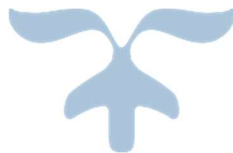


MOHAWK HOMEOWNERS ASSOCIATION

DESIGN GUIDELINES

AND

ASSOCIATION RULES



**REVISED
MAY 2019**

MOHAWK HOMEOWNERS ASSOCIATION RULES AND GUIDELINES

Welcome to Mohawk!

On behalf of your Homeowner's Association, we would like to welcome you to our community. At this time we would like to take this opportunity to provide you with information which is important to have as a property owner in Mohawk at Arrowhead Ranch.

As part of your home purchase process, you should have received copies of our governing documents. If you have misplaced or simply need additional copies, you can find them on our website [/http://www.mohawkhoa.org](http://www.mohawkhoa.org) under *Owners Information*.

Our community is governed by Covenants, Conditions & Restrictions (CC&R'S) and Design Guidelines and Association Rules. The Design Guidelines outline specific provisions of allowable changes and improvements to the property by the homeowner. Changes to your property are also subject to applicable City, County and State permits, codes and regulations.

As the community matures and design trends evolve, these Design Guidelines will be subject to change to keep our community attractive. Homeowner ideas, suggestions and participation will always be welcome.

Please know, **all modifications to the exterior of your property will require a submittal for review and approval before work begins** by the Architectural Control Committee, a volunteer group of homeowners appointed by your Board of Directors. The purpose of this review is to protect our scenic environment and maintain the value of our homes. The Architectural Design Request for Approval Form can be found on our website under *Owners Information* or Exhibit B attached to this document. Four common areas that require a change form include:

- Any improvements or changes to the landscaping.
- Any improvements or changes to the exterior of the dwelling unit.
- Any roof repairs or replacement.
- Any painting of the dwelling unit and/or trim

The Table of Contents indicates where to locate information on various exterior improvement projects and administrative procedures. If you have any questions or need further assistance, please contact our Community Manager, Angela Hogan. She can be reached at (602) 973-4825 or angela@kinneymanagement.com.

The Mohawk community is a great place for families to live, play and explore. We welcome and encourage your participation in our activities and events.

Board of Directors and Architectural Control Committee
Mohawk Homeowners Association

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DWELLING UNIT IMPROVEMENTS

PAINT COLORS

Any painting of the exterior of the house body, garage doors, pop-outs or trim, must have prior approval of the Architectural Control Committee (Committee). The Association approved paint color schemes are found in the Mohawk HOA Paint Book. A copy of the paint book can be obtained from the Community Manager or members of the Committee. Approved paint color schemes are also listed in Exhibit A and on the Dunn Edwards website, https://www.dunedwards.com/colors/archive/color-ark_pro.

The following provisions also apply:

- The requested paint scheme cannot be the same paint scheme as an adjacent dwelling unit
- Garage doors shall be painted as provided in the section, *Garage and Garage Doors*.
- Stucco soffits may be painted the same color as the pop-out of the selected paint scheme. The soffit is the curved stucco area below the roof and the soffit color shall continue up to the rain gutter or roof tile.
- Wood trim shall be the approved trim color.
- Bird stops may be black or painted to match the trim, the soffit or house body color.
- Pop-outs may be painted using the pop-out color within the paint scheme selected. Pop-out painting will be limited to clearly defined wall extensions. A painting diagram must be included with the Architectural Design Request form. The diagram must show all locations that will have the pop-out color. Fireplace chimneys are not considered pop-outs for this definition, including pop-outs at the top of the chimney. .
- Metal balcony railings shall be white or painted the house body color.
- View fencing on lots adjacent to the golf course, HOA park and City park shall be painted DEA177 Holly Bush.
- The exterior of all walls in public view shall be painted the house body color.

ROOFING

Roof repair or replacement of the underlayment is not subject to Committee approval if the same tile is removed and reinstalled. All new installations and repairs requiring 25 new tiles or more shall be submitted to the Committee for approval. The original concrete roof tile by Monier Tile Company is no longer available. Some original Monier tile may be obtainable for repairs where available.

No composite shingle roofing or shake will be allowed.

The current roof tile on the homes south of Mohawk Lane is W shaped. The current tile on the homes north of Mohawk Lane is an S shaped tile. Both tile shapes are permitted in all of the Mohawk Community. New tile from Eagle roofing Products is as follows:

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	W SHAPED TILE	TILE NAME	S SHAPED TILE
Current Replacement	2241	Sun Valley	3241
Tile Numbers	2247	Sonora Vista	3247
New Builder Select	2530	Weathered Adobe	3530
Tile Numbers	2549	Santa Paula	3549
New Premium Designer	2598	-----	3598
Select Line Tile	2794	-----	3794
Numbers	29706	-----	39706
	29724	-----	39724

All vent pipes extending through a roof must be painted to match the roof tile. All flashing must be painted to match the wood trim, or the house body color if wood trim is not used.

Bird stops must be installed per Glendale City Code and may be black or painted to match the wood trim, the soffit or house body color.

If you need to expedite the approval for an emergency roof repair, please contact the Community Manager.

EXTERIOR HOUSE MATERIALS

Finished building materials of stucco finish and paint must be applied to all exterior sides of the dwelling unit. Other acceptable materials include Faux Stone which must be approved by the Committee.

- Faux Stone will be limited to 40% coverage on the front of the dwelling unit, based on Committee review and approval.
- Brick and Round Rock Faux Stone will not be permitted.

FRONT DOOR AND DECORATIVE GATES

Security doors, security gates and screen doors shall be metal and match the approved front door color or house body color. Designs on doors and gates shall not exceed 20% of the door or gate. All security doors, security gates, screens doors, decorative front doors and gates must be submitted along with drawings and/or sketches for review and approval by the Committee prior to installation.

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GARAGE AND GARAGE DOORS

All dwelling units shall have an enclosed garage integrated with the house. Garage doors should remain closed when the garage facility is not in use. A garage shall not be converted into living space without prior written approval by the Committee.

Replacement of a garage door must be submitted, including design choice and final color, even for a pre-approved design. The door shall be raised panel, steel multi-sectional roll up design with or without windows. Wooden doors are not permitted.

All garage doors must be painted the approved color within 30 days from the installation of the new door.

- If dwelling unit has two garage doors, both doors must be an exact match and painted together.
- Weather-stripping and wood door trim shall be maintained in good condition.
- Wood door trim shall be painted house body color.

Garage door windows shall not be covered by any material not specifically designed for the purpose of window coverings.

Color options for garage door shall be limited to:

- Same as house body color
- Trim color within paint scheme
- Wood Grain Finish options as illustrated on Exhibit B.

Garage door options are illustrated on Exhibit B. Use Exhibit B to select your options and include with Architectural Design Request for Approval Form, when submitting your request. Forms and documents can be found on, www.mohawkhoa.org/ownersinformation/hoadocuments.

If you need to expedite the approval of an emergency garage door replacement, please contact the Community Manager.

DECORATIVE ELEMENTS

Decorative elements may not be placed on an exterior wall of the dwelling unit visible from the street without prior Committee approval, except for the front entry patio area. The maximum dimensions of the item shall be three (3) feet by two (2) feet with a maximum depth (thickness) of four (4) inches.

SOLAR ENERGY DEVICES

Solar panels and all solar energy devices must be approved by the Committee before installation. All added cabling, conduit and electrical boxes installed on the side of the house must be painted to match the house body color, or the surface to which it is mounted. Guidelines for Solar Energy Devices are available from the Management Company upon request.

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PATIO COVERS

Patio covers must be painted to match the color of the house body or trim of the dwelling unit. The patio roof shall be flat or match the pitch of the roof of the dwelling unit.

- A flat roof pitch less than 1/12 must have a built up roof application with colored granules that match the existing roof tile or built-up roof surface must be identical in color and quality.
- A sloped patio cover with a pitch 4/12 or greater shall have tile to match the dwelling unit
- Asphalt shingles other than that provided above are prohibited.
- Canopies and sails must be solid in color and complement the house body color.
- All new patio covers and additions must have a building permit issued by the City of Glendale

All patio covers additions or add-ons, will need to be approved by the Committee prior to construction.

HOLIDAY DECORATIONS

Holiday decorations and lighting shall be removed within two (2) weeks after the event.

WINDOW AWNINGS

Window awnings are not allowed on the front elevation or the side elevation back to the fence return of the dwelling unit. All allowed window awnings must be a canvas type material and shall be the same color palette as the house body color. The request for Committee review and approval must include the color and plan location(s) of installation.

Window awnings must be kept in good condition and replaced when they become faded, sagging or torn.

WINDOW REPLACEMENT

All window frame replacements on all sides of the dwelling unit shall be reviewed and approved by the Committee prior to installation. **All windows replaced shall be of the same configuration as the original windows (i.e. slider, single hung).** The exposed frame shall not exceed **two and one-half (2 ½)** inches in width. The window frame shall be the same color as the original frame, tan or the house body color. **Required ten-year manufacturer warranty which includes coverage of the frame.**

WINDOW COVERINGS

Permanent draperies or customary window treatments must be installed on all window within sixty (60) days of occupancy. All windows visible from the street must have customary window treatments.

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Screens, shades and roller shield type storm and security roll shutters must be submitted to the Committee for review and approval. The sun screen frame must match the existing window frame color. Acceptable screen colors include black, oatmeal, beige, bronze and brown. Other colors within the house color palette may be considered.

Window screens must be kept in good condition and replaced when they become faded, sagging or torn.

ROOF MOUNTED EQUIPMENT

Roof mounted mechanical equipment is prohibited. Solar panels and solar energy devices may be permitted in accordance with provisions set forth herein.

LIGHTING IMPROVEMENTS

DWELLING UNIT AND LANDSCAPE LIGHTING

Any additions or changes to exterior lighting installed by the Builder require prior written approval of the Committee. Plans for lighting must be detailed. In reviewing a request for exterior lights the Committee may consider many factors including:

- Bulb type, voltage, and luminosity.
- Location.
- Mounting structures.
- Purpose of lighting.
- Light spillage.

Exterior lighting should be soft and indirect with no light sources directly visible to neighboring properties. No colored light bulbs, lenses, or reflective materials are permitted in the front yard. No outdoor flood lights may be directed toward or spill onto a neighbor's property. Low-pressure sodium bulbs are discouraged. All outdoor light sources should be screened wherever possible with walls, plant material or internal shielding. Low voltage lighting is acceptable. Elevated or pole-supported lighting is generally prohibited. All exterior lighting approved by the Committee shall also conform to any light pollution controls of the local government.

Lighting or light structures for sports play of any kind, sports courts, or sport equipment of any type are generally prohibited.

LANDSCAPE IMPROVEMENTS

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LANDSCAPE STANDARDS

The homeowner is responsible to keep the front yard neatly trimmed and free of trash, weeds, and other unsightly material. Any and all changes made to the front yard landscape must be approved by the Committee prior to any change. Plans submitted to the Committee must include any proposed change in grade.

Three (3) landscape styles are permitted in the Mohawk community. They are: Traditional (turf), Desert and Xeriscape or a combination of these. The front yard shall contain a minimum of twelve (12) plants (10 for traditional landscape). The plants shall be a combination of trees, shrubs and ground cover. The front yard shall have at least one (1) tree.

The follow provisions also apply:

- All landscape areas must be equipped with an underground irrigation system. A low pressure drip irrigation system is encouraged for all trees, shrubs and ground cover areas. Day time watering of plants and turf areas is discouraged.
- Bare ground is not acceptable as ground cover.
- The front yard shall have either turf (natural or artificial) and/or granite ground cover as specified herein.
- Headers, as specified herein, shall be used to contain and separate granite ground cover from turf areas.
- Courtyards, low walls and other decorative items may be used to supplement and create imaginative landscape designs subject to approval by the Committee.
- The removal of a mature and healthy tree must be reviewed and approved by the Committee. The homeowner shall submit in writing the reason the tree should be removed and any plans for replacement plants.
- The brick header on side property lines must be retained.
- Plants which have died, or are damaged due to a weather event, may be replaced without Committee approval.
- Fruit bearing trees are prohibited in the front yard.

GRADING

Fine grading of the soil is a critical aspect of landscaping. At the time of initial construction, each lot was appropriately graded in accordance with City of Glendale codes such that storm water will drain away from the house and adjacent properties into common areas such as frontal streets. It is extremely important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. Because of the difficulty and importance of maintaining the individual lot drainage pattern and creating natural appearing mounding, it is recommended that a licensed landscape professional be consulted.

Mounding and other proposed grade changes will be reviewed. In all cases, drainage must meet the original design for flow direction and not flow onto neighboring property.

ROCK GROUND COVER

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Rock ground cover may be decomposed granite or other natural rock material approved by the Committee. All bare earth must be covered.

Decomposed Granite

Decomposed granite in the front yard and areas visible from the street must be earth-tone in color.

Artificially colored rocks (blue, green, white or other non-earth tones) are not permitted. Only ¾" minus, ½" minus, ¾" screened or ½" screened are acceptable. All decomposed granite shall be spread a minimum of two (2) inches deep, and shall be treated with pre-emergent weed control at regular intervals to retard weed growth.

Decomposed granite areas shall not be used for parking of vehicles.

Boulders

Boulders of a color similar to the indigenous rock of the area are allowed in the front yard. They must be buried 1/3 the diameter below grade

River Run Rock

River run rock or rip-rap shall be three (3) inches to eight (8) inches in diameter. Not more than 10% of the front yard landscape area may be river run rock or rip-rap. All river runs must be installed to direct the flow to run over the top of the sidewalk and/or driveway so the drainage of the lot is not altered.

HEADERS

Headers shall be used to contain and separate rock ground cover from grass areas. Headers may be brick, concrete, block, metal or rubber material. Headers may not exceed twelve (12) inches in width and shall be flush where they abut driveways or sidewalk

HARDSCAPE IMPROVEMENTS

DRIVEWAYS

The maximum driveway extension or addition cannot exceed eight (8) feet in width. All driveway modifications will require a minimum one (1) foot setback from the side property line. The Committee will review request based on lot size and placement of gate (s). Drainage cannot be altered.

Driveway extensions cannot be installed on the house entry side of the driveway. Extension material must match existing driveway material and texture.

Pavers designed for driveways may be used if replacing the entire driveway. The paver material and color sample must be available for review prior to Committee approval.

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Decorative paver ribbons shall not exceed eighteen (18) inches on either side of the driveway and may not be used for parking. Material and color sample must be available for review prior to approval.

Driveways must be kept clean of trash, trash containers, debris, oil and rust stains.

SIDEWALKS (WALKWAYS) AND ENTRYWAYS

Standard sidewalks (walkways) and entryways are normally three (3) feet or less in width. All standard and wider sidewalk (walkways) and entryway additions require approval by the Committee. Sidewalks and entryways must be concrete, or if constructed in other than concrete, material and color sample must be available for review prior to approval. A drawing must be included with the submittal to the Committee.

GATES

Gates must have a metal frame with wood or composite material slats. Double gates may be installed to allow wider access to rear yards with an appropriate and approved access way (concrete or pavers), subject to Committee approval. Other materials for an access way may be considered by the Committee, but must comply with the landscape standards described herein.

Slats may be stained a natural wood color, or painted the house body, trim or pop-out color. The metal frames shall be painted black, the same color as the slats or the house trim color.

Gates will not be permitted in any perimeter theme wall.

FENCING AND WALLS

Rear yard fencing is required on all lots and shall be a maximum height of six (6) feet as measured from the highest adjacent lot, unless otherwise approved by the Committee. Fencing located between dwelling units and facing the street (commonly known as fence returns) shall be block, stuccoed to match the dwelling unit stucco and painted to match the house body color.

All fencing between dwelling units (commonly known as a party wall), not facing or adjacent to public right-of-way or open space can be cinder block or integral color cinder block.

View fencing on lots adjacent to the golf course, HOA park and City park shall be kept in good repair and be painted DEA178 Billiard Table.

Fencing not permitted:

- Chain Link
- Wood Picket
- Wood Slat
- Free Standing on Property Line

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Wood or composite material slats are required as part of a metal frame gate within a masonry block fence.

Garden walls are permitted in the front yard to a maximum height of three (3) feet upon review and approval by the Committee. The garden wall must match the architectural finish, texture, and style of the dwelling unit, or be specifically approved otherwise as submitted to the Committee.

PARTY WALL MODIFICATIONS

Exterior party wall modification including the increasing of height to the wall shared with a neighboring property(s) or moving a front wall shared with a neighboring property forward or back from its original position requires Committee approval with the following requirements:

- The homeowner requesting the modification must provide a reason to modify the fence, and provide a signed letter of approval from the affected neighbor(s) along with the submittal form. The neighbor(s) must acknowledge that they understand, accept and approve of the modification, and recognized all associated costs for the project.
- The materials (block, mortar, color) must match original materials used in the construction of the wall. The finished wall modification must be completed to match the original wall on both sides of the party wall; this includes the solid cap block on the top row, the original mortar between blocks and any painting of the block or stucco, if applicable, on both sides of the wall.
- The owner responsible for the wall modification must arrange with their neighbor(s) to allow the contractor(s) access to their yard to complete any work on their side of the wall. All construction materials must be promptly removed upon completion of the work.

DECORATIVE ITEMS

Decorative items including fountains, water features, benches and ornamental statuary are permitted in the front yard subject to Committee review and approval. Individual expression is permissible as long as it is harmonious with the homeowner's landscape and our Mohawk community. Prior approval is required from the Committee before any decorative items are installed in the front yard or a courtyard, except the front entry patio.

Figurines and shrines are not permitted in the front yard unless screened from view of the street.

Water features and fountains less than four (4) feet in height are permitted on the front entry patio. They may also be permitted in a courtyard upon review and approval by the Committee. Other location may be considered on a case by case basis by the Committee if located on a hard surface, near the front of the dwelling unit and less than four (4) feet in height. The approval shall be subject to the fountain or water feature blending in and in balance with the landscape design of the front yard.

Swings and benches are permitted on the front entry patio. Upon review and approval by the Committee, swings and benches may be permitted in a front courtyard. Canopy covers on swings and benches are not permitted.

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STORAGE SHEDS

Storage sheds need not be submitted to the Committee for approval. However, they shall be screened from view and the roof shall not exceed the height of the adjacent fence.

FLAGPOLES

The Committee will consider a request for approval of a flagpole on a lot with the following requirement:

- The flagpole must be in front of the dwelling unit.
- Minimum setback from the side property line must be seven (7) feet, and ten (10) feet from the community sidewalks.
- Maximum flagpole height cannot exceed fifteen (15) feet.
- Maximum diameter of the flagpole at the base cannot exceed three (3) inches.
- Maximum size of the flag cannot exceed 3' X 5'.
- Approved flags are the American, Arizona State, POW/MIA, US Military flags, and Arizona Indian Nation flag. In addition, a seasonal flag may be displayed only during respective season.
- Maximum number of flags to be flown at one time is two (2).
- One (1) bracket mounted flag is allowed.
- Homeowner must follow the Federal Flag Code.

RECREATIONAL IMPROVEMENTS

BASKETBALL GOALS

Basketball goals are permitted in front yards adjacent to driveways upon approval from the Committee and if they are pole mounted and permanently installed. The pole is required to match the exterior house body color, be black or other dark color if powder coated. Basketball goals may not be attached directly to any dwelling unit.

The following provisions also apply:

- Backboards must be clear acrylic material, or as otherwise approved by the Committee.
- All equipment must be reasonably maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and or peeling paint, etc., are expressly prohibited.
- Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
- Courts may not be painted or permanently outlined on the driveway or other concrete surfaces visible from neighboring properties.
- Lighting for night use of the equipment is prohibited.

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- Portable basketball goals must be stored out of sight when not in use.
- Permanent basketball goals located in the rear yard must comply with all above applicable guidelines.

GAZEBOS, PERGOLAS AND RAMADAS

Gazebos, pergolas and ramadas may be erected in rear yards with prior approval by the Committee, subject to the following guidelines:

- The maximum square footage (under roof) is 120 square feet.
- The maximum roof height is ten (10) feet at the highest point.
- The setback from the side yard property line is five (5) feet or ten (10) feet as established by the dwelling unit. A detailed drawing must be submitted showing the location and setbacks of the proposed structure, and existing setbacks of the dwelling unit.
- The setback for the proposed structure from the rear property line is seven (7) feet.
- The structure must be painted to match the house body color unless made of Redwood. Redwood structures must be stained.
- Structures must be maintained in good condition.
- Any roof tile must match the existing tile on the dwelling unit.
- Asphalt shingles are prohibited.
- Lighting of the structure must be approved by the Committee prior to installation and may not be directed onto adjacent property.

Overhead screens, shade covers, sails and other similar structures must be integrated into the design of the dwelling unit. Material samples and colors shall be submitted to the Committee prior to installation.

POOLS AND SPAS

Plans for back yard pools and spas need not be submitted for Committee approval.

The location, appearance and height of pool slides are subject to approval of the Committee if they exceed the height of the fence.

Perimeter walls on lots bordering common areas may not be removed for construction access. Access must be gained by removing a front wall of the lot, leaving the perimeter wall intact, thereby assuring the texture and color consistency throughout the community.

All added electrical panels, conduit or cabling on the side of the house must be painted to match the house body color.

All pool and spa equipment must be screened from view of neighboring property.

Pools and spas may not be backwashed into drainage ditches, common landscaped areas, driveways or streets.

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Pool Fencing on View Lots

Pool safety fencing on a lot with view fencing shall be a neutral earth tone color to match or blend with the exterior color of the dwelling unit and meet all City, County, State and Federal requirements.

SWING SETS AND PLAY STRUCTURES

The location of swing sets, play structures and the like are subject to approval of the Committee if they are higher than the fence. The request shall include a detailed drawing and /or photograph showing the proposed location. A swing set or play structure request must meet the following requirement:

- The maximum height shall not exceed ten (10) feet at any point.
- The minimum setback from the side or rear property shall be ten (10) feet.
- The maximum height of any platform cannot exceed four (4) feet.
- Canopies must be solid in color.
- The placement of play structures must be respectful of neighbors' privacy.

MISCELLANEOUS

ANTENNAS

Antennas three (3) feet or less in diameter or diagonal measurement, together with their associated mounting hardware and mast, if applicable (an "Antenna System") must comply with the following restrictions if they are to be placed, installed or kept on a lot outside of a dwelling unit, unless compliance would impair the installation, maintenance or use of an Antenna System used to (i) receive direct broadcast satellite service or receive or transmit fixed wireless service via satellite; (ii) receive video programming services via multipoint distribution or receive or transmit fixed wireless signals other than via satellite; or (iii) receive television broadcast signals.

- (a) An Antenna System must be placed on a lot in such a manner so as not to be visible from neighboring property; or
- (b) If an Antenna System, cannot be placed on a lot in such a manner as to not be visible from any other lot, the common area or streets without impairing the lot owner's installation, maintenance or use of the Antenna System, the Antenna System must be screened by landscaping or by some other means so that it is not visible from any other lot, the common area, or streets, unless the landscaping or screening would impair the installation, maintenance or use of the Antenna System, in which case the Antenna System must be screened to the greatest extent possible without impairing the installation, maintenance or use of the Antenna System; or

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- (c) If no other location is available without impairing the installation, maintenance or use of an Antenna System and the Antenna System must be mounted on a dwelling unit or other structure in a manner that will be visible from other lots, the common area or streets, the visible cables must be painted a color that will blend with the background against which the cable is mounted.
- (d) For purposes of these restrictions, the installation, maintenance and use of an Antenna System shall be deemed to be "impaired" only if the restriction causes one of the following to occur:
- (i) the restriction unreasonably delays or prevents installation, maintenance or use of the Antenna System;
 - (ii) the restrictions unreasonably increases the cost of installation, maintenance or use of the Antenna System; or
 - (iii) the restriction precludes reception or transmission of an acceptable signal.

No dish that exceeds three (3) feet in diameter of diagonal measurement may be placed, installed, constructed or kept on any lot without the prior written approval of the Committee.

COMMERCIAL AND RECREATIONAL VEHICLE PARKING

Per Mohawk CC&R'S, Article V, Section 11, Vehicles

No commercial vehicles or recreational vehicles (including without limitation, campers, boats, trailers, mobile homes or similar type vehicles) shall be parked in front of a lot or in a driveway or otherwise on a lot where it can be seen from any street, except for temporary parking not to exceed four (4) consecutive hours. In the event more time is necessary (not to exceed 24 hours) prior notification of the Community Manager is required. Commercial vehicles shall not include sedans or standard pickup trucks which are used for both business and personal use, provided that any signs or markings of commercial nature on such vehicles shall be unobtrusive and inoffensive as determined by the Committee.

The term commercial vehicle:

- Vehicles with ladders attached cannot be visible.
- Vehicles cannot be visible when they contain supplies or equipment.
- Vehicles with utility beds and flatbed trucks cannot be visible.

A.R.S. 33-1809, states;

The law adds vehicles driven by an employee of a municipal utility that is required to work on electrical or water infrastructure. As long as the employee is required to keep such a vehicle at his or her home as a condition of employment, the vehicle has a rating less than twenty thousand pounds, is owned by the utility and bears an official emblem; the Association cannot prohibit street or driveway parking.

MOHAWK HOMEOWNERS ASSOCIATION RULES AND GUIDELINES

SIGNS

Exterior signs or advertising of any kind shall not be placed on any homeowners' lot or common area except the following:

- Political signs shall not be displayed earlier than forty five (45) days before the election and must be removed within seven (7) days after the election. Only one (1) sign with a maximum dimension of two (2) feet by three (3) feet shall be allowed. No political signs are allowed on or in any common areas.
- Security signs must be located a maximum distance of two (2) feet from the front of the dwelling unit. Security signs shall not exceed twelve (12) inches by twelve (12) inches and shall be maintained in good condition at all times.
- Signs required by legal proceedings.
- Signs indicating the property is "For Sale" or "For Lease" provided no more than one (1) is located on an individual lot. The sign shall not exceed more than five (5) square feet in size.
- Signs erected by the Home Owners Association identifying the name of the subdivision, and signs on common areas identifying the ownership, information on the use and restrictions of such property.
- Signs advertising landscape or pool contractors, etc. must be removed within forty eight (48) hours of substantial completion of work.

HOME RENTALS AND SALES

A homeowner shall not rent or lease their dwelling unit and related improvements for transient or hotel purposes and shall not enter into any lease for less than the entire dwelling unit. No lease shall be for a rental period of less than thirty (30) days. Subject to the foregoing restrictions, the homeowner shall have the absolute right to lease their dwelling unit provided the lease is in writing and is specifically made subject to the CC&R'S limitations and uses contained in the By Laws, and in the Design Guidelines and Association Rules adopted by this association.

In lieu of a copy of the lease, the homeowner renting their dwelling unit shall provide the name and contact information for any person(s) occupying the property, the time period of the lease, including the beginning and ending dates. Also include a description and license plate numbers of the tenant's vehicles. The homeowner shall forward this information to the Community Manager.

A homeowner placing their dwelling unit for sale shall notify the Community Manager. This notification shall include the name and contact information for the listing Real Estate Company and the listing agent. Upon accepting a purchase contract, the homeowner shall notify the Community Manager of the Title Company being used. The homeowner selling their dwelling unit shall be liable for all Association fees and administrative fees due at the time of sale. Upon the sale of their

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property, the homeowner shall provide the Community Manager with their forwarding address and new telephone number.

ADMINISTRATIVE PROCEDURES

IMPROVEMENT REQUEST

All improvement and modifications to the exterior of the dwelling unit or property as specified herein, require the homeowner to submit an Architectural Design Request for Approval Form contained in Exhibit B. Request to paint the exterior of the dwelling unit and/or fence require the supplemental House Paint Request Form in Exhibit B. Provide an accurate site plan, drawing, photograph or other detailed information as specified herein, to assist the Committee in review of the request. Provide as much detail as possible so the Committee can clearly understand the proposed improvement.

Forward all improvement request's to Kinney Management Services. The Committee will review the request as rapidly as possible. If necessary, the Committee may request additional information.

ARCHITECTURAL REVIEW PROCESS

No improvements, exterior alterations, repairs, excavation, grading, landscaping, paint color scheme, change of paint color, change of stucco texture, or other work which in any way alters a lot or property, or the exterior appearance of the dwelling unit or improvements located on a property, shall be contracted for, constructed or installed or made within Mohawk without the prior written approval of the Architectural Control Committee.

In exercising its discretion in approving, disapproving or imposing conditions on an Architectural Design Request, the Committee shall consider the content of the Architectural Design Request and information provided by the applicant, the terms of the Design Guidelines, other project documents, any statutory or case law applicable to the proposed improvements or exterior modification, and any other factors material to the Request, such as the uniqueness of the lot or parcel, the proposed improvement and its location, the size of the improvement, the size of the lot or parcel, construction materials and design (including type and color), the site (including location, topography and finished grade elevation upon which the improvement is erected), the purpose of the improvement, the uniqueness of the improvement, the nature of the adjacent properties, compliance with setback requirements, the effect of the improvement as planned on the adjacent or neighboring properties (including visibility and view), the visual impact of the improvement, the landscape and architectural character of the development, and the interests of current and future members of the Association. These factors are not intended to be exhaustive.

The Design Guidelines are subject to the interpretation or modification by the Committee in its sole discretion. No homeowner or applicant should assume that an improvement or exterior modification

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which appears to meet the Design Guidelines will be approved or is otherwise approvable. No homeowner should construct an improvement on the basis of the homeowner's reading or interpretation of the Guidelines. All decisions of the Committee are subject to the action or direction of the Association Board of Directors

Prior written approval of the Committee is required before any exterior alteration or improvement is contracted for or constructed. Any homeowner who proceeds with a contract or construction of such improvement without prior written approval of the Committee bears the financial responsibility for any subsequent denial or modification of the improvement by the Committee.

The Design Guidelines cannot include all of the potential alterations or improvements which can be conceived and proposed to the Committee. Where no specific guidelines exists, the Committee shall consider all factors contained in this section, any analogous guideline or covenant, or any other source of information helpful to the Committee.

If any statute or law is inconsistent with any specific provision of these Guidelines, such law will modify or pre-empt such provision.

CONSTRUCTION PERIOD

The Architectural Design Request approval by the Committee shall be valid for six (6) months. Construction must be completed within six (6) months from the date of approval. Extensions may be granted by the Committee, but only with special circumstances.

If the project is not started within the above stated six (6) month period, the approval request is void and must be resubmitted.

VIOLATIONS

All improvements to the exterior of the dwelling unit or the front yard that do not conform to these Design Guidelines, or improvements made without submittal of an Architectural Design Request for Approval Form will be a violation. Upon observation and confirmation of a violation, a notice will be sent to the homeowner by the Community Manager. The violation notice will contain the necessary action required to bring the property into compliance with the Mohawk community standards.

If the homeowner has questions, the homeowner may contact the Community Manager for assistance.

VARIANCES

In the event a variance is requested from the standard set forth in these Design Guidelines, the follow items must be submitted to the Committee for review:

- A typed letter referencing the address of the property involved, a description of the variance(s) requested, and the reason for the requested variance(s).
- Any plans, photographs or other visual aids that will help to explain the variance(s) request should be included.

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- If a landscape variance is requested, a landscape plan must be prepared and submitted which shows the footprint of the dwelling unit and indicates plant varieties and locations.

APPEALS

A homeowner wishing to appeal a decision by the Committee may do so using the Architectural Request for Approval Form and indication on the form the requested action is an appeal. On the form and/or letter outline the nature of the project and what Committee action is being appealed.

DISCLAIMER FOR LIABILITY

The Committee shall have no liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of plans does not mean that judgment is passed on the structural soundness of the improvement not its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

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EXHIBIT A

Mohawk Paint Colors

Scheme 1

DEW345 White Fever – Body
DE6110 Warm Hearth – Trim
DE6108 English Scone – Pop-Out
DEA159 Rich Mocha – Front Door

Scheme 2

DEC764 Inside Passage – Body
DE6216 Barrel Stove _ Trim
DEC771 Shaggy Barked – Pop-Out
DET680 Espresso Macchiato – Front Door

Scheme 3

DE6100 Canyonville – Body
DE6103 Copper Lake – Trim
DEW302 Romantic – Pop-Out
DE6084 Roxy Brown – Front Door

Scheme 4

DE6213 Fine Grain – Body
DEC757 Rincon Cove – Trim
DET620 Barnwood Gray – Pop-Out
DET634 Downing to Earth – Front Door

Scheme 5

DEC741 Bone White – Body
DET622 Portobello Mushroom – Trim
DEC719 Coral Clay – Pop-Out
DET619 Celluloid – Front Door

Scheme 6

DE5260 Sandy Beach – Body
DE6116 Dover Plains – Trim
DE6113 Alpaca Wool – Pop-Out
DE6119 Neutral Valley – Front Door

Scheme 8

DE6122 Dry Creek - Body
DEC757 Rincon Cove - Trim
DEC740 Sandcastle – Pop-Out
DE6021 Outer Boundary – Front Door
DE6125 Carve Wood – Front Door

Scheme 9

DEC773 Heather - Body
DET620 Barnwood Gray – Trim
DE6214 Pigeon Gray – Pop-Out
DEA176 Iron River – Front Door

Scheme 10

DEC747 Sahara - Body
DEC759 Hickory - Trim
DEC740 Sandcastle – Pop-Out
DE6041 Missing Link – Front Door

Scheme 11

DEC719 Coral Clay - Body
DE6069 Bannister Brown - Trim
DE6122 Dry Creek – Pop-Out
DE6068 Cobblestone Path – Front Door

Scheme 12

DE6143 Almond Latte - Body
DET620 Barnwood Gray - Trim
DEC764 Inside Passage – Pop-Out
DE6145 Rocky Ridge – Front Door

Scheme 13

DEC759 Hickory - Body
DEC747 Sahara - Trim
DE6124 Whole Wheat – Pop-Out
DEA158 Northern Territory – Front Door

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Scheme 7

DE6178 Boutique Beige – Body
DE6216 Barrel Stove – Trim
DEC760 Desert Gray – Pop-Out
DE6217 Ancient Earth – Front Door

Scheme 14

DEC716 Stonish Beige - Body
DE6125 Carved Wood - Trim
DEC741 Bone White – Pop-Out
DEA157 Cellar Door – Front Door

Scheme 15

DEC718 Mesa Tan – Body
DE6126 Stockhorse – Trim
DEC715 Sandal – Pop-Out
DEA149 Spiced Berry – Front Door

Scheme 17

DET622 Portobello Mushroom - Body
DET621 Palomino Pony - Trim
DET623 En Plein Air – Pop-Out
DET697 Nomad_ Front Door

Scheme 16

DEC717 Baked Potato – Body
DEC754 Quicksand – Trim
DE6125 Carved Wood – Pop-Out
DE6399 Molasses – Front Door

VIEW LOT FENCE

DEA178 Billiard Table

PERIMETER WALL

DEC719 Coral Clay

PERIMETER WALL DECORATIVE TRIM

DE6068 Cobblestone Path

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EXHIBIT B

Architectural Design Request for Approval Form

The Declaration of Covenants, Conditions, Restrictions, Reservations (the CC&R'S) require that a homeowner obtain the prior written approval of the Architectural Control Committee (Committee) for any exterior alterations or additions to property within Mohawk. To comply with the CC&R'S, please complete the following forms for any property improvements. Attach a detailed drawing or other information requested for Committee review. This application, drawings and information will be retained for the Committee record.

HOMEOWNER INFORMATION

NAME: _____

LOT # _____ **PROPERTY ADDRESS:** _____

MAILING ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

CONTACT PHONE: _____ **ALTERNATE PHONE:** _____

(*) E-MAIL ADDRESS: _____

Prior to the Committee review, the homeowner must sign below to verify that:

1. Their Association fees are paid and current;
2. No fees and/or fines are owed to the Association;
3. There are no outstanding unresolved violations and;
4. They understand and agree that **NO** work on this request shall commence until approval of the Committee has been received.

HOMEOWNER SIGNATURE: _____

DATE: _____

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(*) To expedite the Committee response to you, please provide your e-mail address. To further expedite the review process, forward your request to Kinney Management Services by using the Fax number or E-mail address on the following page. If material samples are required as part of your submittal, arrange for Committee members to see the samples or forward those samples along with your request to the Kinney Management Services Tempe Post Office Box number on the following page.

Architectural Design Request

Description of request: To help the Committee understand your desired change, please provide full details of your request. Please provide information on the purpose and/or reason, type, color, size of improvements and materials, and the location utilizing this form. Use additional 8 1/2" X 11" paper if necessary. **Note: An accurate site plan drawing, photograph or other information as outlined in the Design Guidelines must be attached to this request form.**

Description of changes: _____

Contractor: _____
Address: _____
City/State/Zip: _____
Telephone: _____

Materials (*): _____

Colors (*): _____

Dimensions: _____

(*) Include paint color or material samples if requested

FORWARD TO: Mohawk Homeowners Association
c/o Kinney Management Services
Post Office Box 25466

Fax: (480) 820-7441

E-Mail: julia@kinneymanagement.com

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Tempe, Arizona 85285

*The Committee review and approval is limited to and **ONLY** pertains to the **ITEMS DESCRIBED ABOVE**. The fact that the information not specifically requested is shown on the plan does not mean that it is approved as part of the submittal.*

House Paint Request Form

Please see the Mohawk Architectural Design Guidelines for complete information required for dwelling unit painting. See the Mohawk HOA Paint Book for approved color scheme information. All colors must be selected from the same color scheme. The Paint Book can be obtained from the Community Manager or a member of the Committee.

Colors

Paint Scheme Number from Paint Book: _____

House Body Color - Name and Number: _____

Wood Trim or Soffit Color - Name and Number (if applicable): _____

Front Door Color - Name and Number (if applicable): _____

Pop-Out Color (*) - Name and Number (if applicable): _____

The house body, trim, pop-out and front color name and numbers are shown for each color scheme in the Paint Book and listed in Exhibit A of the Guidelines and Rules document.

If the wood trim, front door, pop-outs or garage doors are not being painted a different color, please indicate "N A".

(*) If pop-outs are to be painted, submit a drawing or photograph of the elevations of the house and indicate the pop-out areas to be painted. See Paint Colors section of the Guidelines and Rules for requirements.

(**) Approved garage colors are identified in the Garage and Garage Door section of the Guidelines and Rules.

Property Address: _____

Paint Contractor: _____

Contractors Address: _____

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City/ State/ Zip: _____

Telephone Numbers: _____

The Committee's review and approval is limited to and ONLY pertains to the ITEMS DESCRIBED ABOVE. The fact that the information not specifically requested is shown on the drawing or photograph does not mean that it is approved as part of the submittal.

COMMITTEE ACTION

The Committee has taken the following action on this application:

_____ **REJECTED.** Application either fails to meet one or more of the requirements set forth in the Guidelines and Rules or is believed to be in some manner inconsistent with the character of the Mohawk community:

_____ **REVIEWED THE APPLICATION.** The following revision(s) and additional submission(s) are required to meet the Mohawk Guidelines and Rules:

_____ **REVIEWED AND CONDITIONALLY APPROVED.** The request is approved with the following changes required:

_____ **REVIEWED AND APPROVED.** The application submitted meets the requirements of the Mohawk Homeowners Association Guidelines and Rules. The approval is subject to all City, County and State permits, codes and regulations. Compliance with said issues is the responsibility of the homeowner.

REVIEWED BY: _____

DATE: _____

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