

3 CANYONS RANCH MASTER HOMEOWNER'S ASSOCIATION MASTER DESIGN COMMITTEE (MDC) GUIDELINES

1. INTRODUCTION

The Master Design Committee would like to take this opportunity to welcome you to the 3 Canyons Homeowners Association.

2. PURPOSE

We are an all-volunteer committee. We meet on the second Monday of each month. Our charge is to review all changes to the properties within the boundaries of the association as stated in Paragraph 4.2.1 of the 3 CANYONS HOMEOWNERS ASSOCIATION CC&Rs. In addition to checking the plans for your new home, we are also charged by the CC&R's to check the placement of other structures on your property, additions or alterations to existing structures, fences, walls, and exterior colors, to be considered for approval at the next meeting. Applications for approval must be received by the Master Design Committee, **(P.O. Box 778, Hereford, AZ. 85615)**, by the first Monday of the month. This will allow time to review the submittal package to insure that all necessary items are included for the Committee's review.

NOTE: The Master Design Committee will consider holding a special unscheduled meeting at an additional cost to the property owner. **(See Fee Schedule)**

The **Master Design Committee** must approve any and all new construction, and all exterior changes to structures (i.e. dimensional changes, elevations, colors, etc.), walls, fences and driveways prior to the start of any construction.

The **Road Committee** (*a sub-committee of the MDC*) must approve any and all curb cuts (roads or driveways) entering or exiting the 3 Canyons Road prior to the start of any construction.

3. REVIEW PROCESS

After the receipt of ALL the required items on the check list the committee has 30 days (the "Approval Period") to approve or disapprove your submittal. The submission will be assigned to a Master Design Committee member who will review the submission with you to ensure the Master Design Committee has all the information required to review your submission at the next meeting of the Master Design Committee. If the Master Design Committee fails to approve/disapprove the your submittal within thirty (30) days after you are contacted by a Master Design Committee member, Master Design Committee approval is presumed given. You will receive written notification of approval or disapproval after the next Master Design Committee meeting. The Approval/Disapproval letter will be deemed sent out on the date it was mailed, posted certified mail. *Please see 3 Canyons CC&R's 12.3.5 Architectural and Landscape Control.*

4. SITE PLAN

The information on your survey map, which describes your land (section and parcel number) and has property lines with dimensions and orientation to a compass arrow and may also have the adjacent property owner's names and identification marks, is used to develop a site plan. The ideal site plan for the Master Design Committee would include the location of your proposed building(s), well, septic system, easements, driveway and road name. This drawing is also required by Cochise County for a building permit. Be sure the drawing (s), and all text and dimensions are is legible.

PLEASE NOTE: Homeowners are required to verify that setbacks from all property lines are sufficient and meet requirements of the 3 Canyons CC&R's. *Please see 3 Canyons CC&R's 4.3, a, b, c, d, and e setbacks.*

5. FLOOR PLAN(S)

This drawing(s) will show the floor plan(s) of the dwelling. It will include the layout of walls, associated dimensions and the total square footage of the building. The total living, porch, garage and covered areas should be listed individually. The living area (including guest houses), listed on the floor plan is the basis for square foot membership assignment (one membership per 100 sq. ft.). The square foot membership and the full acreage memberships (1 membership per full acre, no memberships for fractional acres), combined, make up your total memberships. Memberships are used for voting and assessments. *Please see 3 Canyons CC&R's 4.3.6, Story Restrictions; CC&R's 4.3.7, Size Restrictions; CC&R's 4.3.8. Number of Buildings; and CC&R's 6.1b, Memberships and Voting.*

Note: Membership based upon livable square footage are deemed to exist at the time of approval by the Master Design Committee, and are thereafter enforceable as such. Assessments begin as of the date of Master Design Committee approval. Prorated assessments will be due upon billing as reflected in the next billing cycle from the Master Association.

6. ELEVATIONS

The elevation(s) drawing(s) will show the views of a structure from the front, back and sides. The dimensions of the building will be displayed, giving the length, width, and height. *Please see 3 Canyons CC&R's 4.3.5a, b, c., Height Restrictions.*

7. FENCING/WALLS

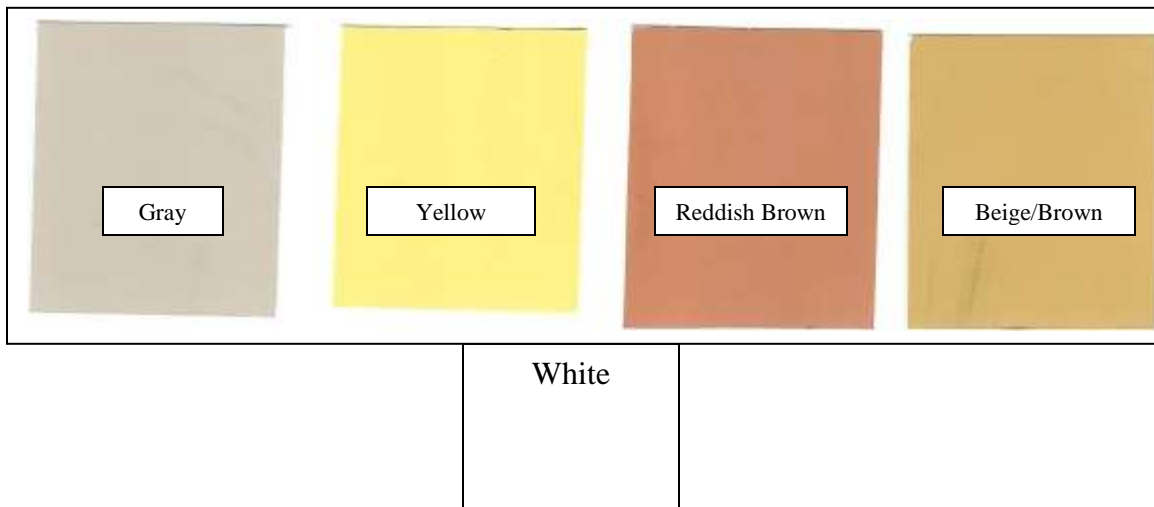
All fencing and walls must be indicated on the site plan and noted whether it is included in the original project or will be a future project, and must indicate the type of fencing to be used, the material and color. Setbacks for perimeter and non-perimeter fencing are subject to the setback requirements set forth in the Master CC&R's. *Please see 3 Canyons CC&R's Sec. 4.2.4 (e), Sec 4.3.4 a&b and Sec. 4.9, Fencing.*

8. HVAC PLAN

The Heating, Ventilation and Air Conditioning plan illustrates where the air conditioning, compressor, air handler or evaporative cooler is located. Roof mounted units are not allowed unless they are entirely screened behind a parapet or screen (not to exceed 4 feet in height), and not be visible to surrounding properties. *Please see 3 Canyons CC&R's 4.2.29, Equipment on Roofs*

9. EXTERIOR COLOR SCHEME

ALL colors, including re-painting exteriors, **MUST** be approved by the Master Design Committee. The exterior color scheme samples will indicate the colors to be used on the exterior of all buildings, structures and walls. A color brochure or paper color sample of one (1) square inch is adequate. Exterior colors must be selected from the Association's approved color chart. The five colors shown represent the darkest range in each of those colors allowed, lighter would also be acceptable. (SEE COLOR CHART). No high gloss paints should be used. A brochure illustrating type and color of roofing material is also required. *Please see 3 Canyons CC&R's 4.2.1. Master Design Control.*



10. ROOF MOUNTED EQUIPMENT

There shall be no heating or cooling equipment, antennas or other attachments to the roof (except for customary vents and chimneys) unless such equipment, antennas or other attachments are fully screened from view by a parapet or other screen which shall not exceed 4 (four) feet in height. Any equipment, antennas or other attachments to the roof must satisfy the height requirements as set forth in this Master Declaration. *See 3 Canyons CC&R's 4.2.29, Equipment on Roofs.*

11. Real Estate and Construction Signage

Due to a change to the Arizona Revised Statutes (2/17/2007), the following rules apply to placement and sizes of Real Estate and Construction Signs placed within the borders of Three Canyons Master Homeowners Association. The property owner is responsible for compliance with the following rules. *See 3 Canyons CC&R's 4.2.3*

Signage

A) Real Estate Signage

- 1) Notwithstanding any provision in the community documents, an association shall not prohibit the indoor or outdoor display of a for sale sign and a sign rider by an association member on that member's property, including a sign that indicates the member is offering the property for sale by owner. The size of a sign offering a property for sale shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches.
- 2) **No signage** may be placed in the right of way of Three Canyons Road. These signs will be removed at the property owner's expense.
- 3) During Open Houses conducted in Three Canyons, **a maximum of 2 directional signs** may be placed at appropriate intersections no earlier than 4 hours prior to the commencement of the open house and removed not later than 7 PM local time after the open house. Signs in place outside these hours will be removed at the property owner's expense.
- 4) In the case of a subdivision (village), there may be a For Sale sign (see Statement 1.) placed on each individual lot.
- 5) All "For Sale" signs must be removed not later than 10 days after the sale of the Property closes.

B) Construction Signage (Advertising the Contractor's Firm)

- 1) One sign not to exceed 2 feet by 4 feet may be placed on the property or at each primary subdivision/village entrance during construction.
- 2) Signage must be removed not later than 10 days after the final property sale is closed.
- 3) The sign must physically be on the designated property.
- 4) The maximum height of the sign may not exceed six (6) feet.
- 5) Duplicate signs are not authorized.

12. 3 CANYONS CURB CUT

For the purpose of proposed curb cuts for direct access to 3 Canyons Road, the Master Association's Road Committee is a Sub-Committee of the Master Design Committee. The Road Committee must approve all roads and driveways that provide ingress or egress onto 3 Canyons Road prior to the start of construction. Plans and specifications related to the proposed curb-cut construction must be submitted with any other application for approval by the Master Design Committee. (See **Curb Cut Attachment**)

13. CANYONS MASTER DESIGN COMMITTEE APPLICATION FEE

An **application fee** is due at the time of the submission of the application package for your property or lot. Please make checks payable to the 3 Canyons Ranch Master HOA. All new construction including the main residence, guest house, additions and remodels on any project that alters or changes the livable sq. footage will require an **application fee**. NOTE: The Master Design Committee will consider holding a special unscheduled meeting at an additional cost to the property owner. (See Fee Schedule)

14. MASTER DESIGN COMMITTEE PROCESSING FEE

A **processing fee** is due at the time of the submission of the application package for your property or lot. Please make checks payable to the 3 Canyons Ranch Master HOA. All construction projects that do not alter or change the livable sq. footage, such as fences, walls, pools, sheds, barns, and so forth will require a **processing fee**. (See Fee Schedule)

15. COMPLETION OF PROJECTS

15.1 All projects requiring a **construction deposit** or an **application fee** must be completed within twelve (12) months from the Master Design Committee approval date, and will be subject to fines, unless and until the owner is granted an extension to be **approved by the Master Design Committee**.

15.2 All projects requiring a **processing fee** must be completed within twelve (12) months from the Master Design Committee approval date, and will be subject to fines, unless and until the owner resubmits the project for **approval by the Master Design Committee**.

16. CONSTRUCTION DEPOSIT

A **construction deposit** is required prior to the start of construction on your new home. This deposit is refundable. The deposit will be refunded upon successful completion and inspection/approval by the Master Design Committee. Owners **MUST**, in writing, notify the Master Design Committee upon completion of construction in order to schedule an inspection. The Master Design Committee will then inspect the property to ensure that no damage was caused during construction and that no violations of CC&R's exist. The deposit will be returned within 60 days, after successful completion of the Master Design Committee inspection. If any damage or violations are discovered during the inspection, the deposit will be held until the owner corrects the damage or violations. (See Fee Schedule)

17. FINE STRUCTURE FOR VIOLATIONS AND NON-COMPLIANCE TO 3 CANYONS CC&R's

A. Non-Construction Related Violation of the CC&R's

Written notice will first be sent to the property owner describing the violation. The property owner has thirty (30) days from the date of the notification letter to either correct the violation or submit a plan of action along with a timetable for completion which the Committee may approve, reject or modify.

Property owners will be held responsible for CC&R violations occurring on their property including all work performed by contractors or subcontractors.

If the violation is not corrected or the plan of action approved on the thirty-first (31) day, then penalties will be assessed as follows:

1. \$100.00 per complaint for CC&R violations
- ii.2. Litigation: Once appeals have been exhausted, litigation for enforcement of compliance to the Master CC&R's will immediately begin and also seek payment of fines and attorneys' fees.

B. Construction Violation:

Construction from the time of approval from the Master Design Committee is to be finished in twelve (12) months. Construction begun and not completed in twelve (12) months from the approval date will be subject to fines, unless and until the owner is granted and approved an extension. Commencement of construction of any improvement on any Lot or Parcel without the prior written approval of the Master Design Committee is forbidden. Violation of this guideline will subject the owner to a fine and legal action.

- 1) \$500.00 for non-completion of the approved project after twelve (12) months from the date of approval by the Master Design Committee.
- 2) \$500.00 for any construction started before or prior to approval by the Master Design Committee
- 3) Litigation for enforcement of compliance to the Master CC&Rs and Master Design Committee Guidelines will immediately begin. The Association will and also seek payment of fines and attorneys' fees.

18. Enforcement of CC&R's, Fines and Fine Appeals

The Master Design Committee will take initial action on all complaints that allege a violation of the CC&R's. The Committee will investigate the complaint and determine if in their opinion a violation of the CC&R's has occurred. In that case, the Committee will issue a written notice of violation (NOV) to the owner that includes the following information:

- a) The provision of the CC&R's that has been violated
- b) The date of the violation or the date the violation was observed
- c) The first and last name of the person or persons who observed the violation
- a)d) A description of the process the owner must follow to contest the notice

An owner who receives this written notice (NOV) may take the following actions:

- a) Concur with the notice of violation, take appropriate corrective action and report completion of corrective action to the committee.

Note: If corrective actions are not completed within thirty (30) days, fines will be imposed.

- b) Disagree with the notice of violation and provide the Association with a written response by sending such response by certified mail to the following address within ten (10) business days after the date of the notice.

Attn: **3 Canyons Ranch Master HOA**
P.O. Box 970
Hereford, AZ. 85615

Upon receipt of a written notice from an owner that the owner desires to contest the notice of violation, the Board will schedule a hearing of the members appeal for the next regular board meeting and provide notification (including the date, time and place for the appeal) to the owner within ten (10) business days (after receipt of the certified mail containing the response from the owner). Collection of any fines proposed by the Master Design Committee in the initial notice of violation will be held in abeyance until after the member's appeal is heard by the Board of Directors.

19. SUBDIVISION APPROVAL

New subdivisions of Lots or Parcels, which set forth the construction of roads or improvements, must be approved by the Master Design Committee. Submission of the proposed plat of subdivision must be submitted to the Committee as with any new application to the Committee.

20. NEW VILLAGE APPROVAL

New Villages must comply with the Master CC&Rs and must be governed by the Village CC&Rs. Village Association Articles of Incorporation and Bylaws, hereafter known as the "Village Governing Documents". A complete set of the proposed Village Governing Documents must be submitted to the Master Design Committee along with the plat of subdivision as set forth in Section 18 above. The Village Governing Documents must comply with the Master CC&Rs of 3 Canyons. The submission of any new Subdivision shall include the **village approval fee**, to cover the cost to the Master Association for review of the proposed Village Governing Documents prior to approval. **Village approval fees** are due at the time of the submittal to the Master Design Committee. After the initial review by the Master Association's legal counsel, any subsequent submission of new or revised Village Governing Documents which, in the opinion of the Master Design Committee require additional review by the Master Association's legal counsel, will be billed directly to the Applicant by the Association's legal counsel. These **fees** must be paid prior to Master Design Committee and/or Board of Director approval of the proposed Village documents. (See Fee Schedule)

21. ROLE OF MASTER DESIGN COMMITTEE FOR NEW VILLAGE

Notwithstanding the creation of a Village Architectural Committee, all proposed new home construction, modifications to existing homes and site improvements must be submitted to the Master Design Committee along with the appropriate **application fee** or **processing fee**, until such time as the Village Association creates an Architectural Committee composed entirely of Village Owners and the control of the Village Association is transitioned from the Declarant to the Village Association Board of Directors composed exclusively of Village owners other than the Declarant or his/her/its successors or assigns. Copies of all approvals of new home construction, modifications to existing homes and site improvements must be provided to the Master Design Committee within 30 days of the Village Architectural Committee approval. This includes payment of **construction deposits**. (See Fee Schedule)

22. CONCLUSION

Please keep in mind that we are a volunteer group. With your help we will be able to keep the membership list current. It is the responsibility of the homeowners to inform the 3 Canyons Homeowners Association of any changes to their contact information, including mailing address and phone numbers. More memberships mean lower costs per membership for annual and special assessments. Please complete the attached Master Design Committee Guideline Checklist and include it with the submission of your plans/drawings.

Parcel Owner must complete and sign the attached checklist and forward correspondence to:

3 Canyons Master HOA
Attn: Master Design Committee
P.O. Box 778
Hereford, AZ. 85615

FEE SCHEDULE

- | | |
|---|--------------------------|
| 1. Master Design Committee Application Fee
<i>(New Construction that <u>Changes</u> livable square footage)</i> | <u>\$200.00</u> |
| 2. Master Design Committee Processing Fee
<i>(New Construction that does <u>Not</u> change livable square footage)</i> | <u>\$35.00</u> |
| 3. Master Design Committee Special
 Unscheduled Meeting | <u>\$500.00</u> |
| 4. Construction Deposit
<i>(<u>New Home Construction only</u>)</i>
Deposit is refundable upon successful completion and
inspection / approval by the Master Design Committee. | <u>\$1,000.00</u> |
| 5. Village Approval Fee | <u>\$3,000.00</u> |

Note: Please make checks payable to 3 Canyons Ranch Master HOA. All fees and deposits collected by the Master Design Committee will be included as Association general revenue.

MASTER DESIGN COMMITTEE GUIDELINE CHECKLIST

Please complete the following checklist according to MDC Guidelines (Indicate N/A if item does not apply). Forward the required items (including a signed copy of this checklist) to:

Master Design Committee, P.O. Box 778, Hereford, AZ. 85615.

Failure to complete all items on checklist will result in **Disapproval.**

OWNER

BUILDER

Name: _____

Address: _____

City & Zip: _____

Telephone: _____

FAX: _____

E-Mail: _____

House Number and Road Name: _____

Section#: _____ Parcel: 104- _____ # of acres: _____ Livable Sq. Footage: _____

Description of Project: _____

Building Permit #: (For new construction only): _____

BUILDING PERMIT (attach copy)	SITE PLAN w/SETBACKS
HVAC PLAN (Ground Mounted Only)	FLOOR PLANS
EXT. COLOR SCHEME (Sample)	ROOF MOUNTED EQUIPMENT
ELEVATIONS (all Sides)	3 CANYONS CURB CUT
FENCING/WALLS	ADDITIONS/MODIFICATIONS

By signing below the Owner acknowledges that he/she has read the Master Design Committee Guidelines and agrees to adhere and be bound to the Master Design Committee Guidelines.

Owners Signature: _____ Date: _____

FOR COMMITTEE USE ONLY

Approved: **Y** **N** Dated: _____ Date application Received by Committee: _____

Application Fee: _____ Rec'd: _____

3 CANYONS ROAD COMMITTEE

CURB CUT ATTACHMENT:

The 3 Canyons Road Committee is a sub committee of the 3 Canyons Master Design Committee.

All references to the "Road Committee" hereafter shall mean 3 Canyons Master Home Owners Association Road Committee.

The Road Committee is responsible for the "Primary Roadway" as described in the "Master Declaration". That is 3 Canyons Road from Fairfield Road on the West end of 3 Canyons Road to Palominos Road on the East end of 3 Canyons Road. Approximately 6.5 miles.

The Road Committee is responsible for the construction and maintenance of the roadbed, road surface, drainage ditches, culverts and signage.

Vehicles, specifically construction related heavy equipment and trucks crushing culvert ends due to short turns on roads and driveways entering and exiting 3 Canyons Road cause the majority of damage to the culverts.

The Road Committee is not responsible for culverts damaged by vehicles entering and exiting private property and roads leading to private property.

Responsibility for this damage lies with the property owner(s) using the road or driveway. Expenses incurred by the Road Committee for repairs of the damaged culverts will be assessed to the landowner(s).

Road cuts require the refundable portion of the **construction deposit**, as described in paragraph 16 of the 3 Canyons Master Design Committee Guidelines, to be held for a period of 12 months after the initial road cut repair is completed.

This deposit is held to insure that the repair to the road does not settle or cause a depression in the road surface.

Definitions used by 3 Canyons Road Committee:

1. **AB** - A type of material used in construction to prevent shifting and settling of road bases, house pads and back filling holes and trenches. AB is made up of various types of stone and stone dust. The stone and dust combine to form a very hard and stable base and if processed properly will prevent settling. There are several types of AB. Some are brought from the stone quarry without being graded and some are graded to specifications. MAG Spec is the Arizona standard for AB.
2. **BACK SLOPE** - Area between the bottom of the ditch and end of slope farthest from the road surface.
3. **COMPACTION, TAMPED** - The reduction in height of loose fill by pressing the soil particles to a denser and tighter mass. This procedure is typically performed by a vibratory compactor or tamper.
4. **CMP** - Corrugated Metal Pipe, type of pipe used along 3 Canyons Road.
5. **CMP COUPLING BANDS** - A galvanized attachment that connects two lengths of culverts together.
6. **CMP FLAIR** - A galvanized CMP attachment that reduces erosion at the inlet and outlet of a culvert.
7. **CMP INLET & OUTLET** - Types of materials used to direct water flow thru culverts. The 3 Canyons Road Committee uses a minimum of rip rap. Alternatives are slurry or grouted rip rap and galvanized inlet and outlet flairs.
8. **CULVERT** - Pipe allowing water to flow under a driveway or road often referred to as CMP's.
9. **CURB CUT** - Designated area crossing drainage ditch for accessing 3 Canyons Road.
10. **DRAINAGE DITCH** - Area parallel to road designed to carry water away from road surface.
11. **DRIVEWAY** - Direct Access to 3 Canyons Road will be limited to no more than (2) two residences. The driveway CMPs, will be a minimum of 2 each 30' long 14ga 30" oval galvanized CMPs.
12. **FILL** - The material that is used to cover or back fill a hole or trench.
13. **FRACTURED ROCK** - Rock that has been crushed, it has sharp edges not rounded corners.
14. **FRONT SLOPE** - Area between the road surface edge and the bottom of drainage ditch.
15. **GALVANIZE** - Coating applied to CMP to prevent corrosion.

- 16. GAUGE (ga.)** - Thickness of metal, the smaller the number the thicker the metal, all CMP's used for drainage along 3 Canyons Road are a minimum of 14 ga. or thicker i.e. (12 ga. or 10ga).
- 17. GROUT or SLURRY** - Grout or slurry is a concrete mix used in conjunction with rip rap to stabilize soil. 3 Canyons Road committee uses grout and slurry for additional stabilization of CMP inlets and outlets.
- 18. INTERSECTING ROAD** - Any road that has future growth potential of more than (2) two residences. Intersecting road CMPs, will be a minimum of 2 each 60' long 14 ga. 30" oval galvanized CMPs.
- 19. LIFT** - The amount of fill material placed in a trench or hole at one time. 3 Canyons Road Committee Guidelines require lifts of no more than 8 "of processed material at one time.
- 20. PROCESSED MATERIAL** - Fill, spoils or AB mix that is used to fill holes and trenches that are tamped, compacted and watered as it is applied to the work site. This process is (tamped or compacted and watered) before additional fill is placed. This procedure helps eliminates immediate and future settling and depressions in the road surface.
- 21. RIP RAP** - Rock used to stabilize soil.
- 22. RIP RAP RADIUS** - When using rip rap as an inlet and outlet erosion control device the material will be installed out from the end of the CMP's to a radius of 10'. Use the center point between the ends of the two CMP's to determine the center of the 10' radius.
- 23. ROAD CUT** - Designated section of road excavated for utility placement.
- 24. SPOILS** - The material that is removed from a hole or trench.
- 25. 30" OVAL CMP's** - Cross section shape of CMP, oval verses round. Oval is used to lessen the rise of driveways and roads from the bottom of the drainage ditch to the top of the driveway or road surface.
- 26. EQUALS INCHES** - (") abbreviation used for measurements in inches.
- 27. EQUALS FEET** - (') abbreviation used for measurements in feet.

Date: ____/____/____

**3 CANYONS MHOA
ROAD COMMITTEE GUIDELINE CHECK LIST FOR
DRIVEWAY AND ROAD CURB CUTS AND UTILITIES ROAD CUTS**

APPROVAL MUST BE OBTAINED FOR CURB CUTS AND ROAD CUTS BEFORE THE
MASTER DESIGN COMMITTEE WILL APPROVE SITE CONSTRUCTION ON THE
PROPERTY.

Please complete the following checklist and forward to the Master Design Committee.

Name and Current Address of Property Owner.

Name: _____

Address: _____

City & Zip: _____

Telephone: _____

FAX: _____

E-Mail: _____

House Number and Road Name: _____

Section: ____ Parcel: 104-____ - ____ Number of acres: ____

CURB CUT FOR ROAD ____ CURB CUT FOR DRIVEWAY ____

UTILITY ROAD CUT ____ SITE PLAN ____

By signing below the Owner acknowledges that s/he has read the Road Committee Guidelines and agrees to adhere and be bound to the Road Committee Guidelines.

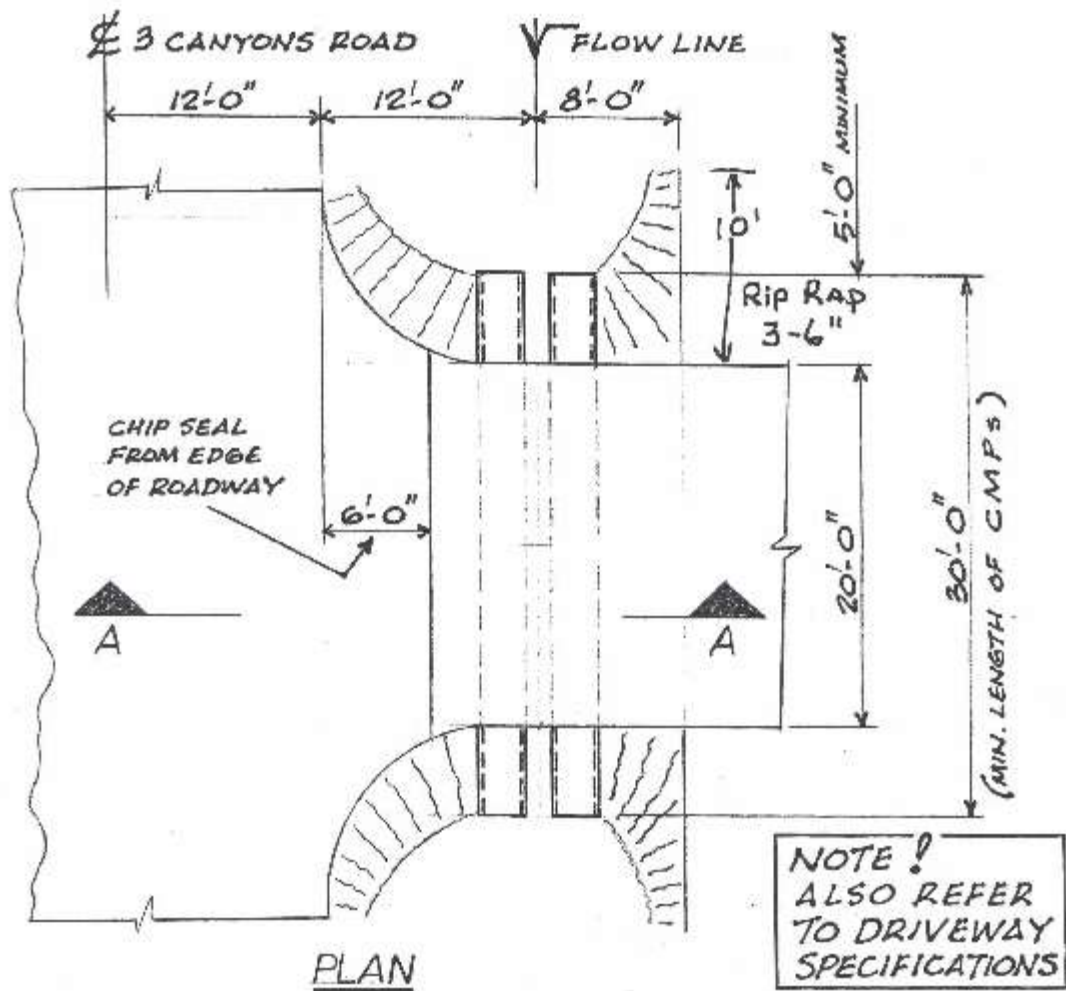
Owner's Signature: _____ Date: ____/____/____

FOR COMMITTEE USE ONLY

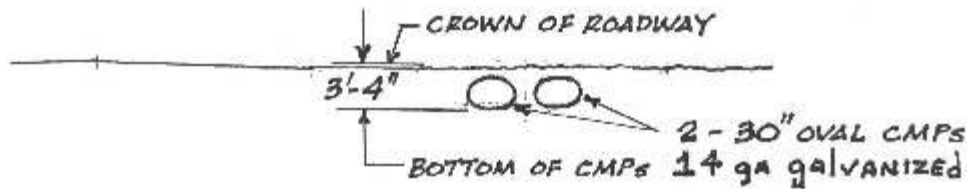
Approved Road Committee _____ Not Approved Road Committee _____

Date: ____/____/____

Comments: _____



PLAN



SECTION A - A

TYPICAL DRIVEWAY CURB CUT

3 Canyons Road Committee