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Homeowner Association Governing Documents

**Articles of Incorporation:** Legally establishes the non-profit corporation in accordance with Arizona statutes. It states the Association’s purpose, membership and board structure, indebtedness and liability limitations.

**Declaration of Covenants, Conditions, and Restrictions (CC&Rs):** are the HOA member-approved ‘do's and don'ts’ of operations for owners and tenants which we, as neighbors, impose upon ourselves. They are legally enforceable, unless a specific provision conflicts with federal, state or local laws.

**By-Laws:** This document defines terms and voting rights, and outlines the governing structure of the Association. It addresses the details of elections, size of the board, terms of office, meetings requirements, powers and duties of the Board of Directors and officers. It also establishes standing committees with specific roles.

**Rules:** (CC&R 2.6) This Rules Handbook is your current Board of Directors' interpretation of the CC&Rs. It spells out in more specific detail, such topics as architecture guidelines, approved paint colors, parking restrictions, expectations on exterior maintenance, landscape and more. The Handbook augments but DOES NOT REPLACE the CC&Rs. Where CC&Rs are already quite specific and clear, they may not be reiterated in the Rules Handbook. If you do not see a topic covered in the Rules Handbook, you may find it within the CC&Rs. For example, Party Walls are discussed in full within the CC&Rs but do not reappear within the Rules Handbook. Check both documents.

**Amending Documents:** A majority vote of the entire Association membership is required to change the Articles of Incorporation, By-laws or CC&Rs. DH 2 Rules may be changed and updated by a majority vote of the Board of Directors.

**Enforcing HOA Rules and CC&Rs:** The community's Association Manager conducts regular monthly or twice-monthly roadside inspections of all DH 2 homes and notifies homeowners of any problems. Members also may report a nuisance or compliance issue to the Association Manager. Should a homeowner choose not to comply with the CC&Rs he/she may be subject to penalties outlined in the Compliance Section of this booklet. They are applied only after sufficient notice, and include fines, maintenance performed by a professional and billed back to the homeowner, a lawsuit by the Association, a lien on your home, the misery of being at odds with your neighbors, and emotional distress. Please read both the Rules and the CC&Rs thoroughly.
Private Plantings and Landscape \((\text{CC&R } 4.2.2, 4.2.3)\)

Private property landscaping is a homeowner responsibility. This HOA does not trim trees, bushes, vines or cacti that are within your property boundaries, including your backyard, side borders or front yard private property. We recommend the use of desert plantings to preserve our scarce desert water, and to assure a low maintenance native Southwest appearance.

**Weed control** on private property is the owner's responsibility. This includes making arrangements for weed control during any seasons you are away. HOA inspections of weeds that grow over three-inches continues year round, and fines will be assessed for allowing weeds to flourish and spread seeds in your absence. Arrange for weed control while you are away.

**Private Shrubs, Trees, and Large Cacti** need to be maintained, pruned, and thinned. They may not block public ways, obstruct emergency egress, or overhang neighbor walls. Roots may not be allowed to damage walls, patios or foundations. Tree and shrub crowns should be maintained to minimize blocking of neighbor views. Owners of corner lots must ensure that their plantings do not compromise roadway visibility or create a blind intersection. Plantings of NEW shrubs, trees, or cacti that may grow taller than a roof line require approval of the Architecture Committee regarding their placement and eventual size. Landscape debris including cactus cuttings, limbs, seed pods, leaf litter, and palm bark, must be removed from the Lot by trash collection or delivery to the local landfill.

**Palm Trees**: Dead palm fronds hanging on privately owned trees growing in front, rear or side of homes must be trimmed and removed every year no later than July 1st to avoid lightning strikes and fires. Many area tree service providers are available.

**Animal Feeders**: Bird or tree squirrel feeders may be maintained INSIDE of patio walls only, and must not overhang such walls. Feeding of other wildlife is not allowed by a 2006 AZ state law ARS/13-2927 which states that this "can cause large animals to become bold." Feeders begin a cycle which attracts pack rats, snakes and larger predators that may endanger humans, and pets, and decimate landscape plantings. Habituating wildlife to feeders can also endanger the wildlife itself.

**Fountains and Wind Chimes**: Not everyone enjoys the constant sound of water trickling or of wind chimes ringing. When placing these items on your property please consult any neighbors who would be effected. The placement of fountains on or near a party wall requires the consent of your neighbor who may be effected if the fountain leaks, or malfunctions causing wall damage. \((\text{CC&R } 5.2, 5.4)\)
Private Border Areas Landscaping (CC&R 4.2.2)

Front and Side Borders, (CC&R 4.2.5) that lie between private property lines and the road are Common Areas owned by the entire HOA. These are typically utility easements where the street lamp posts and mailboxes are placed. The landscaping and weed control within these margins are expected to be maintained by homeowners as an extension of their private landscape. This allows homeowners continuity and greater depth in their landscape design. It also eliminates the expense of our contracted landscape crew maintaining 613 small patches of roadside property. Placement of rigid improvements such as walls, walkways, or parking pads on these border areas must be approved by the Architectural Committee. Easement land on occasion must be excavated. Restoration of your own improvements after a public utility project would be at the homeowners’ expense.

Corner Areas that lie between your property lines and the road are usually larger than the border areas described above. They may also be utility easements. The HOA maintenance crew is responsible for maintaining these larger corner common spaces. Homeowners who wish to adopt and maintain a corner common space, please read the Common Area section in these Rules.

Common Areas Between Property Lines of two homes will be maintained by the HOA maintenance crew, unless formally adopted by homeowners. See Common Area section below for specifics.

Private Exterior Home Maintenance (CC&R 4.2, and Article 6)
The HOA conducts monthly visual inspections of all property exteriors noting any non-compliance with the rules and issuing reminders and fine notices when action is not taken to correct a problem. The Association or its representatives performing these inspections will not physically enter your property lines without notice to you and permission to do so. If you have a question or concern, or believe the inspectors may be in error please call the contact telephone number on the notice. If you are living away from Green Valley when you receive the notice, contact the Association Manager and report your plans for fixing the problem. The Green Valley Council’s Preferred Vendor Program at 520-444-6760 or pvp@gvcouncil.org provides names of recommended local contractors, landscapers and handypersons you may hire to perform work in your absence.

Homeowners not in compliance with DH 2 approved exterior colors of all surfaces are required to comply prior to the sale of property or at the time of repainting, whichever comes first. rooftops coatings must be brought into compliance when they require recoating. Until that time, a non-compliance notice will remain on your Lot File. Homeowners not in compliance
with exterior maintenance rules, other than paint colors, will be allowed 30 days from the date of notice to cure the violation. Compliance notices will be deemed received by the homeowner five business days after their placement in the mail. For more details see Compliance section below.

**Exterior Paint (CC&R 6.3.1)** Exterior paint projects require submission of an Architecture Review Request to the community management company. Requests will be reviewed for approval by the Architecture Committee who will supply the homeowner with the only official DH 2 paint samples. Colors claimed by local hardware stores to be ‘DH 2’ approved may not represent all the latest colors or the correct colors. To be certain of compliance, pick up official paint samples from the DH 2 Architecture Committee only. Do not try to match what is currently on your home when it is time to paint. The existing color may have faded, or it may have been applied without Architectural Committee approval.

Paint may be purchased from a supplier of your choice. Most paint suppliers can do custom mixing to match official approved color samples. Exterior paint and trim colors must conform to guidelines and must be maintained.

**Trim**: The word 'trim' refers to features such as roof overhangs, fascia, patio posts, gates, window trim, beams, pergola strips, as well as gutters, downspouts, drain spouts from roofs, garage door trim, and carport framing and ceilings. In addition to the approved trim colors, house trim may be painted the same color as the house.

**Exterior Brick Walls**: Private brick patio walls will over time show dark streaks from dust and rains. These can be effectively cleaned with a power washer. Owners whose patio walls face the streets and their neighbors must keep these exterior walls cleaned. Patio walls that are painted should be maintained clean and painted as you would the exterior walls of the home.

**Accent Walls**: Any of the approved house paint colors may be used for accent walls. An accent wall is a second approved house color applied to a single or adjoining plane of exterior house walls or arches. This may be done to create a contrast with the primary house color, and it may be applied in addition to the use of trim color. The Architecture Committee must pre-approve your paint plan.

**Driveways**: Epoxy driveway coatings are allowed. Neutrals such as solid grey, sand, beige, cement, or birch-colored coatings are recommended. If you are considering an alternative, such as a product containing contrasting flecked or metallic particles, please request approval from the Architecture Committee. Ordinary exterior paint for driveways is not allowed, since it peels and deteriorates quickly in the Arizona sun and heavy rains.
**Front Doors and Other Doors**: Homeowners may paint their front doors any color they choose to accent their entrance. Other doors such as side doors, shed doors, garage doors must conform to the approved color palette. Contact the Architecture Committee to request a review if you have any questions.

**Iron and Metal Features, Ornamentation**

**Fire Pits and Fire Rings**: We follow State Fire Marshall and Green Valley Fire Department guidelines which state that fire rings cannot be bigger than three feet by three feet. Wood within your pit or fire ring cannot be stacked higher than two feet. The fire itself should not exceed three feet in height. Fire rings and fire pits must be at least 15-feet from any structure. Placement of a fire feature requires Architecture Committee review and potentially the approval of adjacent neighbors who share a party wall.

**Garage Doors** MAY be painted to match the house, either the basic color of the house, the accent color of the house, or the trim color. If a new or replacement garage door is supplied by the manufacturer with a factory finish, owners must select a factory color to match HOA approved colors AS CLOSELY AS POSSIBLE. White is not acceptable because of glare, however a Spanish White or similar off-white choice may be acceptable, as would some dark browns or cement grey tones. Please consult with the Architecture Committee before you purchase.

**Mail Boxes and Street Lamp Posts** (CC&R 4.2.4) must be painted black. Heat-resistant gloss black holds up best. Grey postal cluster boxes are exempt. Mail boxes and street lamp posts are the responsibility of the homeowner to maintain, paint and replace as necessary in accordance with post office specifications. Homeowners may replace an existing mailbox with a U.S. Postal Service-approved locked mailbox at their own expense. Request a review of the Architecture Committee who will want to see a picture of the proposed mailbox.

**Wrought iron** gates, fences, window grills, or lamps attached to house or garage may be left in their factory metal finish, painted black, painted your trim color or your approved base house color.

**Lights**: all lighting in Green Valley must comply with the AZ Dark Skies ordinance. Lamps may not exceed 40 watts. They must be capped or shielded and pointing downward or outward, not upward. All private lights, including security lights, fitted with motion detectors must be directed within property boundaries, and not spill over onto neighbors' property. Holiday lights may be hung from the day after Thanksgiving and removed no later than January 10th. Exterior celebration and party lights may not remain hanging year-round.

**Exterior Wall Hangings, Yard Art**, pottery or ceramics should be consistent with our Southwest theme.
Rooftops and Awnings

**Rooftop Coatings** (CC&R 4.2.6) may be replaced without approval if homeowners or their contractors use Elastek brand Energy Tan or Desert Tan Roof Coatings OR AN EQUIVALENT TAN COLOR coating of another brand. Desert Tan is a little darker, LESS reflective, and holds more solar heat during colder months. Energy tan is a little lighter, MORE reflective, more energy efficient, and resists fading to white. Glare-producing duct work and flashing should be painted with the roof coating itself or the same color as the roof. Approved rooftop coating tans are not the same color as the approved trim color for the house. The rooftop and duct work may not be white, silver or other highly reflective finishes. Parapets and other vertical surfaces may be painted the approved house color, Energy Tan or Desert Tan Roof Coating. Rooftops will be inspected annually using satellite imaging. Units owners appearing to be out of compliance will be informed and the property Lot File noted. Compliance is expected within three (3) years or at the next roof coating, whichever comes first, and will be reported to any future buyer of the property.

**Heating and Cooling Units** on the roof MAY be painted to match approved roof colors of Energy Tan or Desert Tan Roof Coating if owners so desire. Check to be sure that painting the unit does not invalidate a warranty. Units may also be installed as they are provided by their manufacturer, but do not choose units that are white or aluminum color. Newer units are generally dark gray or green. Existing units that are white or aluminum color must be painted to match one of the approved rooftop paint COLORS. Use of the rooftop COATING itself on an appliance may impair maintenance of the unit. In addition to minimizing glare, owners are asked to choose units that have low profiles and do not interfere with the views of neighbors. (CC&R 6.12.4)

**Satellite Dishes, and Solar Panels** (CC&R 7.3 , 7.1) TV or Short-Band antennae, or other rooftop devices are not regulated solely by the association. The HOA may set some limits upon their placement and possible screening when neighboring views are affected. When options for the placement of these devices are available, homeowners are asked to consider the views from the street and from their neighbors' sight lines and to choose the least conspicuous or least obstructive sites. Request approval by the Architecture Committee to avoid neighbor complaints.

**Awnings:** permanent window or door awnings constructed of rigid wood braces supporting a surface covered in roof tiles are consistent with DH 2 architecture and are permitted additions. Metal, fiberglass, and canvas awnings are not permitted. If you are considering a retractable awning for occasional shade on your side or back patio, please request an Architecture Committee review.
**Color Guidelines Matrix** The matrix below is a tool to assist homeowners. It cannot capture every situation. Please have the Architecture Committee review your color plans before proceeding.

<table>
<thead>
<tr>
<th>Architectural features</th>
<th>Trim Color</th>
<th>House Body</th>
<th>Accent</th>
<th>Black</th>
<th>Roof Tans</th>
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<tbody>
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<td>Window frames, wooden</td>
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<td>Window frames, brick or stucco</td>
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<td>Private patio walls exterior (facing public)</td>
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<tr>
<td>Private patio walls on top of retaining walls</td>
<td>(Please see Common Area section below)</td>
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<td>Gutters and downspouts</td>
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<td>Lamp posts</td>
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<td>Mailboxes</td>
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<td>Arizona room exteriors</td>
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<td>Water spouts from roof</td>
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<td>Cupolas</td>
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<td>Mission bells</td>
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<td>Chimneys and chimney caps</td>
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<td>Exterior accent walls</td>
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<tr>
<td>Garage doors</td>
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<td>Garage door trim</td>
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<td>Rooftop</td>
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<td>Heating and AC units (see Note 3 below)</td>
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</tbody>
</table>

**Notes:**
1. **Stone or masonry** building materials such as brick, adobe water spouts, roof tiles, or block need not necessarily be painted, but may be left in their natural state, at the homeowners' discretion.

2. **Wooden features** such as an entry gate or front door need not be painted. They may be stained and sealed at the homeowners' discretion.

3. **Metal features** such as garage doors, gutters, iron gates or fencing, or pergola framing that are purchased with a factory finish need not be re-painted as long as the factory color chosen is as close as possible to HOA approved colors, and complements the overall home color design. White or metallic finishes that cause glare are not acceptable.

**Exterior Home Maintenance and Appearance (CC&R 4.2)**

**Surface Neglect:** No exterior surface should show signs of neglect such as rot, cracking, peeling, or water stains. Building features that should be attached may not be left hanging unanchored.

**Mailboxes, Street Lamp Posts** including light bulbs, dawn/dusk switch, and fixtures, and in-ground garbage receptacles must be maintained by the homeowner. For safety reasons, lamp posts MUST BE KEPT POWERED even when residents are away.

**Woodpiles** should be kept small and within patio walls away from home structures.

**No visible trash**, open storage or clutter is allowed anywhere on the Lot.

**Utility Connections:** power and communications connections, water softener tanks, solar electrical connector boxes, and alike must be painted in the primary house color, enclosed in an outdoor cabinet, or otherwise camouflaged from street view or neighbors' view using architecturally appropriate barriers or native plantings.

**Remedy for Neglect:** (CC&R 4.3) If a homeowner does not respond to non-compliance letters within the time frame specified in the letter, the association may hire contractors to bring a residence into compliance. The expense of such remediation will immediately be billed to the homeowner and would be subject to property lien if not repaid.

**Trash and Recycling (CC&R 7.13)**

Trash pick-up and recycling are not included in HOA fees. It is the responsibility of homeowners or tenants to establish and pay for these services. In order to reduce road wear and noise, Waste Management (WM) is currently (2016) DH 2’s SOLE approved trash collector. Ask for the DH 2 discount when establishing service by calling 800-796-9696. They will collect from in-ground or roadside receptacles on Fridays. They will pick up recyclables roadside on Thursdays. Put out roadside containers on pick-up days only and remove them promptly. Use only rigid
containers that are impervious to wildlife. Recycling and waste materials too large for WM collection may be dumped at the Pima County Landfill, 520-744-6173 on La Canada just south of Sahuarita Road.

Common Grounds (CC&R 6.4)
DH 2 has over 75 acres of landscaped common grounds and arroyos. They occupy nearly half our sub-division land, provide an exceptional amount of natural beauty, privacy, wildlife habitat, and shade contributing substantially to our property values. These lands are owned jointly by all members and are maintained with Association funds for the enjoyment and use of the entire community. (CC&R 4.1)

Landscaped Common Areas (CC&R 4.1) include the mostly level open spaces interwoven among our residential lots. They include mini-parks along roadways and at street intersections, undeveloped corner lots, border areas between and behind homes, and stretches of border along our major streets. Some common grounds have been rocked and simply landscaped, others are maintained with a natural desert surface with some weed control of invasive species, shrub pruning and removal of dead cacti.

A contracted crew of professional landscapers performs routine common grounds cleaning, pruning, weeding, tree trimming and general upkeep. They are overseen by both the Association Managers and the Maintenance Committee. The Maintenance Committee is responsible for any changes, additions or improvements made to these common grounds. MEMBERS ARE NOT ALLOWED TO PLANT, PRUNE, OR ALTER COMMON GROUNDS IN ANY WAY WITHOUT PERMISSION. In addition to levying fines for Common Area intrusions or vandalism, the Maintenance Committee, at its discretion, may charge a homeowner who alters, damages or disfigures Common Area property. Any costs incurred to restore the property to its original state may include an arborist, landscaper, hauler or other contractor, plus legal and lien costs.

Common Grounds Shrubs (CC&R 4.1) will be kept trimmed to approximately four feet in height. All shrubbery located on corners and along driveways that obstruct a clear view of motorized or pedestrian traffic will be trimmed as required for safety. If a homeowner prefers to maintain shrubbery adjacent to or outside his or her property wall to a height above four feet, he or she must request approval from the Maintenance Committee. If approved, the homeowner will be responsible for regularly maintaining and trimming the shrubbery and making arrangements for the removal of debris and trimmings by bundling and placing them in the weekly trash pickup, taking them to the landfill, or hiring a hauling service.

Adopting Common Areas: homeowners may choose to adopt Common Areas (CC&R 6.4.2) and maintain them under the strict guidelines of the Maintenance Committee who must pre-approve design plans. Common area adoption is an all-in situation which includes accepting
responsibility for pruning and debris removal, weed control, conformance to native plant choices, tree pruning, and assuming the expenses of all of the above. Official approval in writing will be kept in the Lot file of adopted property. This permission expires upon sale of the property unless renewed by a new owner. If not renewed, the site will revert to common space management.

Retaining Walls throughout the Common Areas are typically larger than patio or party walls. They are often on slopes and are constructed to control erosion and stabilize hillsides. They are part of the community’s common property and are repaired, power-washed and painted by the Association’s Maintenance Committee exclusively.

Private Walls on Top of Retaining Walls: In some cases, private patio walls have been constructed on top of existing retaining walls. In these instances, homeowners are responsible for the maintenance of their own portion of these private walls, and to do nothing that would undermine or damage the retaining wall beneath. Placing water features or planting and watering trees too close to such walls could result in the homeowner being responsible for retaining wall damage.

Painting of Private Walls on Top Retaining Walls: The Maintenance Committee has the right and responsibility to paint the entire outward-facing, road-facing, or common area-facing surface of such walls, INCLUDING THE PRIVATE PATIO WALL that tops such a retaining wall. For these applications, maintenance personnel will use a single uniform color. Homeowners may paint the top surface and inward-facing or home-facing surface of such patio walls according to Architectural Committee paint guidelines.

Shared Amenities: members who wish to add an amenity to the common grounds to be shared by all residents, such as a park bench, must receive Maintenance Committee approval. Such additions must be financed and maintained by the homeowners requesting the addition.

Common Area Trees and Views: The Association does not guarantee members a perpetual view from their unit. Our mature trees constitute a unique asset in all of Green Valley that benefits our entire membership. The Maintenance Committee is responsible for routine Common Area tree pruning and the removal of diseased trees or limbs. MEMBERS MAY NOT PRUNE TREES, CUT DOWN TREES OR SHRUBS, OR PLANT WITHIN THE COMMON AREA WITHOUT MAINTENANCE COMMITTEE APPROVAL. Any person who does so may be subject to HOA fines and Reimbursement Assessments (See CC&Rs 3.5 and 3.9 for details). Requests for Common Area tree alterations will be considered taking into account factors that include: neighbor opinions, the age, size, aesthetic fit, condition, and position of the tree, as well as the views. Willingness of a member to pay for Common Area tree or landscape alterations does not guarantee approval. Requests will be decided upon within 30 days.
Private Use of Common Areas (CC&R 6.4) for parking pads, gardening, woodpiles, wildlife feeders, outdoor furniture, sculpture, sheds, ornaments or any other private purpose is prohibited. Requests for rare exceptions should be submitted in writing to the Association Manager for referral to the Maintenance Committee.

Arroyos (CC&R 6.4)

Arroyos or ‘streams’ are the periodic waterways that run through DH 2 property carrying away water from heavy rains. Rains are funneled into the arroyos by several spillways at the low ends of our roads. The riparian areas along the arroyos are the habitat of most of the wildlife we see. Association volunteers currently maintain a one-mile Nature Trail for hikers to traverse the arroyos. There are orange-colored signs marking trail entrances along Desert Ridge Drive and Circulo de Las Lomas. To preserve their natural state, arroyos maintenance is minimal -- enough to keep the foot trail clear, prevent fire hazards, or prevent dangerous erosion near homes. Arroyos are overseen by the Streets and Arroyos Committee who make decisions about any maintenance or alterations to these lands.

Parking (CC&R 6.4, 7.14)

Owners, tenants, and their visitors are entitled to park in their own private garages, car ports, and if space permits, driveways. In addition, they may make occasional use of any of approximately 250 community parking spaces available on most streets. Prolonged use of these shared spaces (more than 72 hours in a 7-day period and more than 144 hours in any 30-day period) requires written approval from the Association. Please contact the Association Manager. On-street parking within DH 2 should be a last resort and must be limited to short-term services, delivery, or visits only.

Members who anticipate the ongoing need for additional private parking, may submit a plan to the Architecture Committee to convert owned private property into an additional private parking space.

The use of Common Area for private parking is only rarely permitted, and requires documented approval from the Maintenance Committee. Such permission does not transfer when a property is sold. Please refer to CC&R 7.14 for more details on limits to recreational vehicle parking.

Pets (CC&R 7.2)

Desert Hills 2 limits the number of domestic pets on private property to three animals. Pima County ordinances require that dogs must be kept on a leash when not on the owner's
property, and that owners must clean up after pets when walking them, and also within their own property borders. Pet waste must be dumped in the owner’s home waste container -- NOT ON PUBLIC PROPERTY, COMMON AREAS OR WITHIN ARROYOS.

Noise, unsanitary conditions or odors, or any other nuisance resulting from domestic animals should be reported to Association Management. The Compliance Committee will conclusively determine, in its sole and absolute discretion, whether a particular animal, bird, poultry or livestock is a generally recognized house or yard pet, whether such a pet is a nuisance, or whether the number of animals or birds on a particular property is reasonable. The Board may specifically ban dangerous animals.

**Snakes and Bee Removal**
Call Green Valley Fire District at 520-629-9200 for snake removal. For a suggested donation, Global Community for Bee Removal at 520-603-9932 will remove swarming bees.

**Wild Animal Feeding Prohibited**
The feeding of wild animals is not permitted in the State of Arizona. The only exceptions are bird and tree squirrel feeders owners may use within their own patio walls. Arizona law ARS/13-2927 states that feeding can cause ‘large animals to become bolder,’ endangering us, our pets, and the wildlife.

**Signs (CC&R 7.4.3, 7.9)**
‘For Sale’ signs are authorized to be displayed on homes or in yards of DH 2 properties. ‘Open House’ and ‘Yard-Garage-Patio Sale’ signs may be posted in front of units and at the crossroad corners to provide direction for prospective buyers. An adult representative must be present in your home whenever an Open House sign is posted. ‘For Rent’ signs no larger than 2 ' x 2' (four square feet total size) may be displayed in a unit window or in yards. Signs advertising business contractors or billboards are not allowed on DH 2 properties. Arizona statute ARS Title 33-1801 allows HOA discretion regarding the placement and size of political signs and flagpoles. Please review the law at [www.azleg.state.az.us](http://www.azleg.state.az.us), and contact the Architecture Committee before placing a flagpole or large political sign.

**Seasonal Residence Safety and Compliance**
Make arrangements with a friend, neighbor, or service company to look after your property when you are away from Green Valley. They should check for plumbing leaks, control excessive plant and weed growth, drain pools and bird baths where mosquitoes can breed, and replace burned out street lights which are our only outdoor night time illumination. Provide the HOA Association Manager with your emergency contact information before you leave Green Valley. The Sheriff's Auxiliary Volunteers (SAV) of Green Valley will provide free safety checks
of your home. With your permission, this includes regular property 'walk-arounds', for window checks, patio doors, house and garage doors, and irrigation or plumbing leaks (which are quite common, destructive, and expensive). SAV is located at 601 North La Canada Drive, 520-351-6744. They require that you designate a key holder, leave contact information and expected travel dates.

Rentals (CC&R 7.8)

Residents who are renters are subject to the same rules as all residents, including age restrictions. Property owners or their property managers or rental agents must supply copies of governing documents and rules to tenants. The owner/manager/agent will be the first point of contact if there is any problem with renters.

Noise (CC&R 7.7)

DH 2 residents must abide by Pima County Ordinance 9.30.050 regarding noise: ‘At any time during the day it is unlawful to create an excessive, unnecessary or offensive noise that can be heard 125 feet from the property line where the sound is coming from. Music from a house, business or a vehicle which can be heard beyond the property line is considered a nuisance. Any noise beyond the property line which would cause a person discomfort or annoyance, is unlawful between the hours of 10:00 p.m. and 7:00 a.m. Complaints should be reported by a call to 9-1-1 and persons in violation may be cited for Disturbing the Peace or County Ordinance 9.30.050 whichever is more applicable.’

Compliance Guidelines CC&R 9.0

Right to Enforce (CC&R 9.1) The Association or any Owner has the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens or charges now or hereafter imposed by the provisions of this Declaration. This includes enforcement of Rules and Regulations adopted by the Board of Directors to carry out the Association’s purposes and duties under this Declaration.

Enforcement Procedures (CC&R 9.2) At the Board’s discretion, a violation of the Governing Documents by an Owner, his guests, tenants or family members, may be referred to the Association’s attorney for enforcement action in Superior Court or any other court or agency of appropriate jurisdiction. Alternatively, the Board may levy a monetary penalty or other sanction against an Owner in accordance with the Governing Documents, applicable law and procedures set forth by the Board of Directors.

Violations of Protocol and Enforcement Policy

Imposition of Fine and any other Sanctions:

13
No fine shall be assessed until the Owner who has committed a violation has been given due written notice and opportunity for a hearing. At the conclusion of the hearing, the Owner may be excused from the hearing and the Committee or Board of Directors shall determine the amount of the fine to be imposed, if any, based on:

- the seriousness of the violation(s),
- whether this is a first violation or a continuing violation(s),
- whether the type of offense poses a health or safety danger to property or any person,
- any other extenuating circumstances and whether the Owner agrees in good faith to correct the violation(s) within the time specified, and
- whether the amount is sufficient to obtain compliance, based on the facts.

**Definition**: ‘Continuing Violations’: each day a violation(s) continues after notice to cease has been given by the Board to the Owner constitutes a separate violation(s) and can be subject to a fine. In addition, each reoccurrence of a violation of the same nature constitutes a continuing violation(s) and can be escalated to the next level of the enforcement process.

After the Board of Directors determines the amount of the fine, if any, the Board of Directors shall send notice to the Owners of the amount of the fine and its due date. The Board of Directors is empowered to impose a fine for each day that the violation(s) continues (See Fine Guidelines below).

**Request for Reconsideration to the Board of Directors**

- The Owner may request reconsideration of sanctions imposed by the Board of Directors.
- In order to schedule an appearance before the Board, the Owner must submit a written request to the Board of Directors after receipt of notice of the sanctions.
- The meeting shall be scheduled and the Owner notified of the date, time and location via regular mail.
- The Owner shall be afforded a reasonable opportunity to be heard.
- After the meeting, the Board shall issue a ruling on whether the sanction stands, is modified or is rescinded.
- The Board shall send a written notice to the Owner of its ruling.
- The ruling of the Board will be final.

**Payment and Collection of Fine and/or Penalties**

The Board shall advise the Owner that any fine that is not paid within fifteen (15) days of its due date is delinquent and subject to late fees and/or interest consistent with the governing documents and applicable Arizona law. Collection of any fines and penalties may be enforced
against any Owner in the manner consistent with the governing documents and applicable Arizona law.

**FINE GUIDELINES**

1. No fine shall be assessed until the Owner who has committed a violation has been given due written notice and opportunity for a hearing.

2. Monetary fines for violations of the governing documents and rules and regulations of the Association are as follows:
   a. First Violation $25
   b. Second Violations (of the same nature) $50
   c. Third violation (of the same nature) $75
   d. Each Violation after the third (of the same nature) $100

3. If a corrected violation reoccurs within 90 days of resolution of the violation, the fine or enforcement procedure may immediately resume at the next level.

4. The Board shall have the authority to deviate from these FINE GUIDELINES based upon application of the factors contained in the first paragraph of Violations Protocol and Enforcement Policy above.

5. It is the obligation of the Owner to advise the Association in writing that the violations have ceased.
Useful HOA Forms:

- Architecture Review Request
- Request for House Paint Samples
- Maintenance Committee Review Request
- Common Area Special Use-Adoption Agreement
- Age Verification Affidavit
- Getting Ready to Sell List
DESERT HILLS 2 HOMEOWNER ASSOCIATION

ARCHITECTURAL REVIEW REQUEST

(Architecture Committee Member will contact you.)

Date____________________
Owner’s Name__________________________
Property Address_______________________________________
Contact Tel ___________________________ E-Mail __________________ Lot Number ______________
Project Description: Attach plans, drawings, photos, paint colors if determined
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
Approximate Begin Date ________________ Approximate End Date____________________

Work will be performed by____________________________________________________________

Owner’s Signature_______________________________________________________________

Desert Hills 2 Architecture Committee has reviewed these plans for compliance with its CC&R’s and/or Rules regarding design, height, color, placement and neighborhood impact. The Committee does not examine or endorse structural, electrical or plumbing design, and therefore holds no responsibility for any resulting damage or defects. The owner and/or contractor remain responsible for compliance with Pima County building codes, and for ensuring the structural integrity and overall safety of their plans.

Committee Approval ___________________________ Date________________________

Committee Approval ___________________________ Date________________________

Complete top half. Submit to Association Manager or Architecture Committee Member
DESERT HILLS 2 HOMEOWNER ASSOCIATION

REQUEST FOR HOUSE PAINT SAMPLES

Please contact me. I have plans to paint the exterior of my home. I need samples of DH 2 approved paint colors.

HOMEOWNER________________________________________________________

ADDRESS_____________________________________________________________

EMAIL_______________________________________________________________

PHONE 1___________________________________________________________

PHONE 2___________________________________________________________

Samples borrowed: (Use DH 2 Color Codes)

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Date samples received ______________________________________

_____________________________________________________________
DESER T HILLS 2 HOMEOWNER ASSOCIATION

MAINTENANCE COMMITTEE REVIEW REQUEST - ADOPTION AGREEMENT

Date________________________

Owner’s Name __________________________________________ Lot Number ____________

Address _____________________________________________________________________________

Contact Tel No ________________________________ Email _______________________________

Request ______________________________________________________________________________

_________________________________________________________________________________

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At tach any details and/or photos of the location at issue if necessary. A Committee member will contact you to view the site, and will consider many factors including safety, losses to or impact upon neighbors, proximity of public parking or other relevant community features. Any authorized variance of HOA Rules does not convey with property sale unless reauthorized by a new owner making application to the Maintenance Committee. Approvals may include limitations, conditions and agreements for homeowners to accept certain costs or responsibilities. Without reauthorization the land automatically reverts to common use and maintenance. Owners who have in the past, without written Maintenance Committee approval, adopted common areas for parking, private landscaping or any purpose may use this form to request formal status. Committee decisions are recorded in the property Lot File.

Committee Approval __________________________________________________________ Date

Committee Approval __________________________________________________________ Date
DESERT HILLS 2 HOMEOWNER ASSOCIATION

COMMON AREA SPECIAL USE-ADOPTION AGREEMENT

Date_____________________

Member Name________________________________________ Lot Number________________

Address_________________________________________________________________________

Contact Tel No __________________________________ Email ______________________________

Common Area located at __________________________________________________________

As of (date)________________________ the Member commits to the care of the common area site
named above for as long as property is owned.

Property address) __________________________________________________________________

Attached is a copy of the details of the approved special use plan submitted to Maintenance Committee.

I understand that this special use does not automatically convey with the sale of my property. I
understand that failure to uphold the terms of this commitment will result in this common area special
use being revoked.

The following neighbors impacted by the change give their consent:

Signature________________________________________ Date____________________

Signature________________________________________ Date____________________

Signature________________________________________ Date____________________

Owner________________________________________ Date____________________

Owner________________________________________ Date____________________

Maintenance Committee Director _________________________ Date__________________
DESERT HILLS 2 HOMEOWNER ASSOCIATION

AGE VERIFICATION AFFIDAVIT

I affirm and swear that I am 55 years of age or older, or that one person who is 55 years of age or older shall occupy the Desert Hills 2 dwelling I own. I further affirm that no person 18 years of age or younger shall reside in this dwelling for more than 30 days in one calendar year.

___________________________________

Date__________________

Owner/Member

___________________________________

Property Address
# DESERT HILLS 2 HOMEOWNER ASSOCIATION

## GETTING-READY-TO-SELL CHECKLIST

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOA Dues Current</td>
<td>All association dues are paid</td>
</tr>
<tr>
<td>HOA Fines Outstanding</td>
<td>Outstanding fines are paid</td>
</tr>
<tr>
<td>Mailbox Paint</td>
<td>Mailbox is painted black (grey cluster boxes exempt)</td>
</tr>
<tr>
<td>Street Light Condition</td>
<td>Posts painted black, sensor and bulb working</td>
</tr>
<tr>
<td>Roof Coating Color</td>
<td>Roof and sheet metal Desert Tan or Energy Tan</td>
</tr>
<tr>
<td>House/Trim Color</td>
<td>Match approved house and trim colors</td>
</tr>
<tr>
<td>Exterior Surfaces</td>
<td>No rot, cracking, peeling or neglected exteriors</td>
</tr>
<tr>
<td>Exterior Upkeep</td>
<td>Weeds removed, shrubs and trees trimmed, grounds are neat, furnishings in good repair, personal items stored out of sight</td>
</tr>
<tr>
<td>Landscape Containment</td>
<td>Landscape does not impinge upon neighboring property or view</td>
</tr>
<tr>
<td>Impingements upon Common Area</td>
<td>Personal items, furniture, planters not on common areas</td>
</tr>
<tr>
<td>Neighboring Property Compliance</td>
<td>Neighbors property is in compliance with Rules and does not impact property being sold</td>
</tr>
</tbody>
</table>

Be sure your property is in compliance with all CC&Rs and Rules when you sell.
HOW TO CONTACT US

Professional Community Management

Our Cadden Community Manager, Linda Hansen, is the FIRST POINT OF CONTACT for DH 2 business.

Linda and her colleagues and staff are available in person during business hours at their local GV office, by phone, or email. They can answer questions about Rules, Covenants and Restrictions, approving a property painting or modification, landscape issues, your annual assessment (membership fee), neighbor concerns, compliance notices, parking and more. When appropriate, the Cadden team will refer your concern to a Committee Member or Director.

Linda Hansen

(8-4 week days, on weekends leave a voicemail message)

lhansen@cadden.com OR 520-648-6730

101 S La Canada Dr. Suite 20, Green Valley, AZ 85614

Board of Directors

Marian Miskell, President Term: Feb 2016 to Feb 2018
Chair of Nominations and Elections, Documents, Website

Tim Johnson, Vice President Term: Feb 2016 to Feb 2017
Member of Architecture Review

Bob Thul, Treasurer Term: Feb 2014 to Feb 2017
Chair of Roads and Arroyos, Finance, Audit

Beverly Bear, Secretary Term: Feb 2014 to Feb 2017
Chair of Community Building -- Neighborhood Watch- Block Reps

Barbara Coleman, Director Term: Feb 2015 to Feb 2018
Chair of Maintenance, Oversees Plant Rescue and Landscape Improvements

Roy Dashen, Director Term: Feb 2016 to Feb 2019
Chair of Architecture Review

Dan Hryciw, Director Term: Feb 2016 to Feb 2019
Chair of Compliance, Member of Maintenance