

SUN CITY MESQUITE

DESIGN GUIDELINES

*Approved April 20, 2021
6th revision*

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DESIGN GUIDELINES

SUN CITY MESQUITE

ARTICLE 1

ARCHITECTURAL REVIEW COMMITTEE

The Declaration of Covenants, Conditions and Restrictions for Sun City Mesquite, as it may be amended from time to time (the “Declaration”), provides for an Architectural Review Committee (the “ARC”). So long as the Declarant owns any property in the Community or any property that may be added to the Community pursuant to the Declaration, the members of the ARC are to be appointed by the Declarant; thereafter, the Board of Directors of the Sun City Mesquite Homeowners’ Association will appoint the members of the ARC. The ARC shall review and approve or disapprove, prior to construction or installation, any proposed Improvement, including, without limitation, any landscaping, building, fence, wall or other structure or Improvement of any type. Any additions or changes to existing Improvements or to the exterior of any Dwelling also require the approval of the ARC prior to construction or installation. Additions or changes to the inside of a Dwelling may be made without approval unless such additions or changes are Visible from Neighboring Property.

The ARC has established architectural rules and guidelines (these “Design Guidelines”) for certain Improvements, additions and changes so that all Improvements within the Community may exist in harmony to surrounding structures and topography and reasonable water conservation principles can be observed. Unless specifically excluded from the requirement to obtain the approval of the ARC, any provision in the Declaration or in these Design Guidelines that sets forth a permitted use shall be deemed to permit such use only after approved by the ARC. Capitalized words in this document not otherwise defined herein shall have the same meaning as described in Article 1 of the Declaration.

These Rules and guidelines shall replace and supersede any prior Rules and guidelines. Previous rules and guidelines shall not provide precedence for future improvements and will be strictly adhered to. Existing property applications and approvals do not set a precedent for future applications. All applications will be reviewed on their individual merit considering the current approved guidelines and specific location of the dwelling with respect to the neighborhood and surroundings. If the ARC approves an application by variance or error to these guidelines, or the declaration, the ARC is under no obligation to repeat the exception for any subsequent application.

ARTICLE 2

SUBMITTAL PROCESS; GENERAL REQUIREMENTS

2.1 Required Materials. The owner of a Unit (an “Owner”) shall submit a Request for Architectural Approval in the form attached hereto, along with any additional information required by this Section 2.1 and receive written approval therefor prior to construction or installation of any Improvement that requires the approval of the ARC. **The Owner may receive information, plans, material lists from contractor’s, however the owner is responsible for all applications not the owner’s contractor or representative. The ARC**

is not responsible to coordinate any missing information with an Owners contractor. It is the unit owner's responsibility to submit all required information.

2.1.1 Owner information as follows:

- (i) Owner's name, address, telephone number and e-mail address;
- (ii) Statement as to whether the Unit abuts a Common Element or the Golf Course;
- (iii) Identifying Number of Unit (lot number and subdivision); and
- (iv) Time frame for beginning and completion of the work to construct or install the Improvement.

2.1.2 Nature of request, for example:

- (i) Addition to an existing Dwelling;
- (ii) Landscape plans, including any excavation or grading work;
- (iii) Concrete work;
- (iv) Walls, fences or gates;
- (v) Patio cover or patio screening;
- (vi) Pool and/or spa;
- (vii) Other addition, alteration, repair, change or other work that is not prohibited by the Governing Documents.
- (viii) Variance to Guidelines

2.1.3 One copy of the plans and specifications for the proposed work, shown to scale and all new work highlighted in yellow, including, if applicable:

(i) Site plan (a minimum of 8.5" X 11" in size) showing the size of the Unit and the finished floor elevation of the Dwelling. The site plan shall include, as applicable, any proposed driveway widths, dimensions for proposed paving, parking, concrete curbs, planters, sidewalks, location of trash enclosures, lighting (size and type) etc. and include the square footage of any additional concrete. The site plan must also show the grading and drainage of the Unit.

(ii) Floor plans as necessary to show the Improvement requested and its relation to the existing structure, if applicable, indicating dimensions and type of exterior materials.

(iii) Exterior elevations as necessary to show the Improvement requested and its relation to the existing structure, if applicable, indicating type of materials and color of exterior surfaces.

(iv) Roof plan as necessary to show the Improvement requested and its relation to the existing structure, if applicable, indicating type and color of materials.

(v) Building section as necessary to show the Improvement requested and its relation to the existing structure, if applicable.

(vi) Landscaping plan showing location, size and type of trees, shrubs and groundcover, protection of existing vegetation, use of approved plants and other landscaping details, including irrigation facilities.

(vii) Wall and fencing plans, which must include plans and elevations of walls showing heights to lowest grade, locations of retaining walls and the grade height between the Owner's Unit and all adjacent Units. Wall and fence designs must comply with all requirements of these Design Guidelines per Section 4.5.

2.2 Plot Plan, 8½ x 11 City approved, provided by Declarant at closing.

Hardscape plan showing location & footage. Generally, a limit of 8% of the unit's surface area is accepted.

2.2.1 Additional information may be requested by the ARC, and until all requested information has been submitted, a request for review is considered incomplete and not approved. **Each Owner should review these Guidelines in its entirety prior to submitting a request to the ARC.**

2.2.2 Improvements and alterations not requiring application submittal. The ARC has identified some minor improvements and alterations which do not require the full application process and review. It remains the homeowner's responsibility to ensure such projects meet the current guidelines. If the completed project is found not to be within the current guidelines, the owner will be required to remove or make the necessary changes to bring the property into compliance with the guideline. The owner may still submit an application for any of these exempted projects if doubt exists concerning its compliance to current design guidelines.

Applications for the following improvements or alterations are not required:

Holiday Decorations – (subject to 3.16 of the Design Guidelines)

Landscape Accessory Features (subject to 3.17 of the design guideline)

Lighting (pursuant to the Declaration of CC&R's Section 4.35)

Paint

(a) Re-painting of a dwelling or unit of the **original** color group

- (b) A repainting notice (available from the association management) will be required to be submitted to the Association with the following information.
 - (i) Property information, address
 - (ii) Color Group
 - (iii) Date of painting completion

Rain gutters and Downspouts (subject to 3.28 of the design guidelines)

Security/Screen Doors (excludes garage door screens) Decorative security/screen doors require ARC approval per Section 3.31 of the Design Guidelines.

Signage (Pursuant to Declaration of CC&R's Section 4.17 and Section 3.34 of the Design Guidelines)

Antennas/Satellite Dishes (Pursuant to declaration of CC&R's section 4.9 and Article 5 of the Design Guidelines)

Landscaping Plant Replacement

External House and yard Decorations (Subject to section 3.18 of the Design Guideline)

Garage Door Weather Stripping

2.3 Application Fees. The Association will charge an application fee in the amount of \$100.00 to the first purchaser of a Unit, which will be collected and paid to the Association at the close of escrow for the Unit for the first year of ownership. Thereafter, will be a \$25.00 application fee per submission. The application fee will cover applications for ARC review and consideration during the purchaser's ownership. Notwithstanding the foregoing, if the ARC deems it necessary to have plans and specifications for major improvements reviewed by professional consultants (including, but not limited to, architects and engineers), the ARC may require a Unit Owner to pay an additional review fee to reimburse the Association for the cost of hiring such consultants.

2.4 Process. Owners may not rely on verbal approvals or indications from any person that Improvements will be approved by the ARC. The ARC will, in most cases, either approve or disapprove in writing each request within 30 days after receipt of the request. However, if no notice is sent by the ARC within 30 days, then the proposed Improvement is deemed disapproved. If a request is denied within such 30-day period, then written denial shall be forwarded to the Owner stating the reason for denial. If the ARC requests additional information, then the 30-day period will not commence until all required information has been submitted. It is an Owner's responsibility to make sure that a request and all additional information required by the ARC is received and approved by the ARC prior to the start of any work.

2.5 Time to Complete. Upon approval of the project by the ARC the Owner shall start construction within 90 days of approval date and the project must be completed within 90 days from the construction start date. Pursuant to Subsection 4.1.7 of the Declaration of CC&R's, and section 6.6 of the design guidelines the ARC may impose a schedule for the

completion of construction of the proposed Improvement and for other matters as set forth therein. If due to unforeseen circumstances the construction schedule cannot be met the Owner must request in writing, from the ARC, an adjustment to the schedule.

2.6 Completion Notice. The Owner is responsible to notify the ARC in writing upon completion. ARC inspectors or representatives appointed by ARC shall inspect the project and shall be allowed access without notice to determine compliance with approved application and project specifications. Should the inspection result in any non-compliance items these shall be communicated in writing to the owner to resolve. Notice shall be given to the owner of the final acceptance by the ARC once full compliance has been obtained. The inspection neither by the association, ARC or its appointed representatives are representing that the improvements were built properly, or in accordance with governmental approvals, plans or specifications.

2.7 Compliance with Requirements of Governmental Authorities. The ARC approvals required pursuant to the Declaration and these Design Guidelines shall be in addition to, and not in lieu of, any approvals or permits that may be required under any federal, state or local law, statute, ordinance, rule or regulation, including, without limitation, all requirements of the City and Clark County. An approval by the ARC shall not be construed in any way to be an approval by any applicable federal, state or local governmental authority. To the extent that any governmental standard is less restrictive than the Declaration or these Design Guidelines, the Declaration and Design Guidelines shall prevail.

2.8 Warranty Disclaimer. Owners are advised that the construction of or modifications to certain Improvements may void all or a portion of the warranty given to Owners by Declarant or Declarant's subcontractors upon acquiring a Unit. Prior to commencing construction or modifying an Improvement, an Owner should investigate any effect such construction or modification will have on the warranty. The ARC will not be responsible for any warranty that is deemed void as a result of the ARC approving any such construction or modification.

2.9 Responsibility for Compliance. Owners are responsible for ensuring compliance with all provisions of the Declaration and these Design Guidelines whether an Improvement is installed by an Owner or a contractor employed by the Owner.

2.10 Review Criteria; Variances. The Design Guidelines are intended to provide a framework for Improvements, but they are not all-inclusive. In its review process, the ARC may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other things. ARC decisions may be based on purely aesthetic considerations. However, the ARC shall not grant approval for proposed construction that is inconsistent with the Design Guidelines unless a variance is granted.

The ARC may grant variances when circumstances such as, without limitation, topography, natural obstructions, hardship or environmental considerations require; however, the granting of a variance does not obligate the ARC to grant subsequent variances in identical or similar cases. The ARC may grant a variance so long as the variance does not result in a material violation of

the Declaration and is compatible with existing and anticipated uses of the adjoining properties. No variance shall be effective unless in writing and signed by the ARC committee.

2.11 Time for Performance. Dates for the performance of any obligation hereunder shall be based on calendar days. If the last day of any time period provided for herein or in any condition or stipulation issued by the ARC falls on a Saturday, Sunday or federal or state legal holiday, then the date for performance will expire on the first day thereafter that is not a Saturday, Sunday or federal or state legal holiday. Any performance provided for herein shall be timely made and completed if made and completed no later than 5:00 p.m. (Nevada time) on the day for performance.

2.12 Unit Owners Responsibilities. (in addition to 4.5.4 of the Design Guideline) A Unit Owner performing any improvement to their property shall be responsible for any modifications or changes to grading and drainage. All improvements, except for common retaining walls or fencing shall be the responsibility of the unit owner to keep all elements of the improvement on their property. The installation of some improvements such as Trash Enclosures, Casitas, Golf Cart Storage Units and Hardscape may require the addition of a retaining wall or drainage pipes and systems to insure no impacts are made to the adjoining property. All the related changes necessary for grading and drainage shall be noted on the ARC application and noted correctly on any plans. It is the responsibility of the unit owner and not the ARC to ensure adherence to drainage and grading from impacting any adjacent unit or common areas.

ARTICLE 3 GENERAL IMPROVEMENTS AND ALTERATIONS

3.1 Additions and Alterations. Architectural design and materials used in exterior additions and alterations shall be the same quality, appearance, design, construction techniques, etc. as the original Dwelling. The roofline of any addition or alteration shall not exceed (i) the height of the original roof line of the Dwelling, or (ii) 22 feet, both measured at the ridgeline of the roof, whichever is less. No addition shall be built outside of the original setback requirements originally established by Declarant even though the requirements of any local governmental authority may be less restrictive.

3.1.1 Casitas. (1) One Casita (Definition 8.10) will be allowed subject to the restrictions applied by the CC&Rs and Architectural Review Committee's review of the placement of the Casita on the lot. Casitas must match the design elements of the developer's and cannot exceed the footprint of Casitas built by the developer (maximum 12x20 feet) for lots less than 7,500 sq. ft. Lots 7,500 sq ft or greater the footprint cannot exceed 14x22 feet. Casitas are subject to setback limits (Definition 8.39). Casitas must also conform to the City of Mesquite's Supplementary Use and Development Standards, Chapter 8 Section 9-8-1 "Accessory Uses and Structures" as may be amended from time to time by the City of Mesquite and any additional setbacks imposed by the City of Mesquite. Lots with an Existing Golf Cart Storage Unit must be greater than 7,500 sq. ft. to have both a Casita and Golf Cart Storage Unit. Lots greater than 7,500 sq. ft. may only have either one larger 14' x 22' Casita or one larger 14 x 22 Cart Storage unit applications for both larger 14' x 22' will not be considered.

3.1.2 Golf Cart Storage Unit. (1) one Golf Cart Storage Unit (Definition 8.23) will be allowed subject to the restrictions applied by the CC&Rs and Architectural Review Committee’s review of the placement of the Golf Cart Storage Unit on a lot. Golf Cart Storage Units must match the design elements of the developer’s and cannot exceed the footprint of Golf Cart Storage Units built by the developer (maximum 12x20 feet) for lots less than 7,500 sq. ft. Lots 7,500 sq ft or greater the footprint cannot exceed 14x22 feet. Golf Cart Storage Units are subject to setback limits (Definition 8.39). Golf Cart Storage Units must also conform to the City of Mesquite’s Supplementary Use and Development Standards, Chapter 8 Section 9-8-1 “Accessory Uses and Structures” as may be amended from time to time by the City of Mesquite and any additional setbacks imposed by the City of Mesquite. Lots with an Existing Casita must be greater than 7,500 sq. ft. to have both a Casita and Golf Cart Storage Unit. Golf Cart Storage Units must have a roll up door no greater than **6 ft. in width and 7’ in height**. Lots greater than 7,500 sq. ft. may only have either one larger 14 x 22 Casita or one larger 14 x 22 Cart Storage unit applications for both larger 14’ x 22’ will not be considered. Cart storage units in the rear yard will not be considered.

3.2 Arbors. Arbors (Definition 8.4) may be placed above gates up to a height of 8 feet. Arbors may be free standing in the rear yard up to a maximum height of 10 feet. On Units abutting the Golf Course or a Common Element, no arbors may be placed within the rear yard setback limit (Definition 8.39). Arbors are not permitted in front yards.

3.3 Awnings. Awnings (Definition 8.5) must be stationary or of fold-down design having a metal frame and must be made of durable fabric that is adequately secured on three sides. The color of the awning must be compatible with the color of the Dwelling. Samples of material and color are required to be submitted to the ARC for consideration.

3.4 Bay Windows Except as originally installed by Declarant, bay windows (Definition 8.9) shall not be permitted to extend into the side or rear yard setback limit (Definition 8.39).

3.5 Indoor Fireplaces. Except as originally installed by the Declarant, Indoor Fireplaces (Definition 8.19) shall not be permitted to extend into the side yard setback limit (Definition 8.39). Fuel source must comply with all local and state regulations for air quality.

3.6 Garage Vents. Vents must be finished on the outside in such a way as to match the base color of the home. The size of the vent, (including framing) shall not exceed 16” x 24” and must be mounted at bottom plate and noted on a plat plan. Vents may also be placed on the garage door bottom corners.

3.7 Concrete.

3.7.1 Color Coating. Decorative concrete overlays, including “spray deck,” on concrete driveways, front walkways, patios and courtyards are allowed. Colors must be compatible with the original color scheme of the home and color and texture samples must be submitted with the ARC application.

3.7.2 Front Yard Installations. Any additional concrete or hardscape installation for the front yard, other than that originally installed by Declarant or equal to, shall be limited to an additional 150 square feet excluding the widening of driveways using either concrete or pavers shall not be greater than a maximum of 2 feet on either (or both) side(s) of the driveway.

3.7.3 Rear Yard Installations. Except for patios and sidewalks originally installed by Declarant, rear yard concrete installation, including additional patio and slab installations, shall not exceed 8% of the surface area of the rear yard or 500 square feet, whichever is more (excluding 1 sidewalk no wider than 40 inches located along and at least 1 foot from the side property line between the front and rear yards, and excluding a pool deck no more than 36 inches wide surrounding a pool). No Hardscape or Pool Deck shall be installed within 36 inches of the rear property line.

3.7.4 Side Yard Installations. Walkways may be installed in side yards not to exceed 40 inches in width and must be one foot off the foundations made of concrete or pavers.

3.8 Outdoor Kitchen Facilities. The application of outdoor kitchens (Definition 8.29) must include materials, colors and the location and distance from property lines. The style, color and materials of the proposed Improvement should complement the style, color and materials of the existing home. Outdoor kitchen facilities may not exceed 5 feet in height. Outdoor kitchens cannot be located within setback limits (Definition 8.39). Permanent Outdoor kitchen facilities will not be allowed in the front yard.

3.9 Outdoor fireplaces. Outdoor fireplaces (Definition 8.18) application must include materials, colors, and location. Outdoor Fireplaces are permitted to a maximum height of 10 feet in the rear yard. If the Unit abuts the Golf Course or a Common Element, the fireplace must be located at least 10 feet from the property line abutting the Golf Course or Common Element. Outdoor fireplaces are not permitted in front yards. Each Owner is responsible for assuring that the operation of the fireplace is in compliance with all applicable ordinances and laws. Outdoor fireplaces with external propane tanks must comply with section 3.21 of the design guidelines for Mechanical Equipment installed on the ground.

3.10 Flagpoles. Except as provide in section 4.36 of the Declaration of CC&R's, one freestanding flagpole may be allowed on a Unit and must be used to display the American flag and not be used solely as an antenna. The height of the flagpole may not exceed 16 feet. The flag may be no larger than 4 vertical feet by 6 horizontal feet. A flagpole may be used only for display of the United States flag. The flagpole must be set back at least 16 feet from the curb if installed in the front yard and at least 10 feet from the rear property line. The flagpole must be set back at least 5 feet from the side yard property lines abutting another Unit and at least 14 feet from the curb on a corner Unit.

3.11 Gardens. The ARC will consider a small garden of up to 100 square feet in the rear yard. No planting may exceed 3 feet above the planted garden soil of the Unit if located within 10 feet of a boundary line between the Unit and the Golf Course or a Common Element. Raised gardens may not exceed 24 inches in height to the soil, with decorative blocks used for the sides. Wooden structures such as railroad ties, posts and lumber are not permitted.

Gardens must always be maintained in accordance with the Maintenance Standard. During the non-growing season, the garden shall be maintained in a weed-free condition and void of any debris. Sunscreen covering will be permitted from June 1st to September 30th only, and cannot exceed 36 inches in height above the planted soil area.

3.12 Gazebos. See **Section 3.29, Ramada's and Gazebos.**

3.13 Golf Ball Protection Devices. Owners of Units abutting the Golf Course may erect suitable screening to protect themselves and their property from errant golf balls, provided that such screening devices include a vertical element, are physically attached to the existing home and are approved by the ARC prior to installation. Approved screen materials may include, by way of example and not limitation, clear Lexan, Alumawood simulated aluminum wood screening, plant material, approved fabric panels or other designs approved by the ARC. Any such screen materials shall be at all times kept in good condition and repair and properly painted and otherwise finished. Any portion of a protective screening device may not be installed closer than 10 feet from the rear property line. Plant materials used for golf ball screening shall include on application plant type, plant growth expectations and anticipated pruning and maintenance. The plant screening may be placed closer than 10 feet to rear property line with ARC approval prior to installation.

3.14 Greenhouse Windows. Greenhouse windows or similar structures shall not project beyond the eve of the structure. The width of a glass panel may not exceed 10 feet.

3.15 Hardscape Installations. Hardscape (Definition 8.25) installations other than concrete, such as flagstone and pavers, will be reviewed by the ARC in relation to another hard-surface coverage on the remainder of the Unit. Generally, the ARC will limit hard-surface coverage to 8% of the Unit surface area including concrete, section 3.7, but depending on the density of plant materials, method of installation of the hard-surface materials (i.e., loose laid, mud set) and size or shape of the property, the ARC may grant exceptions to that requirement. All submissions for hardscape installations shall call out the square footage of the property and include material descriptions such as color, shape, size. Raised hardscape installations may not exceed 2 feet 6 inches from finish grade and must meet all setback limits (Definition 8.39). No Hardscape shall be installed within 36 inches of the rear property line.

3.16 Holiday Decorations. Holiday decorations will not require approval if installed no earlier than 30 days before a holiday and removed no later than 30 days after a holiday. Any variation from these time periods will require approval of the ARC. The ARC reserves the right to request reasonable modifications to holiday decorations if deemed appropriate. The gated entrances will not be opened to the public for viewing of holiday decorations.

3.17 Landscape Accessory Features. Except as provided in Section 3.18 of the design Guidelines, ARC approval is not required for the installation of landscape accessory features, (Definition 8.26); however, the ARC reserves the right to require removal of any landscape accessory feature determined by the ARC in its reasonable discretion to be inconsistent with the overall architectural theme of the Community. These determinations may be based on quantity, color, materials, location, size, height, style and other subjective factors.

The ARC encourages Owners to inquire as to whether a landscape accessory feature will be acceptable to the ARC prior to purchasing and installing the Improvement. All landscape accessory features are subject to the following restrictions:

- (i) Front yard accessory features shall not exceed 30 inches above the original finished grade of the Unit and shall be set back a minimum of 10 feet from the back of the curb or sidewalk.
- (ii) Side yard and rear yard accessory features shall not exceed 5 feet above the original finished grade of the Unit.
- (iii) Landscape accessory features are not permitted within 3 feet of any Unit boundary unless screened by a solid wall at least 5 feet in height.

3.18 Yard Art Yard art is for the enjoyment of the property owners who own and display it. Consequently, limiting the visibility of yard art objects from surrounding properties should factor into decisions about where any yard art object is placed. All yard art, regardless of location, is subject to review and approval by the ARC. At no time will any type of objectionable, obscene or offensive objects be placed within view from the street. Any yard art must in no way disparage or disrespect any race, religion, ethnicity or cultural background.

(i) Yard art or artistic expression objects are limited to a total of five (5) per residence and may be placed in front yard, side yard and entryways. Additional items may be placed in the rear yard or front and side courtyards when those items are not clearly visible from adjacent property or common areas.

(ii) Yard Art placed in front and side yards which are visible from surrounding properties must blend with the desert landscape theme.

(iii) Yard art is defined as figurines, statuaries, urns, pots, posts, latticework, railings and similar decorative items. It must be constructed of durable, high-grade materials such as metal, ceramic, wood, natural stone, synthetic stone, or concrete.

(iv) Except for seasonal decorations, Plastic or ornamental yard art objects are prohibited

(v) Except for seasonal decorations yard art depicting real or fictional individuals or religious scenes are prohibited.

(vi) Outdoor furniture must blend in with the aesthetics of the landscaping. The preferable location is the rear or side yard. No beach, pool, cabana, umbrellas, camping or picnic style furniture should be visible from the street.

3.19 Water Features. All water features require approval by the ARC prior to installation and will be considered on a case-by-case basis. Water features may not exceed 18 inches in depth. Water feature may not exceed 60 inches in height measured from original

ground. All support equipment for the feature shall be included on the application for location and all mechanical equipment shall be screened per section 3.22 and screening location and materials included in application.

3.20 Lattices and Trellises. Lattice (Definition 8.27) screening may be installed no higher than 5 feet and must be a minimum of 5 feet from the property line if free-standing in the rear yard. The lattice may extend to the roof line of the Dwelling if installed against the Dwelling or the end of a patio. Lattice structures must be constructed with wrought iron, Alumawood or similar metal materials. Wood lattice structures will not be permitted. Lattices and Trellises (Definition 8.48) may not exceed 5' in height and may not exceed 10' feet in length and shall not encroach into a setback. Trellises must be constructed of wrought iron, Alumawood or similar metal materials. Wood Trellises will not be permitted. Units with side yard patios will be evaluated on a case by case basis.

3.21 Lighting. Except as provided in section 4.35 of the Declaration of CC&R's, no outside light, other than indirect lighting and decorative fixtures mounted on the Dwelling by Declarant, shall be placed, allowed or maintained on any Unit without the prior written consent of the ARC.

3.21.1 Security lighting on a Unit that is attached to the exterior of a Dwelling or other structure and is intended to operate after 10:00 p.m. shall be limited to lighting that is triggered by motion on the Unit (but not by motion on neighboring Units or property) and reasonably illuminates the area of the Unit immediately surrounding the Dwelling. Such lighting shall not be directed at any neighboring properties and shall be mounted no higher than 10 feet above ground. The motion detector shall be programmed to shut off the light(s) no longer than 5 minutes after motion is detected and the light has been illuminated.

3.21.2 Decorative lighting mounted on the Dwelling shall be in decorative fixtures that diffuse light and shall not contain bulbs with wattage greater than 60 watts or 60-watt equivalent LED.

3.21.3 Exterior Festoon Lighting will be considered by the ARC. Lighting must be installed within a structure in such a way that all the lighting components are installed within the boundary of the structure. Lighting shall be installed so it illuminates the immediate area it is installed and cannot be aimed or pointed in a direction. Free hanging festoon lighting outside of a structure or on poles will not be considered by the ARC. Lighting shall consist of an Edison style bulb of neutral light color that does not flicker or emit any color other than neutral light that is a maximum 15 watts or 15-watt equivalent LED.

3.21.4 Rope Lighting will be considered by the ARC. Rope lighting shall be installed within a structure for the purpose of providing light for the immediate space. Rope lighting may be considered for accent lighting for a landscape feature. Rope lighting will not be considered for install on a fence on a property boundary except for holiday lighting per section 3.16.

3.21.5 Exterior ground-mounted lights used for driveways, walkways or landscaping shall be low voltage and indirect. Exterior ground-mounted lights shall have a

decorative housing and shall not have bulbs greater than 10 watts and exceed 12 inches in height. The ARC will consider some up lighting for key trees and plants only. Lighting sources should not be visible and should be aimed away from roads, sidewalks and other Dwellings. Minimal lighting within yards is recommended by the ARC.

3.21.6 Low-pressure sodium bulbs and neon lighting are prohibited.

3.22 Mechanical Equipment Installed on the Ground. Owners shall screen all ground-mounted mechanical equipment (Definition 8.28) from street view or visible from neighboring properties. Equipment including, but not limited to, solar equipment, propane tanks, swamp coolers, pool, spa, fountain and/or waterfall equipment/pumps and generators shall be screened by a structure at least as high as the equipment being installed. Screening structures shall be of a material and color compatible with the design of the Dwelling and approved by the ARC. All in ground propane tank lids must be painted in an earth tone color to match the landscape rocks. Any conduit, electrical raceways, support mechanisms or brackets mounted on the exterior of the dwelling shall be painted same color as the dwelling.

3.23 Mechanical Equipment Installed on the Roof. Except for solar heating equipment, any mechanical equipment installed on the roof must be installed so as not to be Visible from Neighboring Property. To the extent permitted by Nevada law, the ARC may prohibit roof-mounted solar heating equipment if a suitable alternative location on the Unit exists. Solar roof panels will be considered for approval if made to look like an integrated part of the roof design and mounted directly to the roof plane. Solar roof panels installed by Owners or their contractors likely will void the roof warranty. Any conduit, electrical raceways, support mechanisms or brackets on the exterior of the dwelling shall be painted same color as the dwelling.

3.24 Paint. No approval shall be required to repaint the exterior of a structure in accordance with previously approved plans or in accordance with the original color scheme for the Dwelling. Identical color relationships shall not be placed on adjacent dwellings. Any other repainting requires approval by the ARC and must be submitted with photos of neighboring houses on either side, as well as across the street. Base and trim colors used in repainting shall be from the color palette and scheme used by Declarant during the time of Declarant's initial construction of the Community. Paint shall be of the same type (flat, enamel, semi-gloss) as originally applied. Side and rear wrought iron perimeter fencing shall be painted to match the fencing installed by Declarant.

3.25 Patio Covers (Definition 8.30) Solid roof type patio covers which are in the style of the original roofing and attached to a Dwelling should match the materials and colors of the Dwelling. The posts used to support the patio cover roof must be covered with stucco of the same texture and color as the Dwelling. The roof of the patio cover shall be concrete or clay tile, of the same color, design and texture of the Dwelling and have a slope similar to the existing roof or a flat roof with a parapet wall. Alumawood may also be used for patio covers and must be compatible to color scheme of home. Samples and examples must be submitted with application. No natural wood or composite type of patio cover will be permitted.

3.25.1 Patio covers must be installed a minimum of 5 feet from the side property line. On Units where the rear yard DOES NOT abut the Golf Course or a Common Element, no portion of the patio cover shall be installed within 5 feet from the rear property line, On Units where the rear yard abuts the Golf Course or a Common Element, no portion of the patio cover shall be installed within 10 feet from the rear property line, including extensions. Notwithstanding the foregoing, no patio cover may extend more than 16 feet from the Dwelling. Patio covers outside of the roofline and/or footprint greater than 120 sq. ft. will not be considered in the front yard.

3.25.2 Patio covers are permitted on courtyards that is part of the original home design by the builder. These courtyards may be in the side, rear or front of the dwelling and these covers may not extend past the roofline and/or footprint of the home or courtyard.

3.26 Pergolas Pergolas (Definition 8.31) should complement the style, color and materials of the existing home. The posts used to support the pergola roof may be covered with stucco of the same texture and color as the Dwelling. Metal or alumawood is allowed and must be of a color to accent the dwelling. The roof of pergola may be of metal or alumawood in a color to accent the dwelling. Samples and examples must be submitted with application. No natural wood or composite type of pergola will be permitted.

3.26.1 Pergolas may be installed to a maximum height of the lowest part of the roof or eve of the adjacent home. Pergolas must be installed a minimum of 5 feet from the side property line. On Units where the rear yard abuts the Golf Course or a Common Element, no portion of the pergola shall be installed within 10 feet from the rear property line, including extensions. Notwithstanding the foregoing, no pergola may extend more than 16 feet from the Dwelling. Pergolas greater than 120 sq. ft. will not be considered in the front yard.

3.26.2 Pergolas are permitted on courtyards that is part of the original home design by the builder. These courtyards may be in the side, rear or front of the dwelling and these covers may not extend past the roofline and/or footprint of the home or courtyard. Patio covers installed on a courtyard that are in addition to the original design footprint of the home and are an extension of the side, rear or front of the dwelling may be considered by the ARC. Pergolas outside of a courtyard greater than 120 sq. ft. will not be considered in the front yard.

3.27 Vertical Privacy Screening. Privacy Screening (Definition 8.33) must be at least 10 feet from the rear property line of all units. In areas past the side of the Dwelling, only partial vertical screening will be allowed. Aluminum verticals may be installed no closer than 18 inches to the roof of the patio and no closer than 12 inches to the ground or patio floor. Patio covers that do not extend past the side of the house may have vertical screening from ground or patio floor to the roof of the patio cover. Units with a side patio will be evaluated on a case by case basis.

3.28 Prohibited Improvements. In addition to the Improvements that are prohibited in Article 4 of the Declaration, the following also will not be considered by the ARC:

- (i) Tents (except temporary tents for special events that may be approved by the ARC)

- (ii) Compost piles or containers;
- (iii) Decks or balconies; (4.31 Declaration of CC&R's)
- (iv) Dog runs or animal pens;
- (v) Basketball hoops;
- (vi) Decorative roof-mounted appliances such as weather vanes;
- (vii) All seed type bird feeders and/or bird baths.

3.29 Propane Tanks Propane tanks shall be screened per section 3.22 of the design guideline. All applications including the installation of a propane tank shall submit a copy of the approved Mesquite Fire Department permit with their application.

3.30 Rain Gutters and Downspouts. The color of rain gutters and downspouts (Definition 8.34) must be painted to match the color of the Dwelling or trim adjacent to where the installation occurs. The termination point of the downspout may not extend more than 8 inches into the yard. A splash block must be provided at the downspout and the adjacent ground must have a minimum slope of 2% away from the Dwelling.

3.31 Ramadas and Gazebos. Ramadas or gazebos (Definition 8.35 & 8.22) are considered the same type of structure for these guidelines. Ramadas and Gazebos on Units of less than 7,500 square feet are prohibited. Ramadas or gazebos on Units will be considered by the ARC subject to a maximum height of 13 feet from finish grade and compliance with setback limits (Definition 8.39). The style, color and materials of the proposed Improvement should complement the style, color and materials of the existing home. Samples and examples must be submitted with application. No natural wood or composite type of patio cover will be permitted.

3.32 Roof Material. Repair or replacement of roof materials shall be the same materials and color as originally installed by Declarant.

3.33 Security/Screen Doors.

(i) Security/Screen Door. A security screen door may be added to the front and/or back of a Dwelling if it is mounted over the existing door jams. A color the same as the base color of the Dwelling, or the color of the existing door will be considered.

(ii) Garage Door Screen. A screen door may be added to the existing garage door. A color sample of both the screen material and a photo of current garage door /trim should be included in the ARC application. Black and design screens are prohibited.

3.34 Signage. Pursuant to Section 4.17 of the CC&R's, "For Sale," "For Rent," "For Lease" and "Open House" signs are prohibited at this time. Unless approval is specifically required in this Section, the following signs do not require submittal to and approval from the ARC so long as they are in compliance with the guidelines set forth in this Section.

3.34.1 Security Signs. Signs that indicate a Dwelling is protected by a security system are permitted. Such signs shall be located no further than 4 feet from the face of the Dwelling. One sign per Unit may be used, which shall be single sided and a maximum of 150 square inches. The overall height of the sign from finished grade may not exceed 30 inches. Signs provided by a security company as part of the overall security system shall be used without alteration by the Owner. Decals of a size not to exceed 36 square inches may be displayed in windows.

3.34.2 Neighborhood Watch and “No Soliciting” Signs. Neighborhood watch and no soliciting sign decals that do not exceed 36 square inches may be displayed in windows.

3.34.3 “No Trespassing” Signs. Only 1 “No Trespassing” sign may be posted at the rear of a Unit that borders the Golf Course but shall not be placed on the Golf Course property. Only 1 “No Trespassing” sign may be posted at the front of a Unit that borders the public or private right of way but shall not be placed in the rights of way or common area property. Only standardized signs approved by the ARC will be permitted. “No Trespassing” signs are prohibited elsewhere on the Unit. Signs shall be mounted only on metal posts or attached to existing walls/fencing at a height not to exceed 30 inches above the finished grade. Posts shall be made of anodized or brushed aluminum, fiberglass or painted steel that will not rust.

3.34.4 Campaign or Proclamation Signs for Local, State and Federal Elections. Political or campaign signage may be placed on a Unit, but the item shall be limited to a maximum of 24” x 36” in size. The overall height from the ground may not exceed 4 feet and a minimum of 10 feet setback from the sidewalk or curb. Political signs may be displayed during the period beginning **60 days** before any primary or general elections and ending **15 days** thereafter. Owners/occupants of residential property may exhibit as many political signs as desired but may not exhibit more than 1 political sign for each candidate, political party or ballot question.

3.34.5 “Beware of Dog” Signs. Dog warning signs shall be permitted on the fence enclosing the rear yard, facing the street or on a courtyard gate. The signs must be a standard finished metal not to exceed 168 square inches in size.

3.35 Solar Screens, Skylights and Solar Tubes. Tan, sand, beige, platinum, gray and brown solar screens (Definition 8.43) will be considered by the ARC. Solar tubes (Definition 8.44) and skylights (Definition 8.42) that are installed on the rear side of the Dwelling and totally screened from street view are preferred. Any skylights or solar tubes installed by Owners or their contractors will likely void the roof warranty.

3.36 Sports Equipment. Pursuant to Section 4.34 of the CC&R’s, all sports equipment, including bicycles, skateboards, scooters, hockey nets, soccer goals, bats, balls, remote control cars and similar equipment shall be stored so as not to be visible from Neighboring Property when not being used.

3.37 Stairs for Access to Tiered Landscape Areas. Planting areas created by several levels of retaining walls may be accessed by stairs with wrought iron banisters. Footings, step height, stair riser width/length, fastening, anchorage of handrails or banisters shall conform

to the Local Building Code or as otherwise required by the applicable governmental authority issuing building permits within the Community. The construction of stairs shall not be permitted to affect the integrity of the retaining wall or wall footings. The stairs shall be used solely for access to planting areas and shall not be used to change the original intent of the landscaped area (i.e., for use as a patio or seating area).

3.38 Stone Veneer. Cultured stone veneer (Definition 8.46) or flagstone may be used on the front elevation of a Dwelling. Cultured stone may cover up to a maximum of 35% of the surface of the front elevation of the Dwelling (which calculation may include windows and doors). The quality of any stone veneer must be equal to or better than that used by Declarant for Dwellings within the Community. Colors must be compatible with existing color schemes in the Community and samples must be submitted to the ARC with the application for approval.

3.39 Swimming Pools, Spas, Jacuzzis. Special restrictions governing swimming pools are set forth in Section 4.25 of the CC & Rs. All combinations of Swimming Pools, Spas, Jacuzzi's, Exercise Pools are considered. Above-ground swimming pools are not permitted. All related mechanical equipment must be screened as indicated in Section 3.22. Any walls or fences removed during construction of a pool, spa or other Improvement shall be fences situated on the Owner's Unit; removal of fences abutting the Golf Course, or a Common Element shall not be allowed. Any fence removed shall be replaced in its original state immediately after construction is complete, including paint (and stucco, if applicable). Owners also should be aware of the restrictions set forth in Section 4.22 of the CC & Rs with respect to maintaining approved drainage for the Unit. All required permanent and temporary pool barrier (fencing) shall be reflected on the pool application. All pools shall be approved on a case by case basis.

3.39.1 Spas. Spas may be above ground, semi-in-ground. Spas may be attached or detached from a swimming pool. Spas may be combined with a pool aka a spool.

3.39.2 Setback requirements. All pools, spas, exercise pools and any combination shall be a minimum of 5' from rear, and side property lines. The setback is measured to the outside of the structure, shell or housing. Water's edge will not be considered for setback, all structural portions must be 5' from the property line. Pool decks may be considered to encroach into the setback but no closer than 3' to the property line on rear or side yard setback. Pools, spas and exercise pools will not be allowed in the front yard.

3.39.3 Height requirements. All pools, spas, exercise pools and any combination shall be a maximum of 36" high measured from the original ground. Pools may include a zero edge or water fall type feature and cannot exceed 36" in height. Mounding raised decks or hardscape will be considered a portion of the 36" requirement. Ex: 1.) a 12" elevated mound or hardscape would only allow a 24" pool or spa combination. 2.) A 12" mound with an elevated 36" pool or spa would be a total of 48" from the original ground and would not be considered.

3.40 Window Tinting Window tinting or film will be considered by the ARC. Visible light reflection shall not exceed 35 percent. All windows of an elevation or side shall be consistent with appearance. Materials shall be warranted for adhesion and color for delamination

or fading, corrective action shall be taken by the homeowner should these conditions exist. Colored tints, murals, messages or highly reflective tints will not be permitted. A sample material, product description shall be submitted with an application.

ARTICLE 4 LANDSCAPING, WALLS, FENCES, GATES

4.1 Initial Landscaping. Pursuant to Section 5.7 of the CC & Rs, unless previously installed by Declarant or a Builder, the front, side and back yards of any and all Units must be adequately landscaped **no later than 90 days following the date on which the Unit is first conveyed to an Owner.** This means that an Owner of a new Dwelling should be ready to submit a landscaping request for ARC approval or immediately after closing to be able to obtain an approval and install the landscaping within the required time period. All requests from Owners installing landscaping by themselves or by contractors employed by Owners should conform to the general guidelines set forth in this Article 4, and all such landscaping must have the prior written approval of the ARC before installation.

4.1.1 No Planting Areas. No plant material(s) or irrigation systems shall be installed within two and a half (2 ½) feet of any wall, fence or foundation, except in area of terrace lots owned by a Units' Owner. All trees must be (5) feet from any property line, wall or foundation. Adequate drainage shall be maintained for a minimum of two and a half (2 ½) feet from walls.

4.2 Plant Material Specifications.

4.2.1 Recommended and Prohibited Plants. Careful consideration should be given to creating a landscape design that uses indigenous materials and is sensitive to the water conservation efforts used in the desert southwest. Landscaping that requires irrigation shall not be installed within 2 1/2 feet of walls or structures. Owners should use native or compatible drought-tolerant species for most yard landscaping. The ARC will approve small amounts of high-water consuming plants when confined to small areas and rear yards. A list of recommended plants is attached hereto as **Exhibit A**. The following plants will not be approved by the ARC:

- (i) Mulberry species;
- (ii) Cottonwood;
- (iii) Oleander, except for petite or dwarf; and
- (iv) All olive plants that are fruit bearing.
- (v) Mexican fan palms trees in front and side yards.
- (vi) Cypress trees

4.2.2 Artificial Plants. No artificial plants that are visible from street view or neighboring property will be permitted on any Unit.

4.2.3 Artificial Turf. Artificial turf areas shall be no more than 1,000 square feet or 50% of the total square footage of the applicable yard area (front or rear), whichever is less. The square footage of a yard is based upon side yard to side yard, and from the back or front of the house to the rear or front property line, as applicable. Literature indicating the specifications and samples from the artificial turf manufacturer shall be required to be submitted with the architectural request form. Putting greens are allowed only in rear yards.

4.2.4 Trees and Shrubs. The following are the minimum quantities and sizes for plant materials to be installed in the front, side and rear yards:

(i) **Front Yard.** At least one 24-inch box tree with a minimum height of 6 feet and a minimum caliper of 1.25 inches measured 12 inches from the ground; and at least eight 5-gallon shrubs and five 1-gallon shrubs. Tree height shall be measured from the ground and exclude any mounding. Trees planted in or on any mounding shall not be included in the 6' height requirement.

(ii) **Side and Rear Yards.** A minimum of one 24-inch box tree with a minimum height of 6 feet and a minimum caliper of 1.25 inches measured 12 inches from the ground and one 5-gallon shrub per 500 square feet, or any fraction thereof, of overall Unit area. The side will be measured from the front face of the dwelling on both sides. (For example, if the area of the side and rear yard of a Unit totals 5,000 square feet, a minimum of 1 tree and 10 shrubs must be installed within the side and rear yards.) Tree height shall be measured from the ground and exclude any mounding. Trees planted in or on any mounding shall not be included in the 6' height requirement.

(iii) **A/C Screening Plants.** One 15-gallon plant must be planted in the ground within 5 feet in front of the air conditioning unit (Original unit with the home) but no closer than 2 feet (unless the air conditioning unit is screened by a wall). This screening plant may be counted toward the total plants to be planted in the side and rear yards. Screening plant selection should be made from plants that provide foliage or ability for year-round screening. It is the unit owner responsibility to maintain planting that is used for screening purposes. Plantings used for screening purposes that do not provide adequate screening or is not maintained adequately per the approved application will be required to provide additional approved screening or approved screening method. An additional application will be required for such instances for ARC approval. Additional air condition units mounted on the ground other than what was originally provided with the home such as, but not limited to, an added garage A/C unit shall meet all the same conditions of this section (iii).

(iv) **Landscaping Plant Replacement.** The Property Owner is required to maintain minimum plant quantities as defined by in the Design Review Guidelines. Plants may be replaced without ARC approval provided minimum quantities and sizes are met with recommended plants as defined in Exhibit A of the Design Guidelines.

Trees that are planted pursuant to the requirements of this Section, other than the 24-inch box trees, shall be at least a 15-gallon container size. Except for the 1-gallon shrubs permitted in the front yard, all other shrubs must be at least a 5-gallon size. Trees and other plants installed behind a courtyard wall shall not be included in the minimum plant requirement for the front yard.

4.2.5 Ground Cover. The ground surface of all yards shall be covered with inert or living materials or any combination of both. Inert materials, impervious to water degradation, include decomposed granite, native river-run rock and other similar materials that do not decompose when exposed to water (no less than 3/8 inch) and are compatible, at the sole discretion of the ARC, with the natural environment for the Community. Topsoil is not considered “inert material” for groundcover purposes. Artificially colored rock, sand stone, red lava and the excessive use of concrete at front and street side yards all are prohibited. White, black, green and other natural colors of rock may be used as accent colors if approved by the ARC for the proposed areas. If turf is used as ground cover, the turf must be of a variety other than Bermuda grass. Sod shall be no more than 1,000 square feet or 50% of the rear yard, whichever is less. Wood chips and bark may not be used as ground cover; provided, that wood chips may be used as mulch for ground cover within the immediate area of a shrub or tree. Grass and sod shall be held a minimum of 5 feet away from retaining walls, screen walls, fences and building structures so that water infiltration is minimized. Any shrub or ground cover planted within 2 1/2 feet of retaining walls, screen walls, fences, building structures and along the top of a slope greater or equal to 3H:1V shall be drought tolerant and irrigated with a drip system. Termites and other insects are attracted to moisture. Excessive watering and landscaping around the foundation of the Dwelling may void the warranty on the Dwelling and also may void any termite treatment warranty. Planter areas shall only be irrigated with a drip system. No spray or bubbler systems shall be allowed for planter or ground cover areas. Imported ground cover rock material should be tested to ensure that it does not contain high sulfates or any other reactive properties that might cause corrosive damage to concrete walkways, foundations, block walls and similar structures.

4.2.6 Areas Between Walls and Sidewalks. Owners shall landscape and maintain the area between walls installed by Declarant and sidewalks.

4.3 Mounding. Mounds created as part of the landscape shall be formed of topsoil and fully covered with inert or living materials. The height shall not exceed 2 feet 6 inches at the highest point as measured from the finished grade of the Unit and shall not alter the established drainage of the Unit.

4.4 Ground Plane Covers. The use of solid plastic sheeting or polyethylene over ground plane areas is prohibited. The ARC will consider landscaping fabric such as A.B.S. or nylon A.B.S. composite type to allow the free flow of water, air and gasses to and from the soil.

4.5 Walls and Fences. Pursuant to Sections 5.4, 5.5 5.6 of the CC & Rs the following apply:

4.5.1 Alterations. No alterations (structural or otherwise), changes, attachments or additions shall be allowed to wall, or view fences constructed by the Declarant on any Unit.

4.5.2 New Construction. The ARC will consider fences on or along Unit boundary lines if the proposed fence complies with the following requirements and is in conformance to the specifications set forth on **Exhibit B** attached hereto:

(i) Decorative wrought iron fencing. may be installed on top of retaining walls constructed by the Declarant separating the side or rear yards of Units with the prior written approval of the ARC and so long as the fence is constructed in substantial conformance to the specifications set forth on **Exhibit B** attached hereto.

(ii) Location. View fences shall NOT be allowed in the side yard within 10 feet of the front face of the Dwelling. On the garage side the fence must be installed behind the utility meters or 10 feet whichever is greater. Houses with the Entry on the side the fence must be installed 10 feet from the front face of the entry. Except as constructed by Declarant, no view fence shall be constructed upon the property line without obtaining approval from the shared Owner(s) of the Unit(s) sharing the common property line. If such approval is not obtained, the view fence (including footings) may be constructed inside the property line. Each application for a view fence constructed on or along a common property line must be accompanied by either the Joint Application for Fence or the Application for Fence-Single Owner, as applicable, attached to the Request for Architectural Approval. All fences on corner Units must not encroach within sight visibility easements. View fencing in the front yard of the Unit shall be considered by the ARC only in the side entryway area on a case by case basis. Front yard view fence will not be considered within 10 feet of the front face of the dwelling.

(iii) Height. The height of view fences will be considered by the ARC depending upon the location of the view fence in relation to surrounding structures, topography and finish grade elevation, view fences shall be 3 or 5 feet in height per **Exhibit B**. View fences between Units or between Units and Common Elements shall be measured from the finished grade level of the Unit or Common Element having the lowest elevation. 5' view fence and walls will not be considered for side entry homes.

(iv) Materials. View fences shall be decorative wrought iron with the same design and material thicknesses and painted the same color as all other decorative wrought iron fences constructed in the Community by Declarant, provided that unique design elements may be considered by the ARC on a case-by-case basis.

(a) Privacy Screening Perforated metal screening must be attached to the entire height and length of a view fence for the purpose of privacy so long as the fence is constructed with the same design and painted the same color as all other decorative wrought iron fences constructed in the Community by Declarant. **Solid metal screening and any non-metal screening (e.g. plastic, wood, fabric, etc.) are prohibited.** Screening may be applied only to the inside of fences and gates. If needed for pets screening may go to ground level.

(b) Retaining Walls (Definition 8.36) are to be constructed of 6x8x16 slump block, color Baja tan with color match grout and required to have damp-proof system and any additional requirements from the structural engineer on the fill side. all weep holes shall be installed above finish grade and maintained to allow water flow to remain constant. Section 5.6 of the CC&R's also sets forth certain requirements for maintaining retaining walls. Other decorative retaining wall designs that are not along a property boundary may be considered by the ARC on a case by case basis. Decorative retaining wall designs 12" high on or along a property boundary may be considered by the ARC on a case by case basis.

(c) Wood, composite, vinyl and chain-link fencing materials are prohibited.

(v) Front Courtyard Walls. The ARC will consider walls that do not exceed 39 inches in height measured from the bottom of the stucco metal screed adjacent to the courtyard wall. Courtyards with decorative or structural pilasters shall not exceed 6” above the courtyard wall. Courtyards with metal gates shall not exceed more than 6” above the adjoining courtyard wall or pilaster. Any courtyard wall must be set back a minimum of 16 feet from the front property line. Courtyard walls shall be masonry with a stucco finish painted to match the color of the Dwelling and may include a wrought iron gate painted a color that is complementary to the color scheme of the Community. Wrought iron fencing will not be considered for front courtyards.

(vi) Side Yard and Rear Yard Courtyard Walls. Side yard and rear yard courtyard walls, pilasters and gates shall be the same height restrictions as section (v) above. Rear yard courtyard walls shall be set back a minimum of 5 feet from the side yard and 10’ feet from the rear yard property lines. Wrought iron fencing will not be considered for side yard installations. Wrought iron may be considered for rear yard installations by ARC.

(vii) Trash Can Enclosure. Enclosures may be on the side or rear yard. Trash Enclosures can be masonry with a stucco finish painted to match the color of the Dwelling or wrought iron with **solid metal screening (Definition 8.45) may be permitted with ARC approval**. All trash enclosures must be set back a minimum of 10 feet from the front face of the dwelling or behind the utility meters whichever is greater. Any trash enclosure may not exceed 5 feet in height and 5 feet wide by 7 feet in depth measured inside dimensions. Trash enclosures can deter access to the rear yard for egress for safety required by Local building codes additional gates may be required. The unit owner shall be responsible for showing in their design necessary gates to meet egress codes. The ARC is approving architectural compliance not egress codes. Enclosures are intended as a space to place trash and recycle containers provided by the City of Mesquite only. Enclosures shall not be used for storage of any other containers or items.

(viii) Pet Fence. (Definition 8.32) The ARC will consider the addition of a fence constructed of metal that conforms to Fence **Exhibit B**. The pet fence is in addition to either a 3- or 5-foot fence and will not be considered on its own. The pet fence must be mechanically attached with metal fasteners to allow for removal for maintenance and painting. Pet fence cannot exceed 18 inches in height. Free standing walls, brick, stone will not be considered as part of a barrier or pet fencing.

(ix) Walls. The ARC will not allow walls on or along a Unit Boundary Line. (Definition 8.50) Walls constructed along the bottom of view fence, such as property boundaries, will not be allowed.

4.5.3 Attachments to View Fences. Under no circumstances shall anything be attached to a view fence that would limit or restrict views other than specifically allowed within these Design Guidelines.

4.5.4 Drainage. Owners are advised to read and understand Section 4.22 of the CC&R's with respect to not altering the drainage of a Unit by the construction of any Improvement, including walls and fences.

4.6 Gates. All gates shall be constructed of decorative wrought iron painted the same color as all other decorative wrought iron fences constructed in the Community by Declarant. A gate shall be substantially the same height as the adjoining fence and limited in size to no more than five (5) feet in width.

4.7 Maintenance of Landscaping.

4.7.1 Owners Responsibilities. Each Owner should become familiar with Section 5.2 and 5.3 of the Declaration of CC&R's. It is each Owner's responsibility to maintain his/her Unit in a neat and attractive manner 365 days a year. It is recommended that Seasonal Owners and Residents must take additional precautions and make sure that maintenance is being performed during absences from the Community.

4.7.2 Remedies. Failure to maintain an Owner's Unit may result in the Association taking any action available to it under the Declaration of CC&R's or under applicable law, including without limitation, the right to perform the maintenance at the cost of the Owner, and the right of the Association to levy fines as pursuant to Article 9 of the Association Rules in the Declaration of CC&R's.

**ARTICLE 5
ANTENNAS/SATELLITE DISHES**

5.1 Communication Services. If an Owner desires to install an antenna for the purpose of receiving television or other communications services, Section 4.9 of the Declaration of CC&R's and this Section Article 5 of the design Guidelines apply.

5.2 Approved Devices. An antenna one meter or less in diameter or diagonal measurement that is designed to receive signals from direct broadcast satellites (DBS) or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MMDS) or an antenna that is designed to receive television broadcast signals (TVBS) may be placed, installed, or kept on a Unit without the approval of the ARC if the antenna complies with the following restrictions:

5.2.1 The antenna must be placed on the Unit in such a manner as to not be visible from Neighboring Property unless it is impossible to do so without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

5.2.2 If the antenna cannot be placed on the Unit in such a manner as to not be Visible From Neighboring Property without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS, then the antenna must be screened by landscaping or by some other means so that it is not Visible From Neighboring Property, unless such screening would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS, in which event the antenna must be screened by landscaping or by some other means to reduce to the

greatest extent possible its Visibility From Neighboring Property without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

5.2.3 If the antenna is mounted on a Dwelling or other structure and is Visible from Neighboring Property, the antenna must be painted a color that will blend into the background against which the antenna is mounted, unless the painting of the antenna would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

5.2.4 An antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video program services from MMDS or an antenna designed to receive TVBS may be mounted on a mast which does not exceed 12 feet in height above the roof line. However, the mast shall be no higher than the height necessary to establish line of sight contact with the transmitter. If the mast or antenna is Visible from Neighboring Property, the mast or antenna must be painted a color that will blend into the background against which the antenna is mounted, so long as the painting of the antenna does not impair the user's ability to receive signals from the MMDS or TVBS provider.

5.3 Impairment of Ability to Receive Signals. No restriction contained in this Section Article 5 of the Design Guidelines, shall be deemed to impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS if compliance with the restriction would unreasonably delay or prevent installation, maintenance or use of the antenna, unreasonably increase the cost of installation, maintenance or use of the antenna or preclude reception of an acceptable quality signal.

5.4 Restricted Devices. No antenna which exceeds one meter in diameter or diagonal measurement and no mast which exceeds 12 feet in height above the roof line may be placed, installed, constructed or kept on any Unit without the prior written approval of the ARC. Antennas used for amateur ("ham") radio, CB radio, FM or AM radio service, satellite radio or used as part of a hub to relay signals among antennas are not permitted.

ARTICLE 6 CONSTRUCTION GUIDELINES

6.1 Inspections. The ARC may perform inspections to verify compliance with the approved plans and specifications. The unit Owner may schedule inspections to ensure compliance with submitted approved applications. The Owner's contractor may represent the Owner during inspection. The ARC also may perform additional periodic inspections to ensure that work is being performed in conformance with approved plans and the Governing Documents. All inspections are observations only and will not relieve the obligation to obtain inspection approvals from any applicable governmental authority. If any Unit on which construction or installation of an Improvement is being performed is not in compliance with the approved plans and specifications, these Design Guidelines or any other Governing Document, the Owner thereof will be issued a notice of violation and a list of items needed to remedy the violation(s). The ARC may require that construction or work on the Unit halt until all such violations have been corrected to the satisfaction of the ARC. The Unit Owner is responsible to notify the ARC upon completion. ARC inspectors shall be allowed access without notice in order to determine compliance with approved application and specifications.

6.2 Construction Damages. Any damage to vegetation, Improvements to Common Elements, streets, curbs, gutters, sidewalks or other Units caused by an Owner, its contractors, subcontractors, agents or employees must be corrected immediately to the satisfaction of the ARC and the owner of the damaged property.

6.3 Conduct. An Owner must ensure that all contractors control the conduct of their employees while working in the Community. Loud music, profanity and other rude behavior will not be tolerated. Contractors and their employees shall not be allowed to possess beer or any other alcoholic beverages while working on or in association property.

6.4 Site Cleanliness. All contractors must maintain the sites in a clean and orderly manner at all times. The storage of materials should be in an inconspicuous location within the site where possible and stored neatly and orderly. Materials placed on a street or sidewalk upon delivery shall be sufficiently barricaded or cordoned off with reflective cones, ribbon, rope or other appropriate material, provided that such materials shall not be stored on a street or sidewalk overnight. All construction debris shall be cleared at the end of each working day. Upon completion of any landscaping, wall and fence Improvements, all material debris must be removed from the Unit and any soil or other residue remaining on the street must be cleaned. Neither Declarant, the Association, the Board of Directors, the ARC nor any officer or director of such entities shall be liable for any damages or injuries caused by or resulting from the storage of construction materials on the Common Elements, streets or sidewalks within the Community.

6.5 Contractors. The Association and the ARC do not recommend contractors.

6.6 Construction Schedules. Pursuant to Subsection 4.1.7 of the Declaration of CC&R's, the ARC may impose a schedule for the completion of construction of the proposed Improvement and for other matters as set forth therein. If the approval of a proposed Improvement received from the ARC contains a time schedule for any matter set forth in Subsection 4.1.7 of the Declaration, the Owner will be required to agree in writing to adhere to such time schedule prior to commencing construction. The ARC may impose a construction penalty against the Owner in accordance with Subsection 4.1.7 of the Declaration if the Owner fails to comply with any time schedule imposed by the ARC.

ARTICLE 7 MISCELLANEOUS

7.1 Modification. The foregoing Design Guidelines may be modified from time to time as may be deemed necessary in the sole discretion of the Architectural Review Committee of the Sun City Mesquite Homeowners' Association.

These Rules and guidelines shall replace and supersede any prior Rules and guidelines. Previous rules and guidelines shall not provide precedence for future improvements and will be strictly adhered to.

7.2 Conflict. In the event of any conflict between these Design Guidelines and the Declaration of CC&R's, the Declaration of CC&R's shall control.

ARTICLE 8 DEFINITIONS

8.1 Animal Baths An artificial puddle or small shallow pond, created with a water filled basin, in which animals may drink, bathe and cool themselves.

8.2 Animal Feeders Any of several devices used to supplement or replace natural food for pets or wildlife.

8.3 Animal Run/Pen Describes small enclosures for holding or exercising pets and other animals.

8.4 Arbors Generally regarded as a two-sided structure with a roof, usually enclosed by lattice panels forming a framework for climbing plants.

8.5 Awning a three-sided roof like structure extending over a window or doorway to provide protection from sun and rain.

8.6 Backyard The area of property from the rear face of a home to the rear property line.

8.7 Balconies A platform that projects from a building or structure that is elevated and is enclosed with a railing.

8.8 Barbecues Includes both a device to cook over low, indirect heat where the food is flavored by the smoking process, and a devise designed for grilling, a related process, which is generally done quickly over moderate to high direct heat that produces little smoke. The devices may use various types of fuel, including but not limited to wood, charcoal, or gas. Made of various materials.

8.9 Bay Windows A window or a series of windows projecting outward from a wall.

8.10 Casita a small detached structure to house additional living quarters.

8.11 Compost Piles/Containers Process designed to speed up the breakdown or decomposing of organic materials. Containers limit the area to the dimensions of the container whereas a pile is not as neatly confined.

8.12 Courtyard An unroofed area that is completely or mostly enclosed by solid short walls or a portion of the home.

8.13 Decks A flat surface capable of supporting weight, similar to a floor, but typically constructed outdoors, often elevated from the ground and usually connected to a building.

8.14 Drainage The system used to convey surface flow waters from a property. Drainage systems typically consist of swales, ditches, piping to convey surface waters.

8.15 Dwelling Any and all portions of the home including the garage under the same roof.

8.16 Fence A barrier constructed of iron or masonry.

8.17 Finish Grade A term used to describe the elevation or height of the ground of surface or a feature on the ground.

8.18 Fireplaces (outdoor). a structure made of brick, stone or metal designed to contain a fire. The fireplace may be built into a patio or free-standing self-contained or pit design. Fuel source must comply with all local and state regulations for air quality.

8.19 Fireplaces (indoor). a structure made of brick, stone or metal designed to contain a fire that is open to a room of a building. Indoor fireplace may include a chimney or flue to channel exhaust fumes from a fireplace to above the roof of a building. Fuel source must comply with all local and state regulations for air quality.

8.20 Foundation The base of a building or structure in or on the ground that supports the structure built upon it.

8.21 Front Yard The area of property from the front face of a home to the front property line.

8.22 Gazebos A free standing, roofed structure usually open on all sides.

8.23 Golf Cart Storage Unit A small detached structure to house storage of a golf cart. Golf cart storage units must have a roll up door no greater than 6' wide and 7' height.

8.24 Greenhouse Windows A window box that projects out from the exterior house wall with overhead glass and a shelf.

8.25 Hardscape Any impervious surface material used for landscaping features such as sidewalks, patios, hot tub pads, driveways, fireplaces, etc. Hardscape materials may consist of concrete/epoxy surfaced, brick, pavers, flagstone, grout steppingstones or decorative concrete block.

8.26 Landscape accessory Features that enhance the appearance, usage and property value of a residential property such as water features, accent lighting, yard and garden art.

8.27 Lattice A structure consisting of strips of metal crossed and fastened together with square or diamond-shaped spaces left between, used typically as a screen or fence or as a support for climbing plants.

8.28 Mechanical Equipment Any machines and devices integral to the regular operation of the property.

8.29 Outdoor Kitchen Facilities a space or area used to prepare food and entertain that may consist of pizza ovens, brick ovens, portable barbeques, permanent barbeques, kitchen appliances, bar appliances, sinks.

8.30 Patio Cover works as an extension of the home. The roof of the structure is usually solid with posts supporting the end away from the wall of the home.

8.31 Pergola An outdoor garden feature forming a shaded walkway, passageway, or sitting area. Pergola consists of vertical posts or pillars that support cross-beams and an open lattice roof often upon which vines are trained.

8.32 Pet Fence A metal picket style fence that is placed at ground level to keep small pets contained.

8.33 Privacy Screening A structure that limits visibility into a property.

8.34 Rain Gutters or Downspouts A metal trough used to collect rain water installed at the eave of a home. Downspout is a pipe that connects to the rain gutter to convey the collected water away from the structure or home foundation.

8.35 Ramada A free standing, roofed structure usually open on all sides.

8.36 Retaining Wall An engineered wall or system of walls constructed vertically of masonry or stone to retain earth.

8.37 Screening Plants Plants installed in front of mechanical equipment to usually hide/conceal the unit from the street view.

8.38 Screen Wall A free standing wall constructed to screen or block the ability to see beyond the wall.

8.39 Setback Limits the minimum distance an improvement, Structure, Object can be installed or placed from the property line. Side yard minimum is 5 feet. Front yard setback minimum limit is 15 feet. Rear yard setback limit is 5 feet for lots not adjacent to golf or open space. Rear yard setback is 10' for lots that are adjacent to golf or open space. Some items may be placed within the setback or impose additional setbacks and will be noted accordingly.

8.40 Side Yard The area of property on the side of a home from the front face to the rear face and extends to the property line.

8.41 Site Visibility Easement An easement recorded for a property typically in the front and on a lot adjacent to the intersection of two streets. This easement allows for site visibility for vehicle traffic. This easement has restrictions for the height of any object placed within the easement. Refer to the City of Mesquite or Clark County Uniform Standards for restrictions of these areas.

8.42 Skylight A window installed in a roof or ceiling.

8.43 Solar Screen Fabric window shades that are used to block UV rays and reduce energy costs and not block the view.

8.44 Solar Tube Tubular daylighting devices.

8.45 Solid Metal Screening 24-gauge paint lock/solid back, Royal Brown

8.46 Stone Veneer A protective and decorative manmade stone covering for walls.

8.47 Terrace Make or form (sloping land) into a number of level flat areas resembling a series of steps.

8.48 Trellis A framework chiefly used as a support for fruit trees or climbing plants.

8.49 Topography A term used to describe the surface elevations of the earth or structures built upon the earth.

8.50 Walls A free standing wall either placed on top of a retaining wall or soil or ground of any height. Typically constructed of masonry, stone, or cement materials.

EXHIBIT A
RECOMMENDED PLANTS

Botanical Name	Common Name
Trees	
Acacia aneura	Mulga Acacia
Acacia farnesiana	Sweet Acacia
Acacia pendula	Weeping Acacia
Cercidium floridum	Blue Palo Verde
Chamaerops humilis	Med Fan Palm
Chilopsis linearis	Desert Willow
Chitalpa tashkentensis	Chitalpa
Fraxinus oxycarpa	Raywood Ash
Fraxinus velutina ‘Rio Grande’	Fan-Tex Ash
Olea europea ‘Swan Hill’ or ‘Wilson’	Fruitless Olive
Parkinsonia sp. ‘Desert Musuem’	Desert Museum Palo Verde
Pinus elderica	Afghan Pine
Pinus halepensis	Aleppo Pine
Pinus roxberghii	Chir Pine
Pistache lintiscus	Mastic Tree
Pithecellobium mexicana	Mexican Ebony
Prosopis glandulosa ‘Torreyana’	Texas Honey Mesquite
Prosopis juliflora	Arizona Native Mesquite
Prosopis pubescens	Screwbean Mesquite
Prosopis sp.	Thornless Mesquite
Quercus buckleyi	Texas Red Oak
Rhus lancea	African Sumac
Schinus mole	California Pepper Tree
Ulmus parvifolia ‘Athena’ TM	Athena’ TM Evergreen Elm
Vitex Agnus-Castus	Chaste Tree
	Fruit Trees
Large Shrubs	
Caesalpinia gilliesii	Yellow Bird of Paradise
Caesalpinia pulcherrima	Red Bird of Paradise
Cordia parvifolia	Little-leaf Cordia
Elaeocarpus decipiens	Japanese Blueberry
Larrea tridentata	Creosote
Leucophyllum frutescens ‘Green Cloud’ TM	Green Cloud Sage
Leucophyllum frutescens ‘Rain Cloud’ TM	Rain Cloud Sage
Leucophyllum frutescens ‘White Cloud’ TM	White Cloud Sage
Leucophyllum x Heavenly Cloud	Heavenly Cloud’ TM Sage

Botanical Name	Common Name
Leucophyllum laevigatum	Chihuahuan Sage
Leucophyllum langmaniae	Lynn's Legacy Sage
Leucophyllum pruinatum	Sierra Bouquet' TM
Photinia sp.	Fraser's Photinia
Raphiolepis sp.	Indian Hawthorne
Salvia clevelandii	Chaparral Sage
Simmondsia chinensis	Jojoba
Sophora secundiflora	TX Mountain Laurel
Vauquelinia californica	Arizona Rosewood

Medium Shrubs

Callistemon viminalis 'Little John'	Little John Bottlebrush
Cassia artemisioides	Feathery Cassia
Cassia nemophila	Green Cassia
Dalea frutescens Sierra Negra	Black Dalea
Dalea lutea Sierra Moonrise	Sierra Moonrise Dalea
Dalea pulchra	Indigo Bush
Encelia farinosa	Brittlebush
Eremophila 'Valentine'	Valentine Bush
Leucophyllum frutescens 'Compacta'	Compact Texas Ranger
Leucophyllum revolutum	Sierra Magic' TM Mix
Myrtus communis compacta	Dwarf Myrtle
Nerium oleander 'Little Red' TM	Little Red' TM Oleander
Nerium oleander 'Petite Pink' TM	Petite Pink' TM Oleander
Nerium oleander-white	White Oleander
Perovskia atriplicifolia	Russian Sage
Rosmarinus o. 'Tuscan Blue'	Upright Rosemary
Salvia clevelandii	Chaparral Sage
Teucrium chamaedrys	Prostrate germander
Viguiera deltoidea	Goldeneye

Small Shrubs

Ambrosia deltoidea	Triangleleaf Bursage
Calliandra eriophylla	Pink Fairy Duster
Dalea capitata 'Sierra Gold' TM	Sierra Gold Dalea
Ericameria laricifolia 'Aguirre'	Aguirre
Ericameria laricifolia	Turpentine Bush
Gaura lindheimeri	Gaura
Lavandula sp.	Lavender
Leucophyllum candidum 'Silver Cloud' TM	Silver Cloud TX Ranger
Leucophyllum candidum 'Thunder Cloud' TM	Thunder Cloud TX Ranger
Leucophyllum zygophyllum 'Cimmaron' TM	Cimmaron Sage
Olea europaea 'Little Ollie'	Little Ollie Dwarf Olive
Salvia greggii	Autumn Sage

Botanical Name	Common Name
Sphaeralcea ambigua	Globe Mallow
Groundcovers	
Acacia redolens ‘Desert Carpet’	Trailing Acacia
Baccharis sarothroides ‘Starn’ Thompson	Desert Broom
Chysactinia mexicana	Damianita
Convolvulus cneorum	Bush Morning Glory
Drosanthemum speciosum	Iceplant
Dyssodia pentachaeta	Golden Dyssodia
Hymenoxys acaulis	Angelita Daisy
Lantana New Gold	New Gold Lantana
Melampodium leucanthum	Blackfoot Daisy
Oenothera berlandieri	Mexican Evening Primrose
Penstemon spp	Penstemon
Psilostrophe cooperi	Paper Flower
Rosmarinus officinalis ‘Prostratus’	Trailing Rosemary
Teucrium chameadrys	Germander
Verbena gooddingii	Gooddingii Verbena
Verbena rigida	Sandpaper Verbena
Accents	
Agave americana	Century Plant
Agave bovicornuta	Cow’s Horn Agave
Agave colorata	Mexcal Ceniza
Agave murpheyi	Murphy’s Agave
Agave ovatifolia	Whale’s Tongue Agave
Agave parryi	Artichoke Agave
Agave scabra	Rough Leaved Agave
Agave victoriae-reginae	Queen Victoria Agave
Agave x. Blue Glow	Blue Glow Agave
Aristida purpurea	Red Three Awn
Bouteloua gracilis	Blond Ambition
Buchloe dactyloides	Buffalo Grass
Dasyilirion quadrangulatum	Toothless Desert Spoon
Dasyilirion wheeleri	Desert Spoon
Enchinocactus grusonii	Golden Barrel Cactus
Enchinocereus engelmannii	Hedgehog Cactus
Euphorbia biglandulosa	Gopher Plant
Euphorbia resinifera	Moroccan Mound
Fouquieria splendens	Ocotillo
Hesperaloe parviflora	Red Hesperaloe Yucca
Hesperaloe parviflora	Yellow Hesperaloe Yucca
Muhlenbergia capillaris ‘Regal Mist’	Regal Mist Deer Grass
Muhlenbergia lindheimeri ‘Autumn Glow’	Autumn Glow Deer Grass
Nolina microcarpa	Bear Grass

Botanical Name	Common Name
Opuntia santa-rita	Tubac
Pennisetum setaceum rubrum	Purple Fountain Grass
Stenocereus thurberi	Organ Pipe Cactus
Yucca baccata	Banana Yucca
Yucca recurvifolia	Yucca
Yucca elata	Soaptree Yucca
Yucca pallida	Pale Leaf Yucca
Yucca shidigera	Native Yucca
Yucca rigida	Blue Yucca
Yucca rostrata	Yucca
Vines	
Hardenbergia comptoniana	Lilac Vine
Rosa banksiae	Lady Banks Rose

EXHIBIT B
FENCE SPECIFICATIONS

Sun City Mesquite *by Del Webb*

View Fence

SHEET INDEX

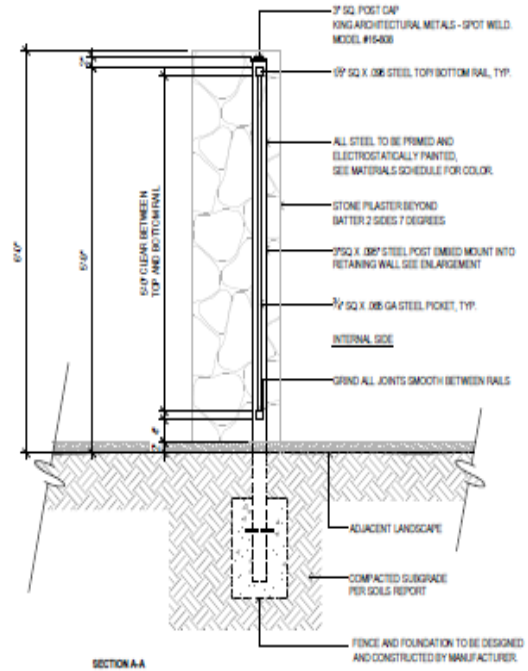
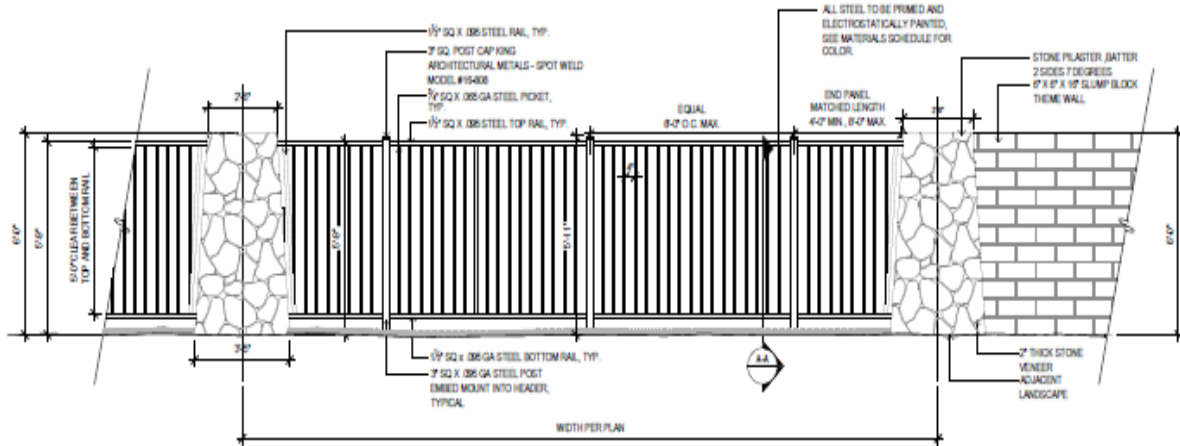
Cover Sheet	
View Fence	LA0.1
View Fence Conditions	LA0.2
Pet Guard Fence	LA0.3

MATERIALS

Stone Veneer	
COLOR	APACHE PAINT
MANUFACTURER	APACHE STONE
Masonry Unit	
PRODUCT	6" SLUMP BLOCK (BAJA)
MANUFACTURER	CEMEX OR SUNROC
COLOR	PANT DUN EDWARDS DEA157
NOTE	MORTAR COLOR TO MATCH
Steel	
COLOR	POWDURA POWDER COAT ROYAL BROWN PNS4-C0001

EXHIBIT B

FENCE SPECIFICATIONS



MATERIALS

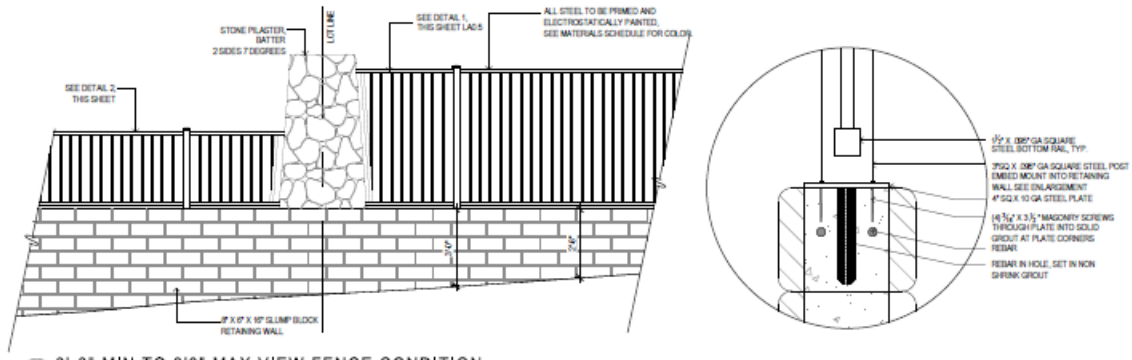
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MANUFACTURER	ARACHE STONE
Masonry Unit	
PRODUCT	12" SLUMP BLOCK (BAJA)
MANUFACTURER	CEMEX OR SUNROC
COLOR	PANT DUN EDWARDS DE4157
NOTE	MORTAR COLOR TO MATCH
Steel	
COLOR	POWDERA POWDER COAT ROYAL BROWN PMS4-02001

Sun City Mesquite *by Del Webb*

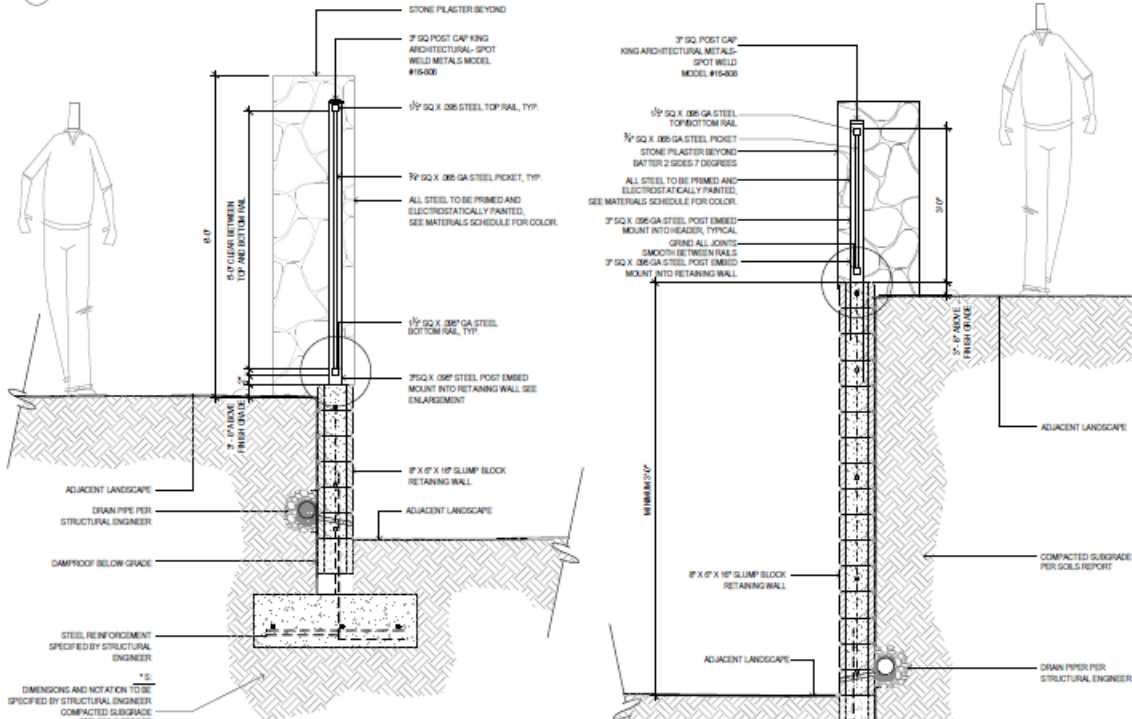
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date: 04.01.19
LA0.1

EXHIBIT B

FENCE SPECIFICATIONS



1 3'-0" MIN TO 3'-0" MAX VIEW FENCE CONDITION



2 RETAINING WALL WITH VIEW FENCE CONDITION A

3 RETAINING WALL WITH VIEW FENCE CONDITION B

MATERIALS

Stone Veneer	
COLOR	APACHE PAINT
MANUFACTURER	APACHE STONE
Masonry Unit	
PRODUCT	8" SLUMP BLOCK (BAJA)
MANUFACTURER	CEMEX OR SUNROC
COLOR	PANT DUN EDWARDS DEA157
NOTE	MORTAR COLOR: TO MATCH
Steel	
COLOR	POWDERA POWDER COAT ROYAL BROWN PMS4-0001

Sun City Mesquite

by Del Webb

VIEW FENCE CONDITIONS
 scale: 3/8" = 1'-0"
 date: 04.01.19
 LA0.2

THIS APPLICATION
MUST BE APPROVED
BEFORE WORK CAN
COMMENCE!

Sun City Mesquite Homeowners' Association
Application for Architectural Approval

Number _____
Date: _____
Fee: _____
By: _____

OWNER'S NAME: _____ EMAIL: _____

PROPERTY ADDRESS: _____ DAY TIME PHONE: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

ORIGINAL HOMEOWNER: YES _____ NO _____ DATE OF PURCHASE: MONTH: _____ YEAR: _____
\$25 APPLICATION FEE WILL APPLY TO ALL HOMEOWNERS EXCLUDING THE FIRST YEAR OF ORIGINAL PURCHASE

PROJECTS BEING SUBMITTED: (Please provide additional general information and check all that apply):

Is this a golf course/open space lot? ___yes ___no

___ Landscaping ___ Fence/Wall/Gate ___ Pool/Spa/Equipment ___ Other _____

___ Patio Cover ___ Concrete ___ Hardscape Dimension of Project: _____ Sq. Ft. of Project: _____

Location: ___ Front ___ Back ___ Side ___ Other _____ Sq. Ft. of Yard: _____

PLEASE FILL IN DETAILS AND SHOW ON PLANS:

- Plans should be in a standard 8.5" x 11 "" format
- Landscape additions require: Names of plants (attach separate page if necessary)
Locations of plant material clearly shown on drawings (Include Setbacks)
Color and sample of rock material (if applicable)
- Types and color of building material to be used: _____
- Color scheme of improvement: _____

Please initial each paragraph below:

- ___ Owners remain permanently responsible for the maintenance and upkeep of additions and modifications to their property must be recorded with their deed.
- ___ Plans that are approved are not to be considered authorization to change the drainage plan as installed by the developer. The review is intended to consider aesthetic applicable aspects of drainage. Owner may also need to acquire approval from the County and or City of Mesquite or utility for permission to encroach within County/City/utility easement.
- ___ Any and all debris associated with this improvement must be kept off the streets in front of the home.
- ___ Common area property may not be used as construction access to homeowner property.
- ___ This approval does not relieve the owner from any requirements of the declaration or design guidelines nor does it constitute approval as to compliance with applicable Nevada Law or local building codes.

This application requires the signature of the owner of the unit owner. The undersigned acknowledges that if any work has commenced prior to the approval by the ARC that does not conform to the Declaration or Design Guidelines, the owner will be liable for all costs necessary to bring the work into conformance with the Declaration and Design Guidelines and or penalties or violations. Owner understands that the ARC may enter the property for the purpose of inspecting all work identified on the application as being satisfactorily completed. **NOTE: The Unit Owner is responsible for all work performed on the unit by its contractors, agents, representatives.** I, _____, have read and understand that I must comply with the most current version of the Design Guidelines for Sun City Mesquite.

Submitted by: _____
Homeowner

ACTION TAKEN BY ARCHITECTURAL REVIEW COMMITTEE:

- ___ APPROVED (The request is approved as submitted)
- ___ CONDITIONALLY APPROVED (The request is approved subject to the conditions noted below if applicable)
- ___ DISAPPROVED (The request is not approved for the reason noted below and must be resubmitted)

COMMENTS: _____

ARC SIGNATURE: _____ DATE: _____

ARC SIGNATURE: _____ DATE: _____

JOINT APPLICATION FOR FENCE

The undersigned Owners understand and agree that the proposed fence constitutes a "Common Fence" as described in Section 5.4 of the Declaration of Covenants, Conditions and Restrictions for Sun City Mesquite ("Declaration") and that they will be responsible for maintenance and repair of a portion of the fence as set forth in the Declaration and in accordance with the Maintenance Standard (defined in the Declaration). If the fence is not being maintained in accordance with the Maintenance Standard, the Sun City Mesquite Homeowners' Association has the right to maintain the fence with the Owners bearing all costs. Owners agree to comply with all city, county and state laws and to obtain all necessary permits, if any. Owners agree not to begin construction of the proposed fence(s) until notified of the Architectural Review Committee's approval.

(1) Signature of Owner

Date

Print Name

Lot Number

(2) Signature of Owner

Date

Print Name

Lot Number

(3) Signature of Owner

Date

Print Name

Lot Number

(4) Signature of Owner

Date

Print Name

Lot Number

APPLICATION FOR FENCE – SINGLE OWNER

The undersigned Owner is installing a fence along a side or rear yard and understands and agrees that (i) the fence is not a “Common Fence” as described in Section 5.4 of the Declaration of Covenants, Conditions and Restrictions for Sun City Mesquite (“Declaration”), (ii) the undersigned Owner will be responsible for maintenance and repair of the entire (both sides) fence in accordance with the Maintenance Standard (defined in the Declaration), and (iii) an easement on the adjacent unit(s) for the purpose of maintaining the fence has been granted to Owner pursuant to Subsection 5.5.1 of the Declaration, subject to the terms and conditions contained therein.

Owner agrees to maintain the fence in accordance with the Maintenance Standard if approved by the Architectural Review Committee. If the fence is not being maintained in accordance with the Maintenance Standard, the Sun City Mesquite Homeowners’ Association has the right to maintain the fence with the Owner bearing all costs. Owner agrees to comply with all city, county and state laws and to obtain all necessary permits, if any. Owner agrees not to begin construction of the proposed fence until notified of the Architectural Review Committee's approval.

Signature of Owner

Date

Signature of Owner

Date