall be conditioned upon screening or concealment from view of neighboring or public property. The screening or concealment must be integrated architecturally with the design of the building or structure. It must blend with the landscaping and the home and be constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components. It must be structurally stable in accordance with sound engineering principles.

Pools and Spas

If pools and spas are constructed or installed in enclosed back yards, they do not require the prior approval of the Architectural review Committee. However, if your lot abuts a view fence, which is adjacent to a common area, you must submit all hardscape improvements to the Architectural review Committee. This would include a pool, spa, fireplace, built in barbeque grills and accessories. Pool equipment may not be visible from the common area. Perimeter walls on lots bordering common

areas may not be torn down to allow access to rear yards. Access must be gained through the front wall of the home. Repairs to this wall must be completed within the construction period guideline and include repairing the wall to match the texture and color of the remaining wall. Pool, patio and spa umbrellas must be maintained so as not to appear tattered, faded or torn. All pool and spa equipment must be screened from view of neighboring property.

AN ASSESSMENT OF \$2,000 WILL BE APPLIED TO A LOT IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT ARCHITECTURAL COMMITTEE APPROVAL.

Roof and Roof Structures

All roof types, designs, covering color and material must be approved by the Architectural review Committee before submittal to the City or the commencement of any alteration. Generally acceptable roof covering materials are as follows:

1. Concrete or clay tile that must match the color of the tile installed on the home.
Composition, wood shake or Asphalt shingles are expressly prohibited.
2. roll roofing that is consistent with the community for patio covers;

Overhead screens, shade covers, patio roofs, and other similar structures will be constructed of materials and color to match or compliment the main roof. Skylights must be bronze or dark colored, not white or light colored. All vent pipe stacks, flashing and any equipment protruding above the plane of the roof must be painted to match the roof tile.

Screening Material

All screening materials, whether fences, hedges or walls, shall be maintained and replaced from time to time on the Lots by the Owners thereof in accordance with the original construction of such improvements by a Declarant or as approved by the Architectural Committee pursuant to Article 3. (CC&R's Article IV Section 4.14)

Sidewalk and Walkway Extensions

Extensions to existing front sidewalks and walkways must be approved by the Architectural review Committee prior to installation. Walkway extensions must conform to the existing color and material scheme of the house. Careful consideration must be given when planning walkway extensions in high traffic areas that traverse through non-illuminated areas at night that may present a tripping hazard (elevated step). Walkway extensions must compliment the existing driveway and landscaping.

Signs

No exterior signs or advertisements of any kind may be erected, placed or maintained (including, but not limited to: commercial, and similar signs) on any Lot or Parcel without the prior approval and authorization of the Architectural Review Committee except for those signs allowed by Mesa City Code and **ARS 33-1808**.

Signs advertising landscaping or pool contractors, etc. must be removed within forty-eight (48) hours of completion of work.

Signs are expressly prohibited anywhere at any of the entrance marques, mail boxes, common areas and traffic signs.

Sunscreens / Screen Doors / Security Doors

Sunscreens

The sunscreen frames must match the existing window frame. Screen colors may be bronze, black, brown, gray or charcoal. Clear aluminum (silver colored) screen and frame material is prohibited. All sunscreens must be submitted for approval.

Screen Doors

Architectural approval is required prior to installation. They must be of substantial metal construction with a standard or creative decorative design with suitable decorative locking mechanisms. The frame must match the exterior color of the house or trim. Screen doors will be considered for approval provided the screen and frame are the same color; and that the door matches any sunscreens that may exist on the home.

Security Doors

Security doors must be of a neutral earth tone color to match or blend with exterior of the home or match exterior window frames. Black and charcoal colors are prohibited. Compliance with the before listed guidelines negates the requirement for approval by the Architectural Review Committee.

Sunscreens, Screen Doors and Security Doors must be maintained to their original condition, free from dirt, torn screen material, and bent frames. The Architectural Review Committee reserves the right, at its sole discretion, whether the above mentioned are not maintained to the standards of the community.

Trash Containers and Collection

The (black) trash and (blue and green) recycled material containers provided by the City must be concealed from sight from the street and the neighboring properties. These containers are to be put out on the street no earlier than the night before the scheduled pick up day and returned to the concealment location no later than midnight of the same day. Bulk trash, large appliances or donated items scheduled for special pick up with the City or other charitable organizations must not be put out on the curb until the day before the pick up date. Items must not be left on the curb or driveway longer than 24 hours. Animal waste shall first be placed in moisture-resistant bags, securely sealed to prevent leakage, odor, and fly and rodent infestation, before being placed in solid waste containers.

Trash and debris shall not be allowed to accumulate on or in front of the homeowners' lot. Each homeowner shall be responsible for removal of trash and debris from their lot and the street/curb area in front of their lot. Designated homeowners of corner lots that are not common areas (see parcel maps) must also remove the trash and debris from those landscaped areas outside their walls for which they are responsible. The Sierra Heights Homeowners Association shall be responsible for trash and debris removal from all of the common areas only.

Utility Services

No gas, electric, power, telephone, water, sewer, cable television, or other utility or service lines of any nature or kind may be placed, allowed, or maintained upon or above the ground on any lot or parcel except to the extent, if any, underground placement may be prohibited by law or would prevent the subject line from being functional. Provided, however, above ground service pedestals, splice boxes, switch cabinets, and transformers will be permitted where required for public utilities or the landscaping of Common Areas. An Arizona “blue stake” survey is required for any major excavation prior to digging (Arizona Revised Statute 40-360.22). After the area is marked, the homeowner (and contractor, if applicable) will dig in a careful and prudent manner. The homeowner (and contractor, if applicable) will be held responsible for any damage done to underground utility pipes, cables, wires or equipment when digging anywhere in the community (Arizona Revised Statute 40-360.23). Contact azbluestake.com or call 602-263-1100 for further information.

Vehicles and Parking



Refer to Parking Violation and Enforcement Policy page 36

Window Covering Material

Within ninety (90) days after becoming the owner of a Lot, the Owner shall install permanent draperies or suitable window coverings on all windows facing the street. All such window coverings facing the street must show white, beige, earth tone or pastel colors,

unless otherwise approved in writing by the Architectural Committee. (CC&R's Article IV Section 4.26)

No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of the home.



Rule of Thumb

The Arizona sun is brutal on window blinds, especially those that face South & West. Replace your blinds if you notice they are starting to weather, warp or have become discolored.

Board Policies & Resolutions

1. Exterior Maintenance and Painting Policy
2. Parking Violation and Enforcement Policy
3. General Enforcement and Fine Policy
4. Collection Policy

Exterior Maintenance and Painting Policy

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**SIERRA HEIGHTS HOMEONERS ASSOCIATION
RESOLUTION BY THE BOARD OF DIRECTORS**

**EXTERIOR MAINTENANCE AND PAINTING POLICY
Effective August 15, 2015**

Pursuant to the authority contained in the Arizona Revised Statutes and Article 6, Section 6.3 of the Declaration, the Board of Directors of the SIERRA HEIGHTS Homeowners Association Inc. hereby adopts the following resolution by unanimous consent for and as the actions of the SIERRA HEIGHTS Homeowners, as of the date set forth above:

On the 13th day of August 2015, at a meeting of the Board of Directors of SIERRA HEIGHTS Homeowners Association, whereby a quorum of the members of the Board were present in person, a majority of the members of the Board

RESOLVED, to adopt the following:

Exterior Painting and Maintenance Policy, which includes the timeline for painting requirements, inspection schedule, enforcement rules, fine schedule and Appeal process for violations of the CC&R's and Rules and Regulations as may be adopted or modified from time to time by the Board of Directors for the SIERRA HEIGHTS Homeowners Association.

This policy also rescinds all previous exterior painting and maintenance policies adopted by the Board of Directors.

The scope and intent of this resolution is to apply uniformly to all members of the Association.

WHEREAS pursuant to Article 8, Section 8.2 of the Declaration,

Article 8 Maintenance, Section 8.2 Lots. *"Each Owner of a Lot shall be responsible for Maintenance of his Lot, and all buildings, Residential Units, landscaping or other Improvements situation thereon, except for any portion of the Lot, or any Improvement situation thereon, which is an Area of Association Responsibility. All buildings, Residential Units, landscaping and other Improvements shall at all times be kept in good condition and repair..."*

WHEREAS the Board of Directors recognizes the need for Rules and Regulations to ensure all Lots in the community are kept in good condition and repair, including the painting of exterior surfaces of all homes and structures in the community.

WHEREAS the Board of Directors desires to maintain the community as a Premier Property in the northeast valley, thus facilitating higher property values, detailed rules, regulations and enforcements regarding the exterior maintenance and painting of all structures located in Sierra Heights Homeowners Association;

THEREFORE, BE IT RESOLVED that the Board of Directors of the SIERRA HEIGHTS Homeowners Association, hereby approves and adopts the following EXTERIOR MAINTENANCE AND PAINTING POLICY for any maintenance violations of the CC&R's, Association Rules and the following Exterior Maintenance and Painting policy;

EXTERIOR MAINTENANCE AND PAINTING **RULES AND ENFORCEMENT POLICY**

Rule

The exterior of all structures on a Lot must be painted a minimum of every ten (10) years, or sooner, if based on an inspection by a 3rd Party Painting Expert, it is determined that the structure needs to be painted.

Definitions

- A. **"Structure"** includes items visible from the street or neighboring properties that have a painted exterior, such as but not limited to: house, garage, shed, gazebo, Ramada, etc.
- B. **"3rd Party Painting Expert"** is defined as either a tradesman that owns or works for a licensed painting company or paint manufacturer that is not receiving compensation from either the Association or the Homeowner for conducting the inspection.
- C. **"10 Year Minimum"** is calculated as a calendar year. Example: if the last painting was completed in April 2009, the 10 Year Minimum timeframe would be based at the end of 10 calendar years from 2009, thus the house must be painted by December 31, 2019.

Application and Enforcement of Rule

- A. The Community Management Company will maintain a database of the colors selected, paint vendor used and the date each structure on a Lot is painted. This information will be collected from the Architectural Requests submitted by the Lot Owners prior to painting.
 - a. To create a current database, the Community Manager will send a letter to each Lot owner who's account does not have an architectural request for painting within the last 10 years. The Community Manager will request the paint colors used and a copy of the invoice from when the house was painted.
- B. The Community Management Company will send Reminder notifications to the Lot owners twenty-four (24), twelve (12) and six (6) months prior to the expiration of the ten (10) year minimum painting requirement.
- C. **FirstNotice:** If the Lot Owner has not submitted an Architectural Request form prior to the end of the tenth (10th) year, a **courtesy violation notice** will be mailed on the **first business day of the following year** advising the Lot Owner that they have ten (10) days to comply by submitting the Architectural Request to paint, or further action will be taken. This notice will also identify the steps available for the Lot Owner to appeal the violation notice.

- D. Second Notice:** If the Lot Owner does not respond to the Community Management Company within the ten (10) days from the courtesy notice, the second violation notice will be mailed to the owner, identifying that they have been **fined \$250.00** for not complying with the Exterior Maintenance and Painting Policy.
- a. This notice will identify that the Lot Owner must submit an architectural request form to the Community Management Company within ten (10) days from the date of the notice, including the colors selected, the painting vendor they will use and a scheduled date for their home (or other structure) to be painted.
 - b. This notice will also identify the steps available for the Lot Owner to appeal the violation fine and notice. All appeals must be received within ten (10) days of the date of the violation notice.
- E. Third Notice:** If the Lot Owner does not respond to the Community Management Company within the ten (10) days from the second notice, the third violation notice will be mailed to the owner, identifying that they have been **fined \$500.00** for not complying with the Exterior Maintenance and Painting Policy.
- a. This notice will identify that the Lot Owner must submit an architectural request form to the Community Management Company within ten (10) days from the date of the notice, including the colors selected, the painting vendor they will use and a scheduled date for their home (or other structure) to be painted.
 - b. This notice will also identify the steps available for the Lot Owner to appeal the violation fine and notice. All appeals must be received within ten (10) days of the date of the violation notice.
- F. Fourth Notice:** If the Lot Owner does not respond to the Community Management Company within the ten (10) days from the third notice, the fourth violation notice will be mailed to the owner, identifying that they have been **fined \$750.00** for not complying with the Exterior Maintenance and Painting Policy, and further non-compliance will result in legal action.
- a. This notice will identify that the Lot Owner must submit an architectural request form to the Community Management Company within ten (10) days from the date of the notice, including the colors selected, the painting vendor they will use and a scheduled date for their home (or other structure) to be painted.
 - b. This notice will also identify the steps available for the Lot Owner to appeal the violation fine and notice. All appeals must be received within ten (10) days of the date of the violation notice.
- G. Legal Action:** If the Lot owner does not respond to the Community Management Company within the ten (10) days from the fourth violation notice, the Association will take the necessary Legal Action required to achieve compliance through the Association Attorney and the Court system. All costs will be a part of the judgment that is sought against the Owner.
- H. Collection of Violation Fines & Charges:** If the Lot Owner fails to pay any monetary fines imposed, administrative fees, and/or legal fees and costs shall be become due and personal liability of the owner. The Board of Directors on behalf of the Association may bring an action at law against the owner personally obligated to pay the delinquent amount owed pursuant to the remedies available.

All fines are cumulative.

The board of Directors reserves the right to take any action permitted by law or the CC&R's, in addition to the above mentioned fine policy

Procedures:

1. Homeowners will be notified by first class mail and/or email of all violations.
2. If the homeowner feels their house does not need to be painted within the allotted time frame, the homeowner has the right to a hearing before the Board where decisions of the Board are final.
3. Variances to the Exterior Maintenance and Painting Policy may be allowed based on review of the Architectural Committee and approval by the Board. (Refer to Article 4 Section 4.16 of the Declaration). Please note: if a variance is given, it will be on a temporary basis to assist during financial hardship.
4. The Board will direct the Community Management Company, as to waiving or assessing of fines at each hearing or board meeting and for all pending fines and/or legal action with the Association's Attorney.

Submitting for Architectural Approval:

1. **Select the colors you would like to paint:** The approved paint colors for the community are available on the website. If you would like to paint your house colors that are not a part of the pre-approved color list, you will need to obtain sample paint chips to submit for review.
2. **Complete the Architectural Request form:** Even if you've selected a pre-approved color from the website, you must still submit an architectural request form so the Community Management Company is able to track the colors & date your house is painted. If you chose colors that are not on the pre-approved list, you must submit paint chip samples via US Mail.
3. **Submit the Architectural Request form:**
 - a. If you have selected colors from the pre-approved list, you may email your request to info@gothoa.com and your request will be approved within 2 business days.
 - b. If you have selected colors that are NOT on the pre-approved list, you must send your completed form along with the paint chip samples to Sierra Heights, PO BOX 5720 Mesa, AZ 85211. The sample chips will be reviewed by the Architectural Committee. **The process may take up to 2 weeks.** Please make sure you give yourself enough time to receive the response back prior to the actual painting to be begin. If the color is not approved and you have already started painting, you may have to repaint!

RESOLVED, that the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 13 day of August 2015.

Attest:


 Board Member


 Board Member


 Board Member

Parking Violation and Enforcement Policy

**SIERRA HEIGHTS HOMEONERS ASSOCIATION
RESOLUTION BY THE BOARD OF DIRECTORS**

PARKING VIOLATION AND ENFORCEMENT POLICY

Effective December 1, 2013

Pursuant to the authority contained in the Arizona Revised Statutes and Article 5, Section 5.3 of the Declaration, the Board of Directors of the SIERRA HEIGHTS Homeowners Association Inc. hereby adopts the following resolution by unanimous consent for and as the actions of the SIERRA HEIGHTS Homeowners, as of the date set forth above:

On the 22nd day of October 2013, at a meeting of the Board of Directors of SIERRA HEIGHTS Homeowners Association, whereby a quorum of the members of the Board were present in person, a majority of the members of the Board

RESOLVED, to adopt the following:

Parking Violation and Enforcement policy which includes the inspection schedule, enforcement rules, fine schedule and Appeal process for parking violations of the CC&R's and Rules and Regulations as may be adopted or modified from time to time by the Board of Directors for the SIERRA HEIGHTS Homeowners Association.

The scope and intent of this resolution is to apply uniformly to all members of the Association.

WHEREAS pursuant to Article 4, Section 4.15 of the Declaration,

Vehicles and Parking.

4.15.2 No mobile home, travel trailer, tent trailer, trailer, camper shell, boat trailer, or other similar equipment or vehicle may be parked, kept or stored on any Lot or the Common Area without the prior written approval of the Architectural Committee.

4.15.3 Except as permitted by Subsection 4.15.4 or 4.15.5, no Motor Vehicle may be parked, kept or stored on any Lot or the Common Area without the prior written approval of the Architectural Committee.

4.15.4 Motor Vehicles owned or leased by an Owner, Lessee or Resident of a Lot must be parked in the garage of the Residential Unit unless there is insufficient space within the garage for the parking of all such Motor Vehicles, in which case such Motor Vehicles may be parked in the driveway situated on the Lot provided such Motor Vehicles do not exceed 7 feet in height and do not exceed 18 feet in length, are not used for commercial purposes and do not display any commercial name, phone number or message of any kind. No Motor Vehicle of any kind may be stored on a Lot except in a garage, and no Motor Vehicle of any kind may be stored on the Common Area. For purposes of this Subsection 4.15.4, a Motor Vehicle should be

deemed stored if it is covered by a car cover, tarp or other material. Recreational vehicles, motor homes and similar vehicles owned or leased by an Owner, Lessee or Resident which exceed 7 feet in height and/or exceed 18 feet in length may be parked in the driveway on a Lot for the purpose of loading or unloading, but in no event shall such recreational vehicle, motor home or similar vehicle be parked in the driveway for more than twenty-four (24) consecutive hours or for more than seventy-two (72) hours within any seven (7) day period.

4.15.5 Motor Vehicles owned by guests of an Owner, Lessee or other Resident may be parked in the driveway on a Lot or on a public or private street for a period not to exceed 72 hours within any seven (7) day period.

WHEREAS the Board of Directors recognizes the need for Rules and Regulations to ensure safety and enforcement relating to the operation and parking of any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreation vehicle, boat, boat trailer or similar equipment or vehicle or any automobile, motorcycle, motorbike, or other motor vehicles on the streets within SIERRA HEIGHTS,

WHEREAS the Board of Directors desires to have a more detailed rule and set of regulations and enforcement of parking violations;

THEREFORE, BE IT RESOLVED that the Board of Directors of the SIERRA HEIGHTS Homeowners Association, hereby approves and adopts the following PARKING VIOLATION AND ENFORCEMENT POLICY for any parking violations of the CC&R's, Association Rules and the following parking policy;

PARKING VIOLATION AND ENFORCEMENT POLICY

A. Street Parking

- a. Any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment OR vehicle or any automobile, motorcycle, motorbike, or other motor vehicle parked on any street right-of-way for more than twenty-four consecutive hours ***or that habitually park on*** any street right-of-way, common area and/or other streets within the Association may be subject to the Street parking violation enforcement and fine schedule.
 - i. ***“habitually parked on”*** shall be defined as: any truck, mobile home., travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment or vehicle or any automobile, motorcycle, motorbike, or other motor vehicle, etc. being viewed on any street right-of-way, common area and/or other streets within the Association, in excess of three (3) occurrences in a rolling seven (7) day period, and/or in excess of 8 hours per each occurrence (whichever is more restrictive).

B. Parking on Owner's Lots

1. **Recreational Vehicles on Driveways:** Any mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment parked on the driveway of any LOT in excess of twenty-four (24) consecutive hours or for more than seventy-two (72) hours within a seven (7) day period will be subject to the parking violation enforcement and fine schedule.
2. **Parking in backyard:** Any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment AND/OR any vehicles or any automobile, motorcycle, motorbike, or other motor vehicles parked in the backyard where it visible from neighboring Lots, common area or streets, will be subject to the parking violation enforcement and fine schedule.
3. **Inoperable Vehicles:** Any vehicles or any automobile, motorcycle, motorbike, or other motor vehicles parked on a driveway of a LOT, which does not have a legal license plate or current registration displayed, or appears to be inoperable in any way (i.e. in disrepair, flat tire, tarp over the top) may be subject to the parking violation enforcement and fine schedule.

C. Notice of Violation AND Fine/Enforcement Schedule.

If the Association shall view any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreation vehicle, boat, boat trailer or similar equipment or vehicle or any automobile, motorcycle, motorbike, or other motor vehicle or any Owner of any Owner or invitee, licensee, or lessee of such Owner in violation of the Declaration, and/or Association Rules and this Policy:

1. **Initial notice:** a letter shall be mailed to the Property Owner containing the following information: date and description of the parking violation, notice that monetary fines may be imposed for continued non-compliance, and the steps to follow if the Owner wants to contest the notice (per A.R.S. 33-1803) and that the owner may request a hearing pursuant to A.R.S. 41-2198.01, subsection B.
 - a. The Owner may provide the association with a written response by certified mail within ten business days after the date of the notice.
 - b. If the Association receives a written response by certified mail within ten business days after the date of the initial notice of the violation, the Association shall respond to the Owner within ten business day of receipt of the certified mail, with a written explanation regarding the notice which shall provide at least the following information:
 - i. The provision of the Association's documents in violation
 - ii. The date the violation was observed

- iii. The first and last name of the person or persons who observed the violation.

Note: If the Association does not receive a written response by certified mail from the Owner within ten business days after the date of the initial notice of the violation and/or the violation is not cured within the given ten day period or 10 days after the association responds to the Owner's certified letter (as described in subsection C.1.b. above), the Association may proceed with the following Fines and Enforcement.

2. **Second Notice:** a letter shall be mailed to the owner stating a fine in the amount of **\$50.00** has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action. The owner will also be advised of the steps to follow to request a hearing pursuant to A.R.S. 41-2198.01, subsection B.

Note: If the violation is not cured within **three (3) days** from the date of the Second Notice, and the owner has not requested a hearing, the Association may proceed with Fines & Enforcement.

3. **Third notice:** a letter shall be mailed to the owner stating a fine in the amount of **\$75.00** has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action. The owner will also be advised of the steps to follow to request a hearing pursuant to A.R.S. 41-2198.01, subsection B.

Note: If the violation is not cured within three (3) days, and the owner has not requested a hearing, the Association may proceed with Fines & Enforcement.

4. **Subsequent non-compliance:** Upon board approval the Association will seek relief of violations through the Association Attorney and the Court system. All cost will be a part of the judgment that is being sought against the Owner.
5. **Collection of Violation Fines & Charges:** If the owner fails to pay any monetary fines imposed, administrative fees, and/or legal fees and costs shall be become due and personal liability of the owner. The Board of Directors on behalf of the Association may bring an action at law against the owner personally obligated to pay the delinquent amount owed pursuant to the remedies available.

Note: If the violation is corrected, but reoccurs within a three month period of the last violation, the Violation & Fine/Enforcement Schedule will resume from the last enforcement step. (*Example:* Homeowner decides to comply and stops parking vehicles on the street after receiving a second notice and a \$50 fine dated 12/15/13. The same homeowner then parks his vehicles on the street again in February, he will receive a third notice and a \$75 fine in February.)

The board of Directors reserves the right to take any action permitted by law or the CC&R's, in addition to the above mentioned fine policy

Procedures:

1. Homeowners will be notified by first class mail of all violations.
2. The homeowner has the right to a hearing before the Board where decisions of the Board are final.
3. Variances to the parking restrictions may be allowed based review of the Architectural Committee and approval by the Board. (Refer to Article 4 Section 4.16 of the Declaration).
4. The Board will direct Management Company, as to waiving or assessing of fines at each hearing or board meeting and for all pending fines and/or legal action with the Association's Attorney.

RESOLVED, that the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 22nd day of October, 2013.

Attest:



HOA President



HOA Vice President



HOA Secretary

Enforcement and Fine Policy

**UNANIMOUS CONSENT TO ACTION BY THE BOARD OF DIRECTORS OF
SIERRA HEIGHTS HOMEOWNERS ASSOCIATION
C/O PREFERRED COMMUNITIES
P.O. BOX 5720, MESA, ARIZONA 85211
(480) 649-2017 FAX (480) 649-0902**

Pursuant to the authority contained in the Arizona Revised Statutes and the governing documents of the association, the Board of Directors of the Sierra Heights Homeowners Association hereby adopts the following resolution by unanimous consent for and as the actions of the Sierra Heights Homeowners, as of the date set forth below:

RESOLVED, to adopt the following.

Fine schedule and policy for violations of the CC&R's and Rules and Regulations as may be adopted or modified from time to time by the Board of Directors for the Sierra Heights Homeowners Association.

DATED as of the 26 day of April 2011

Violations will be cumulative:

1. First notice Reminder/warning letter giving 10 days to comply.
2. Second letter stating final reminder/warning letter giving 10 days to comply.
3. Third letter stating fine in the amount of \$50.00, giving notice to owner that they have a right to a hearing and must contact the manager for date and time. 10 days to comply.
4. Fourth letter stating subsequent fine of \$75.00 for continuing violation. Letter to state total fines assessed as of the subsequent violation. 10 days to comply.
5. Fifth and all letters thereafter stating subsequent fine of \$100.00 for continuing violations. 10 days to comply.
6. Subsequent non-compliance: Upon board approval the Association will seek relief of violations through the Association Attorney and the Court system. All cost will be a part of the judgment that is being sought.
7. Violations that threaten the health, safety and welfare of homeowners and residents, such as drug use and sales, discharging firearms, arson, vandalism and any other violation that the Board deems to be of an egregious nature will be fined at \$200.00 to \$500.00 per occurrence.

8. **Vehicles & Parking Violations** (CC&R's Section 4.15), such as residents parking in the street on a continual basis (parking on streets is only allowed for guests not to exceed 72 hours in a 7 day period), or parking/storing a mobile home, travel trailer, tent trailer, trailer, camper shell, boat or other similar equipment anywhere in public site within the community (without prior approval from the Management Company), will be fined as follows:
- a. First Notice/ warning will provide 48 hours to correct the violation
 - 1. If applicable, the homeowner will only receive one first notice/warning per Lot. This is not per vehicle.
 - b. All subsequent notices will be sent including a fine of \$50.00 per occurrence for continuing non-compliance, with 48 hours to comply.

Appeal/ Hearing Procedures:

- 1. Homeowners will be notified by mail of all violations.
- 2. The homeowner has the right to a hearing before the Board or Violations Committee where decisions of the Board are final. Each notice will remind the homeowner that they have the right to appeal.
- 3. Board will direct Management Company, as to waiving or assessing of fines at each hearing or board meeting and for all pending fines and/or legal action with the Association's Attorney.


I hereby certify that the above resolution(s) were duly adopted by unanimous consent by the Sierra Heights Homeowners Association Board of Directors on the above date.




HOA Secretary

The undersigned officer hereby certifies that the foregoing instrument has been signed by the Secretary of the HOA.

Attest:



HOA President



HOA Vice President

Collection Policy

**UNANIMOUS CONSENT TO ACTION BY THE BOARD OF DIRECTORS OF SIERRA
HEIGHTS HOMEOWNERS ASSOCIATION
C/O PREFERRED COMMUNITIES
P.O. BOX 5720, MESA, ARIZONA 85211
(480) 649-2017 FAX (480) 649-6274**

The undersigned, constituting all of the members of the Board of Directors of Sierra Heights Homeowners Association, Inc., an Arizona non-profit corporation, here by take the following action in writing at a duly called meeting of the members.

WHEREAS, Article 7.1 of the Declaration of Covenants, Conditions and Restrictions for Sierra Heights Homeowners Association provides the Board of Directors with the authority to set forth collection policies, "The board shall have the right to adopt rules and regulations setting forth procedures for the purpose of making Assessments and for the billing and collection of the Assessments". The board has adopted the rules below pertaining to the collection of Assessments.

The purpose of this rule is to ensure the timely and fair collection of Assessments to ensure the Association has the funds necessary to provide for the management, maintenance, and care of the areas of association responsibility.

The scope and intent of this resolution is to apply uniformly to all members of the Association.

The actions of this policy regarding collection of assessments owed the community are as follows:

- a) 15 days after the quarterly assessment due date, a late notice is sent to the homeowner and a late fee assessed,
- b) 45 days after the quarterly assessment due date, a final notice is sent to the homeowner and a final notice fee is assessed as outlined in the Association's contract with the management company,
- c) 60 days after the quarterly assessment due date, and "Intent to Lien" notice is sent to the homeowner and an "Intent to Lien" notice fee is assessed to the homeowner's account as outlined in the Association's contract with the management company,
- d) 75 days after the quarterly assessment due date, a lien is recorded with the Maricopa County Recorder, a copy is sent to the homeowner and a Lien recording fee is assessed to the homeowner's account as outlined in the Association's contract with the management company,
- e) 90 days after the quarterly assessment due date, "Intent to pursue legal action" notice of the total amount due plus an "Intent to pursue legal action" notice fee is assessed to the homeowner's account as outlined in the Association's contract with the management Company,
- f) 105 days after the quarterly assessment due date, Summons and Complaint are filed with the East Mesa Justice Court and the homeowner is "served notice" of the lawsuit by a document server. The homeowner's account will be charged with

the legal document preparer fee, court fee, and process server fee. The amount of the Legal Document Preparer fee is outlined in the Association's contract with the management company,

- g) Further actions will be taken as necessary, including, but not limited to, default judgment, summary judgment, garnishment of wages, or foreclosure pursuant to Arizona Revised Statutes and Declaration of Covenants, Conditions and Restrictions for Sierra Heights Homeowners Association.

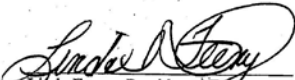
RESOLVED, that the Sierra Heights Homeowners Association Board of Directors and Preferred Communities shall afford homeowners the opportunity to request a hearing as provided by the Association documents to contest any late fee or fine assessed; and

RESOLVED, that the Sierra Heights Homeowners Association Board of Directors and Preferred Communities shall afford homeowners the opportunity to initiate a time-payment plan in order to reduce or eliminate their outstanding debt to the Association, specified in writing and mutually agreed to by the homeowner and Sierra Heights Homeowners Association Board of Directors; and


RESOLVED, that any subsequent default, cessation or refusal to make timely and consistent payments on such time-payment plan shall constitute default on the part of the homeowner and shall result in initiation of legal collection procedures; and

RESOLVED, that the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 6 day of December, 2006.



Linda Feeny, President / Treasurer



Charles Johnson, Vice-President



Mike Mittl, Secretary

Remember, if you make changes before submitting for architectural approval, you may be assessed a fine in an amount up to \$500 and you may be required to remove the changes you made!



Submit for architectural approval FIRST!

Visit our community website for more information.

www.sierraheightsinmesa.com



PREFERRED COMMUNITIES

Specializing in HOA Community Management

"LOVING WHERE YOU LIVE"

480-649-2017

www.GOTHOA.com

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