

MORRISON RANCH RESIDENTIAL

DESIGN GUIDELINES

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SECTION 1

INTRODUCTION

Morrison Ranch is a mixed-use master-planned community intended to provide a quality living environment. These Design Guidelines (the "Guidelines") have been adopted by the Morrison Ranch Design Review Board for the purpose of establishing general design criteria and specific development guidelines for the construction of residences and related improvements within Morrison Ranch. As provided in the Declaration of Covenants, Conditions and Restrictions for Morrison Ranch recorded at Recording No. 20120574925, in the Official Records of the County Recorder of Maricopa County, Arizona (the "Morrison Ranch Declaration"), no residence, building, wall, landscaping or structure of any kind can be constructed, installed or maintained anywhere within Morrison Ranch without the prior written approval of the Design Review Board.

The general theme of Morrison Ranch is a contemporary residential mixed-use community with a character based upon the agricultural heritage of Morrison Ranch and the Town. Wide setbacks of turf and trees (irrigated with reclaimed water) line the arterial highways and all other streets within Morrison Ranch. White rail fencing and masonry signs identify each neighborhood. Large greenbelts provide recreation and open space areas that create an interconnecting network of pedestrian and bicycle paths throughout the community. In total, the Morrison Ranch has a theme and character unique to Morrison Ranch, Town, and the Phoenix metropolitan area.

These Guidelines have two distinct uses:

First, these Guidelines will be used by home builders and other lot owners who want to apply to the Design Review Board for approval of plans and specifications for the initial construction of a Residence or other Improvements on a lot to determine the requirements of the Design Review Board with respect to site development, landscaping and architectural character of the community.

Second, these Guidelines will be used by individual homeowners living within Morrison Ranch who want to apply to the Design Review Board for approval to modify the exterior of their Residence or other improvements on their Lot.

In both of the above cases, the primary intent of the guidelines is to protect and enhance the theme and character of the Morrison Ranch as described in the Development Plan for Morrison Ranch and in the Developer Design Packages prepared for Morrison Ranch Home Builders. For instance:

Acceptable site development and landscaping will include all those elements included within the Development Plan for Morrison Ranch and the Developer Design Packages.

Acceptable architectural themes for houses include but are not limited to styles that promote community interaction and complement the rural ranch atmosphere. Ranch, Prairie, Craftsman, Bungalow, and Rural Contemporary architectural styles are desirable and encouraged. Variations of styles such as Mission, Spanish Eclectic, Tudor, and Victorian styles will generally not be considered as compatible with the rural ranch atmosphere of Morrison Ranch but will be reviewed on a case by case basis.

A variety of colors should prevail, from white to tones of brown, green, gray, yellow, and blue. Accent colors that complement the colors and the rural agricultural community theme will be desirable. Building elevations should provide visual interest and feature elements that emphasize front yard elements such as porches, walled courtyards (low), and entry patios. This may be accomplished through a variation of details, form, materials, and rooflines that complement the particular home style.

Pedestrian circulation within all subdivisions, including parking areas, and access to adjoining parcels and open spaces shall be a major consideration due to the pedestrian nature of Morrison Ranch. Safe, convenient, and pleasant pedestrian circulation shall be accomplished with inter-connecting walkways, special paving, shade, and other pedestrian features.

As provided in Section 3.2 of the Declaration, Design Review Board approval is not required for, and these Design Guidelines shall not apply to, any construction, erection, installation, addition, alteration, repair, change, or replacement of any Improvement or any other work made by, or on behalf of, the Declarant or the Community Master Planner.

In order to assist Owners in the planning and designing of their Residence, a comprehensive design review process administered by the Design Review Board has been established. This process provides an opportunity for the Owner to draw upon expertise and knowledge which has been acquired during the planning and development of Morrison Ranch. Under the Declaration, the Design Review Board is charged with the responsibility of maintaining the standards set forth in these Guidelines. Neither the Design Review Board, any member thereof, the Council nor any director, officer, employee, or agent of the Council shall be liable to any Owner or other person for any damage, loss, or prejudice claimed on account of (a) the approval or disapproval of any plans, drawings, and specifications, whether or not defective, (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings or specifications, (c) the development or manner of development of any property within Morrison Ranch, or (d) the exercise of any of the powers, duties or responsibilities of the Design Review Board.

Unless more stringent requirements are set forth in these Guidelines, the Morrison Ranch Declaration or any Supplemental Declaration, all residences, structures, and other improvements must comply with The Development Plan for Morrison Ranch approved by the Common Council of the Town of Gilbert in Ordinance No. 1129 adopted on November 3, 1998 (the Development Plan). If these Guidelines conflict with or are inconsistent with the Morrison Ranch Declaration or any Supplemental Declaration, the terms of the Morrison Ranch Declaration or Supplemental Declaration shall control.

Although these Design Guidelines primarily address residences, landscaping, and other improvements to be constructed on individual lots, all landscaping, buildings, swimming pools, ramadas, and other improvements on common area tracts within a subdivision also must be approved by the Design Review Board. The Design Review Board may create additional guidelines, policies, and procedures to the Guidelines. Please contact the Design Review Board for the latest amendments to the Guidelines or current policies prior to proceeding with the design.

Unless otherwise defined in Appendix A to these Guidelines, each capitalized term used in these Guidelines shall have the meaning given to such term in the Declaration.

SECTION 2
REVIEW AND APPROVAL PROCESS

The process outlined below generally applies to homebuilders, commercial, and industrial projects and not to individual design review requests.

In general, the design review process is divided into four phases:

Pre Design Meeting
Preliminary Submittal
Final Submittal
Construction Approval

It is strongly recommended that an Owner retain competent professional services for planning and design. A thorough analysis and understanding of a particular Lot and the Owner's special needs and the skill to translate this into building form, as well as the ability to convey to the Design Review Board the concept and design of a proposed Residence or other Improvements, are all important elements of the design review process. If an Owner elects to do his own design or to retain non-professional services, and the result, in either case, is not approved by the Design Review Board, the Design Review Board has the right to require that an Owner thereafter utilize qualified professional design services.

The design review process was developed to provide adequate checkpoints along the way in an effort to minimize time and money spent on designs that do not adhere to these Guidelines, the Declaration, or the overall philosophy of Morrison Ranch. An attempt has been made to streamline this process to eliminate excessive time delays. Nevertheless, each Owner is directly responsible for complying with these Guidelines and all other applicable provisions of the Declaration, as well as all ordinances and rules and regulations of any governmental authority, in order to bring the design review process to a speedy and satisfactory conclusion.

The Design Review Board will review pending applications and projects during their regular meetings or at such other times, as it deems appropriate. Owners, Architects, or Builders shall have no right to attend any meeting of the Design Review Board unless specifically requested to do so by the Design Review Board. The Design Review Board will respond in writing to the Applicant no later than fifteen (15) days after a submittal has been reviewed by the Design Review Board. Decisions or actions of the Design Review Board will not normally be discussed over the telephone with an Owner or his Architect or Builder by the Design Review Board or any of its members. Any responses an Owner may wish to make in reference to issues contained in the Design Review Board's notice following review of submittals should be addressed to the Design Review Board in writing.

Preliminary Submittals must be made a minimum of seventeen (17) calendar days prior to the meeting, at which time they will be discussed. Final Submittals and any revised submittals must be made a minimum of eight (8) calendar days prior to the meeting, at which time they will be discussed. Dates of regularly scheduled Design Review Board meetings are available from the Design Review Board.

Although the Design Review Board will enforce all provisions of these Guidelines, the following will be of particular concern.

- (a) Siting of the Residence within the Lot to be sensitive to views and privacy from other Lots or open spaces.
- (b) Architectural character as viewed from all sides. The massing, texture, and materials of the design are critical.
- (c) Building heights and masses.
- (d) Exterior elevations of the Residence, including a high level of aesthetic quality and use of multiple materials.
- (e) Setbacks to maintain visual and safety separation.
- (f) Exterior paint and material colors, as well as color usage and distribution.
- (g) Landscape character and plant materials appropriate to the environment.

2.1 PRE-DESIGN MEETING

To initiate the review and approval process prior to preparing any drawings for a proposed Residence or Improvement, the Owner and/or his Architect may meet with the Design Review Board to discuss the proposed Residence and to explore and resolve any questions regarding building requirements in Morrison Ranch or the interpretation of these Guidelines or the Declaration. Any amendments to these Guidelines, as well as the current policies and procedures, may be obtained at this time.

This informal review is to offer guidance prior to the initiation of preliminary design. An appointment for the Pre Design Meeting should be made at least one week in advance.

2.2 PRELIMINARY SUBMITTAL

2.2.1 Required Information

Preliminary Submittals shall include the following:

- (a) **Application Form** attached hereto as Appendix D all information completed.
- (b) A **Survey**, at no less than 1"=20', prepared by a land surveyor registered in the state of Arizona, showing Lot boundaries and dimensions, easements, setbacks, the centerline of adjacent streets, utility tap locations, existing surface contours at one-foot intervals based on Morrison Ranch datum, major terrain features such as irrigation ditches, and all Protected Plants, highlighting those plant materials that will be removed during construction or that are within 20 feet of the proposed

Improvements. Each Owner submitting drawings for approval to the Design Review Board shall be responsible for the accuracy of all information contained therein.

- (c) **Site Plan**, at the same scale as the survey, showing the graphic locations of the Residence and all other buildings or major structures, driveway, general parking areas, patios, pools, walls, site grading including existing and proposed contours and topographic features such as irrigation ditches and existing trees and major shrubs to be retained and to be relocated, and elevations (datum) of all building floors, patios, and terraces, shown in relation to site contour elevations. The Site Plan must also include the size of the Lot in square feet.
- (d) **Roof Plans and Floor Plans** (at a scale of no less than 1/8" = 1' 0"). Roof plans should show areas and heights of flat and sloped roofs, the location of crickets, and locations and heights of all roof-mounted equipment (if allowed) and skylights. Floor plans shall show vertical elevations for each floor level change. Flat roofs are generally not allowed.
- (e) **Exterior Elevations** of all sides of the Residence, at the same scale as the floor plans, identifying all structure heights, delineating both existing and proposed grade lines, and designating all exterior materials and general colors. Color selections may be general and not specific for the Preliminary Submittal.
- (f) The Preliminary Submittal shall include One (1) 8 1/2" x 11" paper reduction of each of the required drawings in (b), (c), (d), (e), and (f) above and any other drawings, materials, or samples requested by the Design Review Board or necessary to explain the design.
- (g) A non-refundable **Design Review Fee** of \$2,000 must accompany the submittal. In the case of an addition to an existing home, the Design Review Fee will be the greater of \$300 or 50 cents per square foot based on the total area under roof of the addition. Checks should be made out to the Design Review Board.

All accessory Improvements contemplated on the Lot must be shown on the Preliminary Submittal.

To assist the Design Review Board in its evaluation of the Preliminary Submittal, the Owner shall, if requested, provide preliminary staking of the locations of the corners of the Residence or major Improvements deemed by the Design Review Board to be major and at such other locations as the Design Review Board may request.

2.2.2 Notice of Preliminary Submittal

Within three (3) workdays after the submission of a complete Preliminary Submittal, the Design Review Board will: 1) post a notice at the Lot; and 2) provide written notice to all Owners of Adjacent Lots within 150 feet of the subject Lot; stating that drawings have been submitted with respect to the Lot and will be available for review by other Owners during the period stated in the notice. Written comments may be submitted to the Design Review Board regarding the posted Lot up until two (2) business days prior to the scheduled meeting date stated on the notice.

Written notice to Owners of Adjacent Lots within 150 feet of the subject Lot will be sent via first-class mail through the U.S. Postal Service to the mailing address listed with the Design Review Board or, if no address has been provided to the Design Review Board by the Owner, at the mailing address used by the Council for mailing of assessment statements. The Design Review Board is not responsible for notices that are not received by Owners of Adjacent Lots due to failure or timing of the U.S. Postal Service, incorrect addresses, or failure of the Owner to pick up mail in a timely fashion.

Owners wishing to review a submittal are required to set up an appointment with the Design Review Board or its designee to review the submittal. Personal appointments with the Design Review Board staff or consultants must be scheduled a minimum of two (2) business days in advance and are subject to time availability. Personal reviews are provided only as a courtesy. No drawings, photos, or information will be mailed, faxed, or delivered to interested parties. Comments must be submitted in writing two (2) business days prior to the scheduled meeting date stated on the notice. Owners or interested parties are not allowed to attend the Design Review Board meeting unless specifically requested by the Design Review Board.

2.2.3 Preliminary Review

After the posting and comment period and any staking of the Lot, the Preliminary Submittal will be deemed complete. The Design Review Board will then review the submittal for conformance to the Declaration and these Guidelines and will provide a written response to the Applicant.

2.3 FINAL SUBMITTAL

2.3.1 Submission of Final Submittal

After preliminary approval is obtained, the following documents, which clearly comply with or satisfactorily resolve the stipulations for preliminary approval, are to be submitted to the Design Review Board for final approval. Final Submittals must be made a minimum of six (6) business days prior to a regularly scheduled meeting, at which time they will be discussed. Dates of regularly scheduled Design Review Board meetings are available from the Design Review Board.

Final Submittals shall include:

- (a) **Application Form**, attached hereto as Appendix D, with all information completed.
- (b) Complete **Construction Documents** for the Residence including:
 - all data noted in Section 2.2 paragraphs (b), (c), (e), and (f) building sections and elevations as required to illustrate the Residence and Improvements
 - all utility locations, electric meter, transformer, and exterior mechanical equipment locations
 - any adjustments to locations of the Residence
 - height of the top of all skylights and parapets shown on the roof plan
 - locations and manufacturer's catalog cuts of all exterior lighting fixtures
- (c) Samples of all exterior materials and colors, and window and glass specifications, mounted on an 8 1/2 x 11 " (maximum size) heavy stock cardboard identified with manufacturer's name, color, and/or number. Sample boards shall include Owner's, Architect's, and Builder's name, as well as the Lot. Samples of exterior materials such as stone should be submitted via the use of photographs that show color and coursing patterns.
- (d) A complete **Landscape Plan** at the same scale as the site plan, showing:
 - Proposed contours and grading if finished grading is different than that on the Final Site Plan.
 - Locations and dimensions of all existing and proposed paving, walks, patios, structural footings, and walls.
 - Locations and dimensions of all decorative features such as pools, lighting, planters, or boulders.
 - Areas to be irrigated, if any, including location of backflow preventer and controller stations.
 - Locations and sizes of all existing and proposed plants. Indicate any plants that will be relocated and the proposed location of plants within the landscape plan.
 - Locations to receive enhanced or specimen vegetation.
 - A list of all proposed plants, including both the common and the botanical plant name and the plant size. Proposed plants not included on the Approved Plant List must be listed on the Landscape Plan with an asterisk before the plant name.
 - A photograph and description of any non-approved plant must be submitted in order to be considered for approval.
 - Location of all exterior lighting, including cut sheets for all futures and a list of proposed bulb types and wattage.

- (e) A Hydrology Report, if required by the Design Review Board, performed by a civil engineer registered in the State of Arizona, in a form determined by the Design Review Board.
- (f) An approximate milestone **Construction Schedule** indicating approximate dates for the start of construction, completion of slab/foundations, completion of framing, completion of exterior wall surfaces, completion of roofing, and the completion of construction.

2.3.2 Final Submittal Approval

Upon receipt of the complete Final Submittal, the Design Review Board will review the submittal for conformance to the Declaration and these Guidelines, and to any stipulations by the Design Review Board from the Preliminary Submittal and will provide a written response to the Applicant. If the Final Submittal is approved, the Design Review Board will provide a Construction Authorization Certificate to be displayed on the rear of the construction sign at the site indicating Final Submittal approval. This certificate shall remain posted during the duration of the Construction Process.

2.4 CONSTRUCTION APPROVAL

Obtaining plan check approval from the Town and securing of a building permit is the responsibility of the Owner and/or Builder. Construction shall be in accordance with the Final Submittal approved by the Design Review Board.

2.5 ADDITIONAL CONSTRUCTION AND/OR EXTERIOR CHANGES

Any changes to the approved drawings before, during, or after the construction of an Improvement must first be submitted for review to, and must be approved by, the Design Review Board. Failure to do so shall result in the removal and reconstruction of nonconforming portions at the expense of the Owner.

2.6 RESUBMITTAL OF DRAWINGS

In the event of disapproval by the Design Review Board, of either a Preliminary Submittal or a Final Submittal, any resubmission of drawings must follow the same procedure as the original submittal, except that resubmittal of a Preliminary Submittal must be made at least six (6) business days in advance of a regularly scheduled meeting at which time it will be discussed. The resubmission of a Preliminary Submittal will not be posted on the Owner's Lot, nor will the notification be mailed out.

2.7 COMMENCEMENT OF CONSTRUCTION

Upon receipt of approval from the Design Review Board, the Owner shall commence the construction pursuant to the approved Final Submittal within one (1) year from the date of the approval. If the Owner fails to comply with this requirement, any approval given shall be deemed revoked unless, upon the written request of the Owner made to the Design Review Board prior to the expiration of the one year period and upon a finding by the Design Review Board that there has been no change in circumstances, the time for commencement is extended in writing by the Design Review Board. The Owner shall, in any event, complete the construction within one (1) year after commencing construction except when such completion is impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, or natural calamities.

2.8 WORK IN PROGRESS-OBSERVATION FOR DESIGN CONFORMANCE

The Design Review Board may review all work in progress and give notice of non-compliance if the construction is not in accordance with the approved plans. The Builder is required to inform the Design Review Board in writing at least six (6) business days prior to the completion of rough framing so that a review for design conformance may be made prior to completion of sheathing. A written note stating this requirement shall be shown by the Architect on the floor plan or framing plan as part of the Final Submittal. Absence of such review and notification during the construction period does not constitute approval by the Design Review Board of work in progress or of compliance with these Guidelines and the Declaration.

2.9 FINAL CONSTRUCTION REVIEW

2.9.1 Notice of Completion

Upon completion of any Residence or other Improvement for which final approval was given by the Design Review Board, the Owner shall give written Notice of Completion to the Design Review Board prior to occupancy by the Owner.

The Notice of Completion shall include a copy of the "Certification of Finish Floor Level and Building Height" signed by the Builder on a form provided by the Design Review Board and signed and sealed by a land surveyor or civil engineer registered in the State of Arizona. This form shall certify that the finished floor levels and building heights of the Residence were constructed in accordance with the approved Final Submittal. Any changes to the finish floor levels or building heights during the course of construction require specific approval of the Design Review Board prior to the change pursuant to Section 2.5 of these Guidelines.

2.9.2 Inspection

Within such reasonable time as the Design Review Board may determine, but in no case exceeding 20 calendar days from receipt of a required written Notice of Completion and the Certification of Finished Floor Level and Building Height, the Design Review Board may inspect the Residence and/or Improvements. If it is found that work was not done in strict compliance with the approved

Final Submittal, the Design Review Board shall notify the Owner in writing of such non-compliance within 30 calendar days of its receipt of the Owner Notice of Completion, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same. If the Owner has failed to remedy any non-compliance within 30 calendar days from the date of the Design Review Board's notice, the Design Review Board shall notify the Owner and may take such action to remove the non-complying Improvements as is permitted in these Guidelines or the Declaration including, without limitation, injunctive relief or the imposition of a fine. If, after receipt of written Notice of Completion from the Owner, the Design Review Board fails to notify the Owner of any failure to comply within the provided period following the Design Review Board's review, the Improvements shall be deemed to be in accordance with the approved Final Submittal.

2.9.3 Inspection

Within such reasonable time as the Design Review Board may determine, but in no case exceeding 20 calendar days from receipt of a required written Notice of Completion and the Certification of Finished Floor Level and Building Height, the Design Review Board may inspect the Residence and/or Improvements. If it is found that work was not done in strict compliance with the approved Final Submittal, the Design Review Board shall notify the Owner in writing of such non-compliance within 30 calendar days of its receipt of the Owner Notice of Completion, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same. If the Owner has failed to remedy any non-compliance within 30 calendar days from the date of the Design Review Board's notice, the Design Review Board shall notify the Owner and may take such action to remove the non-complying Improvements as is permitted in these Guidelines or the Declaration including, without limitation, injunctive relief or the imposition of a fine. If, after receipt of written Notice of Completion from the Owner, the Design Review Board fails to notify the Owner of any failure to comply within the provided period following the Design Review Board's review, the Improvements shall be deemed to be in accordance with the approved Final Submittal.

2.9.4 Occupancy Prior to Final Construction Review

If an Owner chooses to occupy the Residence following receipt of a Certificate of Occupancy from the Town, but prior to Final Construction Review by the Design Review Board, he may do so provided that the work is continued and the written Notice of Completion is given to the Design Review Board within 45 days of occupancy. If Improvements are not completed within 45 days of occupancy, the Design Review Board reserves the right to take such action to cause the completion of the Improvements as is permitted in these Guidelines or the Declaration, including, without limitation, the imposition of fines.

2.10. NON WAIVER

The approval by the Design Review Board of any drawings or specifications for any work done or proposed, or in connection with any other matter requiring such approval under these Guidelines or the Declaration, including a waiver by the Design Review Board, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval or of a nonconforming design or aspect that has not been identified earlier. For example, the Design Review Board may disapprove an item not in conformance with the Guidelines shown on the Final Submittal even though it may have been evident and could have been disapproved at the Preliminary Submittal.

2.11. RIGHT OF WAIVER

The Design Review Board reserves the right to waive or vary any of the procedures or standards set forth in this Section 2.

2.12. ESTOPPEL CERTIFICATE

Within thirty (30) days after written demand, therefore, is delivered to the Design Review Board by any Owner, and upon payment therewith to the Design Review Board of a reasonable fee from time to time to be fixed by the Design Review Board, the Design Review Board shall provide to the requesting Owner an estoppel certificate executed by any two of its members, certifying with respect to any Lot of said Owner, that as of the date thereof either (a) all Improvements and other work made or done upon or within said Lot by the Owner, or otherwise, comply with these Guidelines and the Declaration, or (b) such Improvements and/or work do not so comply, in which event the certificate shall also (1) identify the non-complying Improvements and/or work and (2) set forth with particularity the cause or causes for such non-compliance. Any purchaser from the Owner or mortgagee or other encumbrances shall be entitled to rely on said certificate with respect to the matters therein set forth.

SECTION 3
ARCHITECTURAL DESIGN GUIDELINES

3.1 MINIMUM SETBACKS

All setbacks will be reviewed on the merits of the submitted site plan design. The minimum setbacks are as provided in the ordinances of the Town, the Morrison Ranch Development Plan, and setback modifications approved by the Town on November 3, 1998, in Ordinance No. 1129 and on November 16, 1999, in Ordinance No. 1232.

3.2 PROTECTION OF NEIGHBORS

The interest of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, and other aspects of design, which may have a substantial effect on neighboring properties.

3.3 DESIGN COMPATIBILITY

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties, and the neighboring setting. Compatibility means harmony in style, scale, materials, color, and construction details.

3.3.1 REPAINTING

Morrison Ranch does not have a pre-approved palette of colors; each submittal is reviewed on an individual basis. Consideration is given to how well the color selections blend together, how they blend with the other homes in the immediate area, do they complement the home's elevation, and how well they blend with the overall theme of Morrison Ranch.

The objective for home paint colors is a diversified look down any given street scene. Therefore, the number of homes that group toward one family of colors is minimized.

3.3.2 Any proposed changes to the brick or stone (masonry or veneer) must receive prior approval by the Design Review Board.

The painting, staining, or whitewash of brick or stone often detracts from the unique architectural themes of Morrison Ranch: craftsman, prairie, ranch, and farmhouse. However, some executions can be approved given that the proposed result helps keep the original architectural theme distinct, is a part of an overall theme change, and fits the given neighborhood. In general, the grout lines should be distinct rather than obscured. The stone or brick should not be the same color as the base color of the house. For most conditions, we are looking to keep multiple colors contributing the themes rather than a reduction of the number of colors used.

3.4 GATES

Double gates may be installed to allow wider access ways to yards. Double gates should be the same type, design, and color as the originally installed single gate. Shrubs, trees, or other plants should be located between the house and the double gates, where possible. All double gates require Design Review Board approval, including those installed by the builder during original construction.

3.5 STORAGE SHEDS

Backyard storage sheds detached from the house are not allowed to extend above the home's surrounding wall or fence so that it is not visible from neighboring property. Storage sheds, along with any permanent addition to a home, including patio covers and other buildings, must be submitted to the Design Review Board for approval prior to construction. Storage units placed against the house may be up to 7ft tall, however, units placed along the wall may not extend above the wall at its highest point. Storage sheds must be set back at least four feet (4') from any perimeter wall. Fire requirements for access along the side yard must still apply.

3.7 RAMADAS AND GAZEBOS

Ramadas and gazebos may be erected in rear yards only. They are subject to prior review and approval by the Design Review Board and must comply with the following guidelines:

- Maximum square footage (under roof area) is 240 square feet.
- Maximum roof height is 14 feet from ground level to the highest point
- The structure must be set back a minimum of 7 feet from any perimeter wall.
- The structure must either be of a natural wood color that complements the home or painted to match the base or trim color of the home and be maintained in good condition.
- Any roof tile must match the tile of the house.
- Lighting of the structure must be approved by the Design Review Board.

3.8 OUTDOOR FIREPLACES

Installation of outdoor gas or wood-burning fireplaces and fire pits require advance written approval by the Design Review Board. Outdoor fireplaces may not exceed the perimeter fence height and must comply with any Town of Gilbert requirements. Design Review Board approval does not imply Town of Gilbert approval and vice versa.

3.9 RESIDENTIAL LANDSCAPE INSTALLATION

3.9.1 Landscape plans must be submitted and approved in writing by the Design Review Board prior to installation. The Design Review Board schedule allows 45 days for the review process. Any portion of any lot, which is visible to other lots, the street, or common areas, must be landscaped within ninety (90) days of close of escrow after obtaining written approval from the Design Review

Board. All plans must fully comply with the requirements to obtain approval.

The use of large open turf areas and groves of green-leafed trees gives the landscaping at Morrison Ranch a unique rural agricultural character. This character is to be included in the front yard and (visible) side yards of all residential homes. This will enhance the overall theme and character of each neighborhood and harmonize with the common area and public easement landscapes.

Except for structures that would be Visible from Neighboring Property, approval of the Design Review Board is not required for landscaping within the rear yard of a lot.

3.9.2 A minimum of 50% of the landscape areas of the front yard shall be planted in grass for lots less than seventy (70) foot width and a minimum of 60% for lots seventy (70) foot width or more. Grass is required to run from the sidewalk (parallel to the street) and a minimum of seven (7) feet back toward the house. The landscape area means all the areas in the front yard, which are not covered by the house and driveway (concrete located in front of the garage doors only). The only type of grass that will be permitted will be mid-iron sod or mid-iron seed. Mid-iron sod is permitted, and any other varieties or hybrids of bermuda grass must be approved by the Design Review Board. Perennial Rye seed is permitted to be used for over-seeding in the fall. Artificial turf is not permitted in the front yard or side yard Visible from Neighboring Properties. Grass areas shall be kept a minimum of three (3) feet away from the foundation of the house. The intent of the grass area is to have a contiguous look from Lot to Lot.

3.9.3 Trees are permitted in the grass areas. Shrubs and groundcovers are intended for the non-grass areas. All grass areas are required to be over-seeded with perennial rye grass every fall to successfully maintain a winter lawn of rye grass

Trees, shrubs, and annuals adequate to enhance the aesthetic appeal of walls, planters, walks, etc., shall also be included in the landscape theme for the front and side yards. Shrub placement should include both sides of the yard as well as across the front of the house to provide a balanced appearance. However, rear yards enclosed by opaque walls and gates may be landscaped with desert themes, if desired, providing desert type plantings do not protrude above the walls

3.9.4 Curbing or concrete borders will be permitted. The borders shall be 6" x 6" x 4" at a minimum, colored gray or an earth tone. . The borders are permitted to define the grass area and must run parallel with the Town sidewalk (curves are allowed as long as it still runs parallel with the city sidewalk and lines up with the adjoining neighbors border. The end of one property owner's curb shall be the beginning of the curbing for the adjacent lot owner. Curbing is not permitted to run along the property line or perpendicular to the Town sidewalk.

Mounds and berms are allowed for all lot owners. The mound or berm shall have a height range of 6" to 18" and shall have a smooth, natural look. Abrupt elevation changes should be avoided.

3.9.5 If rock or gravel is used to accent the front yard areas, only natural rock shall be used. Artificially colored rocks and certain natural colors not conforming with the Morrison Ranch landscape theme are prohibited.

Granite areas must be ¾ “ or ½” screened and from among one of the following colors:

- Sunset Gold or Spanish Gold from the Red Mountain mine
- Desert Brown
- Arizona Gold
- Sunset/Desert Gold
- Pink Coral
- Apache Brown

It is required that the granite is the size and color specified above or an approved equal. The purpose of the requirements is to maintain the continuity from Lot to Lot. Any river rock used shall also be from the same mine or an approved equal. 40% of the granite area may have small rocks up to 6 inches in diameter as a ground cover. Polyethylene or solid plastic sheeting in granite areas is not permitted.

3.9.6 Planters, walls, and all other landscape /hardscape features must be submitted, reviewed, and approved in writing by the Design Review Board. Surface textures and colors are to match the paint color and materials of the house. Walkways or sidewalks may not exceed four (4) feet in width.

3.9.7 Walkways may be added from the side gate to the driveway. Walkways are not permitted to run from the side gate to the Town sidewalk. Walkways may not exceed the width of the gate. Minimum requirements of turf, plants, and trees must be maintained. To allow for drainage, hardscape may not run closer than 12” from house and lot line.

3.9.8 All irrigation must be installed sub-grade, fully automated, and in compliance with all applicable laws and regulations of the State of Arizona and the Town. All irrigation systems and landscaping shall be designed and trimmed to minimize spray onto streets, driveways, walks, and other non-landscaped areas. All landscape installations that are visible from streets and common area shall have plans submitted for approval prior to landscaping. Any walls, docks, pools, cabanas, etc., to be constructed also require prior approval from the Design Review Board.

3.9.9 All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal, and replacement of dead or dying plants, removal of weeds and noxious grasses, and removal of trash.

3.9.10 The required front yard trees, shrubs, and ground cover are based upon the owner’s lot size. The requirements are as follows:

The minimum required front yard trees, shrubs, and ground cover are based upon the owner's lot width. These quantities exclude any parkway landscaping. The requirements are as follows:

Lots from 45'0" but less than 50'0" wide:

Description	Size	Quantities
Trees	24" Box	1
Shrubs	5 Gallon	10
Shrubs	1 Gallon	10

Lots from 50'0" but less than 60'0" wide:

Description	Size	Quantities
Trees	24" Box	1
Shrubs	5 Gallon	15
Shrubs	1 Gallon	10

Lots from 60'0" but less than 70'0" wide:

Description	Size	Quantities
Trees	24" Box	2
Shrubs	5 Gallon	15
Shrubs	1 Gallon	15

Lots from 70'0" but less than 85'0" wide:

Description	Size	Quantities
Trees	24" Box	2
Shrubs	5 Gallon	20
Shrubs	1 Gallon	15

Lots from 85'0" and wider:

Description	Size	Quantities
Trees	24" Box	3
Shrubs	5 Gallon	20
Shrubs	1 Gallon	20

Yards with mature landscaping may require fewer plants than the minimum requirements for initial installation. Shrub placement should include both sides of the yard as well as across the front of the house to provide a balanced appearance. It will be the Design Review Board's sole discretion whether a property with less than the minimum number of shrubs can be issued a variance.

The location for tree placement is as follows:

- One tree shall be located in the middle third of the front yard at a minimum of 10'0" away from the front sidewalk.
- The remaining tree(s) shall be located in the side yard(s) at a minimum of 20'0" away from the front sidewalk. They shall be no further than 10'0" from the side property line and no closer than 15'0" from a neighbor's tree.
- The purpose of the tree locations is to provide one central accent tree in the middle of the front yard, while the additional trees provide a background tree planting between the homes.
- If a homeowner wants to add more trees than those required above, the plant names, sizes, and locations are to be submitted to the Design Review Board for approval.

- These quantities exclude any parkway landscaping.

Appendix "B" in these Guidelines is an Approved Plant List which includes an extensive list of plant materials suitable for use within Morrison Ranch. Design Review Board may consider other plant materials that may not be listed on the Approved Plant List provided they are not on the Prohibited Plant List attached hereto as Appendix "C" and provided specific approval is obtained.

Proposed landscape planting materials not on the Approved Plant List must be identified on the drawings as such, and the submittal must include a photograph and description of the plant for which approval is being requested. The Design Review Board reserves the right to refuse any plant material it feels will not be beneficial to the environment of Morrison Ranch.

3.10 EXTERIOR LIGHTING

Outdoor lighting installed on a lot or dwelling must receive advance written approval by the Design Review Board.

Site lighting is defined as lighting mounted on the ground, in trees, or on-site walls for the purpose of providing security or decorative accent lighting. Site lighting must be directed onto vegetation or prominent site features.

Building-mounted lighting is defined as lighting built into or attached to buildings on walls, ceilings, eaves, soffits, or fascia for the purpose of providing general illumination, area illumination, or security illumination.

(a) Building-mounted lighting must be directed downward away from Adjacent Lots, streets, and open spaces.

(b) All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not Visible from Neighboring Property; no bare lamps will be permitted. Recessed lights in exterior soffits, eaves, or ceilings shall have the lamp recessed a minimum of three inches (3") into the ceiling.

(c) Only lamps with a maximum of 1100 lumens will be allowed for exterior lighting unless specific approval is received from the Design Review Board. Low voltage lighting is recommended.

(d) Colored lights are not allowed for exterior lighting, with the exceptions listed in paragraph (g) below.

(e) Lights on motion detectors for the purpose of security illumination are allowed subject to specific approval of the Design Review Board. If allowed by the Design Review Board, these lights will only be allowed to operate on a motion detector and stay lit for a maximum of twenty (20) continuous minutes. Security lights must still meet the requirements of shielding of the light sources, and the light sources should not be Visible from Neighboring Property. If problems with these lights occur, the Design Review Board reserves the right to demand that the fixtures be disconnected. These lights will not be allowed to operate for the purpose of general illumination.

(f) Backyard decorative lighting is defined as outdoor lighting used to provide ambiance within the confines of a private backyard. Decorative lighting includes outdoor string lights found in various shapes and sizes at home improvement and discount stores. Decorative Lighting in the backyard does not require approval. If additional posts are installed, they shall be seven (7) feet from the perimeter walls. Lights must be clear or white; no colored bulbs will be permitted. Decorative lighting shall not be installed higher than twelve (12) feet. Bulbs may only have 200 lumens maximum, with the total lumens no more than 4,000.

(g) Lighting installed along the roofline, including but not limited to permanent holiday lights designed to outline the house's roofline or provide decorative lighting to the front and sides of the house, does not require approval by the Design Review Board. Only white lights may be displayed and shall remain static with the following exceptions:

- Colored lights may be displayed on St. Patrick's Day, Valentine's Day, Easter weekend, Memorial Day, July 4, Labor Day, Halloween, and Veteran's Day. Seasonal holiday lights may be displayed from Thanksgiving through January 15.
- Lights shall not create a nuisance to the neighbors, with a maximum of 30 LUX measured from the sidewalk in front of the house.
- All decorative lights and music shall be turned off by 10:00 p.m.

3.10.2 Holiday Decorations

Holiday decorative items such as displays and holiday flags do not require approval; however, such decorative items shall not be displayed more than thirty days prior to the actual holiday with which they are associated and must be removed fourteen days after the actual holiday. The Board, in its sole discretion, reserves the right to request the removal of any decorations they deem are inappropriate for the neighborhood. Holiday lighting may be displayed two weeks before Halloween and one week after, and Christmas Lighting may be displayed from Thanksgiving until January 15.

3.11 ENTRANCE DRIVEWAYS

Driveways shall not be changed from the original installation across the Town of Gilbert right-of-way area between the curb and sidewalk and shall intersect the street preferably at a right angle but at a minimum angle of seventy (70) degrees. Driveways should also be located in such a way as not to interfere with drainage in the right of way of the street. Bomanite concrete, exposed aggregate concrete utilizing integral coloring, colored concrete, pavers, or flagstone are all acceptable driveway materials, provided colors are within the guidelines of Section 4.5 of these Guidelines. Feature strips of a different material and special aggregates in exposed concrete will be reviewed on a case-by-case basis.

3.11.1 Driveway Extensions

Driveways may not be expanded without the prior written approval of the Design Review Board. All driveways must be kept clean and clear of debris, oil, rust, and other stains.

- a. Width extension -. Driveway widening is not permitted unless granted a variance from the Design Review Board. If granted as a variance, the largest width would be 12" on each side of the driveway. Extension may not be extended into the Town right-of-way, and turf requirements must be maintained.
- b. Driveway extensions (widening or extended to the side gate) are not automatically granted. Most lots, homes, and front yard landscaping design and minimum requirements are not designed to accommodate such expansions. Any extensions submitted may not extend into the Town right-of-way between sidewalk and curb. Additional hardscape to pre-approved landscape packages will require additional (more than minimum) landscape to help screen this area. Any extensions to the gate with the required landscape screening for the additional hardscape may not encroach closer than 7' to the front sidewalk. Any hardscape at the sides of the home may not come any closer than 12" to the home or the property line.

3.12 PARKING SPACES

Each Residence shall contain parking space within the Lot for at least two (2) automobiles in an enclosed garage attached to or detached from the main structure of the Residence. A minimum of two (2) additional exterior parking spaces must be provided to accommodate guest parking. No exterior storage of recreational vehicles or boats will be permitted in such a manner that makes the

vehicle or boat visible from adjacent property.

3.13 SWIMMING POOLS AND SPAS

Pool plans will not need prior approval unless there is a feature (pool slide, waterfall, swing, grotto, or other structure) that would be visible above the top of the wall or structural elevation changes. All structural features must be 7 ft from property line. Structural elevations will be reviewed on an individual basis with consideration to impact on neighboring properties

All pool equipment shall be screened with walls that match the architectural character and color of the house or existing wall from the view of neighboring property, streets, and common area. If pool equipment is placed near view fencing, space must be allowed to accommodate the screening wall.

Swimming pools and spas, if any, should be designed as being visually connected to the Residence through walls or courtyards, and the visual impact must be minimized from Adjacent Lots, streets, and public spaces. Swimming pools and spas must be constructed according to the Town ordinances and other applicable regulations, including required fence and enclosure heights. Doors and gates leading to swimming pools and spas must meet the Town safety and closure regulations, including doors that open directly from the Residence to any pool or spa area.

Prior to construction of a swimming pool, homeowners must coordinate the point of construction access to ensure damage to common landscaped areas and common perimeter walls is avoided. In all cases, residents must enter through the side yard wall from the front of their homes. Should damage occur to any common areas as a result of a pool installation, the homeowner, at the homeowner's expense, shall cause the damaged common area to be returned to the condition that it existed prior to the pool installation.

Pool backwash or pool draining must be based upon the policies of the Town. Any applicable regulations governing disposal of pool water must be followed.

Pool equipment must not be Visible from Neighboring Property and must be enclosed by walls and a gate or other suitable screening method. The Town regulates swimming pool fence requirements. The Town should be contacted to determine the safety fence requirement for your pool. For safety reasons, all openings in walls must be securely covered during construction to prevent anyone from entering and being injured.

3.14 SPORTS/TENNIS COURTS

Well-designed sports/tennis courts with no lighting will be permitted on residential lots. The design, appearance, and location of sports/tennis courts must be approved by the Design Review Board.

3.15 EXTERIOR RECREATIONAL OR PLAY EQUIPMENT

All exterior recreational or play equipment such as swing sets, slides, play structures, jungle gyms, and similar equipment must meet the intent and requirements of all sections of these Guidelines,

including color. This type of equipment or structures should be located in the least visible portions of the Lot. In addition, every attempt to screen this equipment or structures from view of Adjacent Lots should be made, including the installation of mature landscape. The height of this type of equipment shall be limited to a maximum of ten feet (10') above finished grade. All exterior recreational or play equipment requires specific approval of the Design Review Board prior to installation.

Play structures may be erected in rear yards only. They must comply with the following guidelines:

- (a) May be erected in rear yards only and must be set back a minimum of 7 feet from any perimeter wall.
- (b) Maximum height allowed to top support bar or highest point of structure is 10 feet.
- (c) Maximum height of any deck/platform is 4 feet above ground.
- (d) The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans.
- (e) The Design Review Board will take the appearance, height, and proximity to neighboring property into consideration.
- (f) Any shade canopy must be a solid color compatible with the house color.
- (g) Submittal must be accompanied by a brochure, picture, or drawing.

3.16 BASKETBALL GOALS

Portable basketball goals are permitted, provided they are maintained in good condition and meet the same standards as permanently installed hoops. They should be placed adjacent to the drive and may not be placed in the street, common areas, or blocking sidewalks. Portable goals should be the standard size and of sturdy construction and should be stored upright if visible from Neighboring Properties. Upright goals may not be stored in the side yard so as to be visible above the wall.

Pole mounted goals only will be allowed as a permanent or portable installation in front yards only adjacent to the driveway. No permanent goals will be approved in rear or side-rear yards. Strict guidelines will be adhered to regarding the quality of equipment and installation, and special attention will be paid to placement of the pole on the Lot. No backboards shall be allowed on a pitched roof. Backboards may be transparent or a standard type. The pole or support shall be painted black or match the color of the house. Highly visible logo material is prohibited. Only nylon or similar cord nets are acceptable. Metal or chain nets are not acceptable. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc. Constitute grounds for fines and/or removal. Lighting designed to illuminate basketball goals will not be allowed. The owner of the home with the basketball pole backboard is fully responsible for ball containment on his property. Any damage to neighboring property or landscaping from basketballs shall be the property owner's (with the goal or standards)

responsibility to repair or replace. Although the general guidelines of this Section may be met by a proposed application, the Design Review Board may refuse to allow a basketball hoop and backboard if, in its sole discretion, the Design Review Board determines a negative impact would result.

3.17 CLOTHESLINES

Clotheslines or other outside facilities for drying clothes are not permitted unless they are placed exclusively within a fenced yard and are not visible above the top of the block wall or otherwise concealed.

3.18 YARD ORNAMENTS SUCH AS WATER FEATURES, STATUARY, ETC.

Items such as fountains, statuary, etc. must be approved by the Design Review Board. The Board reserves the right to limit the size, quantity, and appropriateness for any such items. Artificial greenery, flowers, etc., are not to be displayed in the front of the homes.

3.19 FRONT PORCH FURNITURE

All patio furniture used on front porches or courtyards is to be classified as outdoor patio furniture. Interior items such as but not limited to couches, recliners, indoor tables, etc., are prohibited. All patio furniture must be well maintained and neatly placed.

3.20 ADDRESS IDENTIFICATION

The Design Review Board will adopt a uniform address identification device for all Residences. The Design Review Board will strive to adopt a uniform curb addressing identification style. Alternative styles desired by the homeowner will be acceptable as long as they remain tastefully done as determined by the Design Review Board. No other address identification device will be permitted. No additional signage detached from the Residence will be permitted, except temporary construction signs or other signs as permitted by the Declaration and approved by the Design Review Board.

3.21 MAILBOXES

Individual mailboxes must be maintained with the style, material, and quality of what the builder installed. Customized boxes must be submitted for approval, and must use materials, style, quality, and color consistent with the architectural design of the Residence.

3.22 FLAGPOLES/FLAGS

Homeowners must comply with ARS 33-1261 and ARS 33-1808 as long as the flag is displayed in a manner consistent with the Federal Flag Code. This includes a limit to the height of a flagpole to the height of the rooftop. This limits the number of flags to two at any one time.

Permitted flags include the American flag or official flag of the United States army, navy, air force, marine corps, or coast guard. The POW/MIA, the Arizona state flag, an Arizona Indian nation's

flag, and The Gadsden Flag, and any additional flags that may be added to this statute.

Sports team flags may be placed out no earlier than one week before the season officially begins and must be removed no later than one week after the season ends. Political flags may only be US presidential candidate flags and may be placed out no earlier than 71 days prior and no later than three days after the National Election Day (every four years). No other political flags will be permitted. Flags must be maintained in good condition at all times. The size of the flag may not exceed 3' x 5'. Flags that are torn, ripped, faded, etc., constitute grounds for fines and removal. Flags shall not be offensive in nature. The Board of Directors shall make this determination at its sole discretion.

SECTION 4

SITE DEVELOPMENT GUIDELINES

Approval granted by the Design Review Board is not to be construed as approval of any Town of Gilbert requirements, nor do Town of Gilbert approvals or permit imply any approvals that must be obtained by the Morrison Ranch Design Review Board. This applies to all approvals that must be obtained under any section of these Residential Design Guidelines.

4.1 DESIGN CHARACTER

The general theme of the Morrison Ranch is a contemporary residential mixed–use community with a character based upon the agricultural heritage of Morrison Ranch and the Town. The architectural theme of Morrison Ranch is a variety of architectural styles that complement and contribute to the overall rural agricultural theme. Morrison Ranch homes shall create an aesthetic and functional front yard environment that encourage interaction between owners of homes and those who pass by. This can be achieved by designing the front of each house with people-friendly features, such as, a generous front porch or patio with ample openness and pedestrian accessibility to encourage interaction between homeowners and community members.

Each home shall be appropriately scaled to its Lot and offer a variety of architectural features that enhance the home, the street, and the neighborhood. The design character of a residence shall be considered from all sides (including roofs), and all elevations shall maintain the same visual and thematic integrity, cohesiveness, and design detail.

Home Builders may consider many of the commonly described architectural styles as a basis for their designs. Acceptable architectural themes for houses include but are not limited to styles that promote community interaction and compliment the rural ranch atmosphere. Ranch, Prairie, Craftsman, Bungalow, and Rural Contemporary architectural styles are desirable and encouraged. Styles such as Mission, Spanish Eclectic, Tudor, and Victorian styles will generally not be considered compatible with the rural ranch atmosphere of Morrison Ranch but will be reviewed on a case by case basis.

Home owners who are adding to or altering their existing home shall design any exterior addition or alteration to the character of the original structure and community interaction criteria.

4.2 ROOFS

Since roof shapes will form an important part of the visual environment, they must be carefully designed. It is intended that neither flat roofs nor pitched roofs predominate the community. Pitched roofs shall be tripped or tie into building masses and may have a maximum slope of 4 to 12. Mansard roofs are prohibited; however, the Design Board shall have the authority to approve partial gable or shed roofs when, in the opinion of the Design Review Board, they do not add, negatively, to a Residence's visual massiveness. Dominant roof colors such as white and red or reflective roof surfaces are prohibited. The finishes of metal roofs must be matte. Roof-mounted mechanical equipment and antennae are prohibited.

The Design Review Board strongly recommends that sloping roofs be designed as sheltering and shading elements with broad overhangs and strong shadow lines. Thin edges or thin fascias should be avoided on sloping roofs, as should sloping roofs with minimal or no overhangs. Sloped roof materials should be textural with very dark or deep color tones.

4.3 COLORS

Subdued accent colors may be used, subject to approval by the Design Review Board.

Flat roofs may be surfaced with a material whose color harmonizes with the building walls or may be painted to match the building walls. Flat roofs utilizing foam roofing systems shall consider higher foam densities, or other special coatings, in order to achieve color requirements.

Colors for exterior artwork, sculpture, or any other special features should also be muted tones chosen to blend rather than contrast with the Residence and its surroundings. Colors that meet the criteria of this Section may be approved by the Design Review Board on a case by case basis.

4.4 REFLECTIVE

No highly reflective finishes, except glass, which may not be mirrored, and door hardware, shall be used on any exterior surfaces, including exterior artwork and sculpture.

4.5 MATERIALS EXTERIOR SURFACES

Stucco, stone masonry, painted slump block, wood siding, or integrally colored split face concrete block should be the predominant exterior surfaces. They provide an outer surface to withstand the climate extremes, and their use is encouraged as the combination of materials provides a textural context that breaks down visual massing in much the same manner that the variety of the desert itself breaks up the large expanses. Exterior finish materials, including stucco on all building walls, site walls, and screen walls, must be continued down to below the Mush grade, thereby eliminating unfinished foundation walls.

4.6 BUILDING PROJECTIONS

All projections from a building including, but not limited to, chimney caps, vents, gutters, scuppers, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project or be an appropriate accent color unless otherwise approved by the Design Review Board.

4.7 GUTTERS AND DOWNSPOUTS

Gutters and downspouts must be approved by the Design Review Board. The finish on it must match the adjacent surface of the home in color. High-quality materials that offer long life are required, as the homeowner will be responsible to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of material to be used, warranty by the manufacturer, and the name and telephone number of the installer.

4.8 ANTENNAE / SATELLITE DISHES

4.8.1 General Restriction on Installation

The Federal Communications Committee (FCC) Rule prohibits Associations from restricting the use of antennas intended to receive direct broadcast satellite service that is eighteen inches (18") or less in diameter. The Association may, however, impose reasonable restrictions on the safety and other specific parameters allowed by the FCC rule. In the event there are revisions to the FCC rule or any state statutes imposed which conflict with these provisions, the FCC rule and/or state statute would prevail. These Design Guidelines apply to Direct Broadcast Satellites (DBS) less than 1 meter in diameter, multi-channel multipoint distribution reception devices (wireless cable), and traditional television broadcast antennae (hereinafter collectively referred to as "television reception devices") With respect to placement, all television reception devices must be installed in the least obtrusive manner possible. Specifically, the goal of these guidelines is to have as many television reception devices as possible ground-mounted or otherwise obscured from view from neighboring properties, streets, or common areas. Please work with your satellite dish vendor on this issue when discussing installation location and consider the potential impact of visible dishes to the community.

4.8.2 Traditional Television Broadcast Antenna

Traditional television broadcast antennae should be installed first in the house's attic or ground-mounted in the rear yard. If installation of a traditional television broadcast antenna in the attic or on the ground does not provide an acceptable quality signal, the traditional television broadcast antenna may be placed on the home. In placing the traditional television broadcast antenna on the home, placement is required to be the least visible from the front and sides of the home as possible.

4.8.3 Direct Broadcast Satellite Dishes less than 1 yard in diameter

An attempt should first be made to ground mount a Direct Broadcast Satellite dish in the rear yard below the fence line. If installation of a Direct Broadcast Satellite dish on the ground does not provide an acceptable quality signal, the Direct Broadcast Satellite dish may be placed on the home. In placing the Direct Satellite dish, the placement is required to be the least visible from the front and sides of the home as possible. Satellite dishes may not be attached to block walls. Any visible cable wire must be painted to match the surface to which it is attached. If painting the dish would not void a warranty, it is preferable that it is painted to match the stucco color of the home.

4.8.6 Other Antennas

Except for Permitted Antennas, no antenna for the transmission or reception of video programming or radio signals may be installed in such a manner as to be Visible From Neighboring Property without the prior written approval of the Design Review Board.

4.8.7 Limitations and Severability

The restrictions on the installation of Permitted Antennas set forth in this Section 4.8 shall apply only to the extent that the restriction does not (a) unreasonably delay or prevent the

use of a Permitted Antenna (b) unreasonably increase the cost of a Permitted Antenna or (c) preclude a person from receiving or transmitting an acceptable quality signal from a Permitted Antenna. If any provision of this Section 4.8 is ruled invalid or unenforceable, the remainder of this Section shall remain in full force and effect.

4.9 WINDOWS

Windows should be located and sized so as to limit heat gain to the Residence's interior and not cause any objectionable glare at any time, day or night. The use of overhangs, deep window opening recesses, and other shading devices are encouraged.

Glass block is allowed in decorative patterns or shapes.

4.10 WINDOW COVERINGS CRITERIA

In no event shall the interior or exterior of any windows be covered with reflective material such as foil or with paper, bed sheets, or other temporary coverings. All such window coverings facing the street must show white, beige, or earth tone, or pastel colors unless otherwise approved in writing by the Design Review Board. Reflective materials may not be installed on the windows or any portion of the house, or any other area of the Lot. Bronze or charcoal sunscreen material may be installed; frames for window screens must be the same as existing window frames.

4.11 SCREEN DOORS

Screen doors and “security doors” must be approved in advance in writing by the Design Review Board. Doors must be high quality in a color that matches the house. Overly ornate designs are not allowed. Pictures, drawings, or brochures must be submitted.

4.12 PATIOS AND COURTYARDS

Patios and courtyards should be designed as an integral part of the Residence so they can be shaded and protected from the sun by roofs and building masses. These open areas can take advantage of natural air flows to produce cooler temperatures.

4.13 SOLAR APPLICATIONS

In accordance with ARS 33-1816 (and any revision thereof): An Association shall not prohibit the installation or use of a solar energy device as defined in section 44-1761. However, an Association may adopt reasonable rules regarding the placement of a solar energy device as long as those rules do not prevent the installation, impair the functionality, or adversely affect the cost of efficiency of the device. Therefore, the Association requires that all solar energy installations be approved in advance of installation by the Design Review Board. Solar Collector panels must lie parallel to the roof surface and be attached directly to it. Panels must match roof color as closely as possible. Panel framing, hardware, and piping must be painted to match roof or wall color, as applicable. All storage tanks and control equipment must be screened from View from Neighboring Property. Roof-mounted hot water and storage systems are not allowed.

4.14 SCREEN WALLS /SITE WALLS

Screen walls should be a visual extension of the architectural design of the Residence. The colors of walls must conform to the color standards described in these Guidelines.

4.15 SERVICE YARD

All above-ground garbage and trash containers, clotheslines, mechanical equipment, and other outdoor maintenance and service facilities must be completely screened by walls and gates at least one (1) foot higher than the equipment from Adjacent Lots or streets. Gates or a "maze" entry that provides complete screening shall be required around all mechanical and pool equipment enclosures.

4.16 GUEST HOUSES, GUEST SUITES, AND ACCESSORY BUILDINGS

Such structures must be designed as a single visual element with the Residence and should be visually related to it by walls, courtyards, or major landscape elements. A free-standing Guest House must comply with applicable Town zoning regulations. A free-standing Guest House or accessory building can be constructed on any Lot, with approval from the Design Review Board, provided all Improvements meet the requirements of these Guidelines. A Guest Suite may be incorporated into any Residence.

4.17 DETACHED ACCESSORY OUTBUILDINGS

All detached accessory buildings such as a pool house, an additional garage, workshop, or studio shall receive advance written approval from the Design Review Board. The following criteria will apply to all such structures:

- (a) Maximum of 1200 square foot area under roof.
- (b) Maximum height of structure is 18 feet.
- (c) Minimum sidewall setback of 20 feet.
- (d) Minimum rear wall setback of 25 feet.
- (e) Must be single-story only.
- (f) Only one structure per Lot.
- (g) Landscaping buffers such as trees will be required.
- (h) No roof-mounted equipment will be allowed.
- (i) All materials and colors must be consistent with that of the home, including roof.
- (j) The architectural style must be consistent with that of the home.

4.18 NO VISIBLE STORAGE TANKS

All fuel tanks, water tanks, or similar storage facilities shall be shielded from view from Adjacent Lots, streets, or common areas by walls or structures or shall be located underground with all visible projections screened from view from Adjacent Lots, streets, and Council Common Areas or Neighborhood Common Areas.

4.19 NO SIGNS

All security, pool, construction, financing, for sale, and other similar signs utilized for advertising or otherwise are prohibited within Morrison Ranch. The only exceptions are the Address Identification described in Section 3.18 of these Guidelines, the temporary construction sign described in Section 5.14 of these Guidelines.

4.20 GARAGES

Every effort should be made to minimize the impact of the garage and garage door(s). Careful siting and driveway orientation can ensure that a garage is recessed from view from the street and Adjacent Lots. In an effort to minimize garage impact, no more than three garage stalls will be allowed adjacent to each other. (i.e., three single doors or one single and one double door). If additional garage space is needed, it must be separated from the other garage location in an effort to avoid a long uninterrupted row of garage bays. The appearance of the garage door must blend with the home design.

4.21 UNIQUE EXTERIOR FEATURES

Unique exterior features including, but not limited to, entry arches, decorative gates, glass patterns, railings, enclosures, ramadas, fountains, gazebos, cabanas, exterior fireplaces, and the like must be designed as an integral part of the Residence. Requests for approval of unique exterior features should include detailed design information, including sketches, cut sheets, photographs, etc., as a part of the Preliminary Submittal and the Final Submittal for approval by the Design Review Board.

Specific restrictions include:

- (a) Exterior stairs and specifically circular stairs must be screened from View from Neighboring Property with a solid wall. Exterior ornamental stairs are not allowed.
- (b) Outdoor fireplaces, fire pits, or similar items shall be gas-fueled only due to concern of fire danger.
- (c) Fountains or water displays shall be limited in height to no higher than five (5) feet above the grade at which they are located and must be screened from View from Neighboring Property.

SECTION 5
CONSTRUCTION GUIDELINES

The following Construction Regulations must be made a part of the construction contract documents for each Residence or other Improvements on a Lot. All Contractors and Owners shall be bound by these Regulations, and any violation by a Contractor shall be deemed to be a violation by the Owner of the Lot.

5.1 PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the Contractor must meet with the Design Review Board to review the construction regulations, procedures, and guidelines of this Section 5. Contractors will be required to fill out a form listing subcontractors and suppliers for access to the project. A "Construction Authorization Certificate" issued by the Design Review Board will be required to be posted at each construction site. The certificate should be posted on the back of the construction sign if it exists or on a small fixed post located near the driveway at the street. In order to receive the Construction Authorization Certificate, the Final Submittal must be approved and the construction documents received and reviewed for compliance with the Design Review Board's stipulations for final approval. In addition, the Contractor's Bond must be collected, and the acknowledgment of receipt of the construction regulations must be signed. No construction activity of any kind can take place until this Construction Authorization Certificate is received and posted.

5.2 OCCUPATIONAL SAFETY AND HEALTH ACT COMPLIANCE (OSHA)

All applicable OSHA regulations and guidelines must be strictly observed at all times.

5.3 CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES, ETC.

Any Owner or Contractor who desires to bring a construction trailer, field office, or the like to Morrison Ranch shall first apply for and obtain written approval from the Design Review Board. To obtain such approval, the Owner or Contractor shall submit a copy of the site plan with proposed locations of the construction trailer or field office, the portable toilet, and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction.

5.4 DEBRIS AND TRASH REMOVAL

Contractors shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from each construction site frequently and not be permitted to accumulate. Lightweight material, packaging, and other items shall be covered or weighted down to prevent their being blown off the construction site. In no case may debris and trash be allowed to exceed the top of the dumpster. Contractors are prohibited from dumping, burying, or

burning trash anywhere on Morrison Ranch except as expressly permitted by the Design Review Board. During the construction period, each construction site shall be kept neat and clean and shall be properly policed to prevent it from becoming a public eyesore or affecting other Lots or any open space. Unsightly dirt, mud, or debris resulting from activity on each construction site shall be promptly removed, and the general area cleaned up. Dumpsters or other waste receptacles must be located within areas specifically approved in writing by the Design Review Board. For physically constrained sites, smaller dumpsters with more frequent removal may be necessary in order to fit the dumpster within the construction fencing.

5.5 WASHOUT AND CLEANING

Washout of concrete trucks or the washout and cleaning of any equipment by masons, plasterers, painters, dry-wallers, etc., must be contained within each Lot. Washout or cleaning residue shall not be allowed to flow off of the Lot or into washes, drainage ways, or any adjacent objects. The Contractor will also be responsible for restoring the damaged area to its natural state.

5.6 SANITARY FACILITIES

Each Contractor shall be responsible for providing and maintaining adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be used on Lots only if specifically approved in writing by the Design Review Board.

5.7 VEHICLES AND PARKING AREAS

Construction crews shall not park on, or otherwise use, other Lots or any open space. Each Contractor shall be responsible for its subcontractors and suppliers obeying the speed limits posted within Morrison Ranch. Adhering to the speed limits shall be a condition included in the contract between the Contractor and its subcontractors/suppliers.

5.8 EXCAVATION MATERIALS

Excess excavation materials must be hauled away from Morrison Ranch and disposed of properly. Dumping of excess Excavation materials within Morrison Ranch is prohibited.

5.9 BLASTING

Applicable Town and governmental requirements concerning blasting must be observed.

5.10 RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGE

Damage and scarring to property other than the Lot, resulting from construction operations including, but not limited to, open space, other Lots, roads, driveways, concrete curbs and gutter, and/or other Improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the Contractor.

5.11 MISCELLANEOUS AND GENERAL PRACTICES

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, contractors, and subcontractors while on the premises of Morrison Ranch. The following practices are prohibited:

- (a) Starting construction work before 6:00 a.m.
- (b) Changing oil or otherwise servicing any vehicle or equipment on the site itself or at any other location within Morrison Ranch, other than at a location designated for that purpose by the Design Review Board.
- (c) Allowing concrete suppliers, plasterers, painters, or any other subcontractors to clean their equipment other than at locations specifically designated for that purpose by the Design Review Board.
- (d) Removing any rocks, plant material, topsoil, or similar items from any property of others within Morrison Ranch, including other construction sites.
- (e) Carrying any type of firearms within Morrison Ranch.
- (f) Using disposal methods or units other than those approved by the Design Review Board.
- (g) Careless disposition of cigarettes and other flammable material.
- (h) Use of, or transit over, any Council Common Area paths or trails.
- (i) No pets, particularly dogs, may be brought into Morrison Ranch by construction personnel. In the event of any violation hereof, the Design Review Board shall have the right to contact Town or Maricopa County authorities to impound the pets, to refuse to permit the Contractor or subcontractor involved to continue work on the project or to take such other action as may be permitted by law, these Guidelines or the Declaration.
- (j) Radios and other audio equipment playing music on construction sites within Morrison Ranch are not permitted. This restriction is to avoid impacting homeowners living at Morrison Ranch.
- (k) Catering trucks will not be permitted to use their horns; their schedules are routine enough for workers to be aware of break times. Also, trash generated by the purchase of items from these trucks and from construction practices generally should be contained and disposed of properly. Repeated problems with these requirements could result in the catering trucks being denied admittance to the property.
- (l) Fires for the purpose of warming in winter.

- (m) Storage or parking of non-construction-related vehicles, trailers, boats, etc., at the construction site.

5.12 CONSTRUCTION ACCESS

The only approved construction access during the time a Residence or other Improvement is under construction will be over the approved driveway location for the Lot unless the Design Review Board approves an alternative access point. In no event shall more than one construction access be permitted onto any Lot.

The location of the construction entrance into Morrison Ranch, along with the standard procedures and operations of the gate, will be determined from time to time by the Council and issued to each Contractor working within Morrison Ranch.

5.13 DUST AND NOISE

The Contractor shall be responsible for controlling dust and noise, including without limitation music, from the construction site.

5.14 TEMPORARY CONSTRUCTION SIGNAGE

In an effort to maintain the residential character of Morrison Ranch and to minimize the visual clutter that unlimited construction signage can cause, the Design Review Board will require all temporary construction signs to meet the following criteria:

- (a) 5.14.6 Signs, if any, shall be single-faced, panel type, with a maximum area of six (6) square feet.
- (b) 5.14.7 No additional signs may be attached to the main sign or be suspended below it, although separate sign panels that link together to form a single visual sign that meets all the requirements of this Section will be acceptable. No lighting of construction signage is allowed.
- (c) 5.14.8 Only the following information may appear on a construction sign:
 - i. Contractor's name & phone number
 - ii. Architect's name & phone number
 - iii. Owner's name
- (d) 5.14.9 Letter colors should relate harmoniously with the background colors while providing sufficient contrast to enable the sign to be read from approximately twenty feet (20') away.
- (e) 5.14.10 Temporary construction signs must be removed at the time the house is substantially complete or when the Design Review Board directs the sign to be removed.

5.15 FIRE PROTECTION

At least one full and operable 10 pound ABC rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times. Absence of such a device may result in fines against the Contractor or access of the Contractor being denied to the construction site.

5.16 DAILY OPERATION

Daily working hours for each construction site shall be from thirty (30) minutes before sunrise to thirty (30) minutes after sunset unless other hours are designated in writing by the Design Review Board. No exterior construction or construction causing noise audible from outside the Residence shall be allowed on Sundays.

Appendix "A"

DEFINITIONS

Unless the context otherwise specifies or requires, the following words or phrases, when used in these Guidelines, shall have the following specific meanings.

“Adjacent Lot” means any Lot that shares a common boundary with the subject Lot, as well as any Lot that is located directly across a street or across a Common Area open space less than fifty feet wide.

“Applicant” means the specific individual person identified on an application form submitted to the Design Review Board as the Applicant to whom all design review correspondence shall be addressed.

“Architect” means a person appropriately licensed to practice architecture or landscape architecture in the State of Arizona.

“Board” means the Board of Directors of the Design Review Board.

“Contractor” means a person or entity engaged by an Owner, including the Owner acting as a contractor, for the purposes of constructing any Improvement on the Owner's Lot.

“Council” means the Morrison Ranch Community Council.

“Declaration” means the recorded Declaration of Covenants, Conditions, and Restrictions for Morrison Ranch, as amended from time to time.

“Design Review Board” means the Design Review Board established pursuant to the Declaration.

“Excavation” means any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation), including any trenching which results in the removal of soil, rock, other earth materials, or other substance from a depth of more than 12 inches below the existing surface of the land, or any grading of the surface.

“Final Submittal” means all drawings and information required by Section 2.3 of these Guidelines to be submitted to the Design Review Board for final approval.

“Finished Floor Elevation” means the floor elevation of any portion of a Residence as measured from topographic elevations based on the Town datum.

“Guest House” means a structure, separate from the main structure of the Residence, having sleeping facilities for one or more guests.

“Guest Suite” means sleeping facilities incorporated into the main structure of the Residence for the use of one or more guests.

“Guidelines” means these Design Guidelines, as amended from time to time.

“Improvement” means any changes, alterations, or additions to a Lot, including any Excavation, Residence, buildings, outbuildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, hedges, poles, signs, exterior art, and any structure or other modification of any type or kind.

“Lot” means a subdivided lot as shown on a plat recorded with the Maricopa County Recorder.

“Owner” means the Owner (as defined in the Declaration) of a Lot. For the purposes herein, the Owner may act through his designated agent, provided that such agent is authorized in writing or by law to act in such capacity.

“Preliminary Submittal” means all drawings, models, and information required by Section 2.2 of these Guidelines to be submitted to the Design Review Board to obtain preliminary design approval.

“Residence” means any building or buildings, including any garage or other accessory building used for residential purposes, constructed on a Lot, and any Improvements constructed in connection therewith. Unless otherwise defined, “Residence” shall mean a single-family Residence.

“Structure” means anything constructed or erected on a Lot, the use of which requires location on the ground or attachment to something having location on the ground.

“Town” means the Town of Gilbert, Arizona.

“Visible from Neighboring Property” means that an object or activity on a Lot which is or would be visible without the use of artificial site enhancements in any line of sight originating from any point six feet above any other property, including other Lots.

Appendix "B"

APPROVED PLANT LIST

The Design Review Board has found the plants included in the following list to be compatible with Morrison Ranch and encourages their use: Any species not contained herein may not be planted or installed in the front yards within Morrison Ranch without written approval from the Design Review Board.

Approved Trees for the Front Yards in Morrison Ranch

<u>Common Name</u>	<u>Scientific Name</u>
Arizona Sycamore	Platanus wrightii
Canary Island Pine	Pinus canariensis
Eldarica Pine	Pinus eldarica or halepensis
Evergreen Elm	Ulmus parvifolia
Fantex Ash	Fraxinus velutina "Rio Grande"
Orchid Tree	Bauhinia variegata
Pecan	Carya illinoensis
Purple Leaf Plum	Prunus cerasifera
Southern Live Oak	Quercus virginiana
Willow Acacia	Acacia salicina

Trees that are no longer allowed include Bottle Tree, Brazilian Pepper, Chilean Mesquite, Jacaranda, Indian Laurel Fig, Freemont Cottonwood, Carob Tree, Shamel Ash. As of 3/25/2017, the Sisso is no longer permitted in the front yard at Morrison Ranch.

Shrubs

Common Name

Arabian Jasmine*
BK Bougainvillea
Cape Honeysuckle
Cape Plumbago*
Compact Xylosma
David Viburnum*
Dwarf Gardenia
Dwarf Hibiscus
Dwarf Myrtle
Dwarf Pink Oleander

Etna English Laurel*
Heavenly Bamboo*
Japanese boxwood*

Japanese Euonymus*
Kaiti Blue Bells*
Mexican Honeysuckle*
Mexican heather*
Mock Orange*
Natal Plum
Pineapple Guava
Pink Indian hawthorne*
Pittosporum
Ruellia
Senna
Texas Firecracker Bush*
Texas Sage
Waxleaf Privet
Wheeler's Dwarf Mock Orange*

Scientific Name

Jasminum sambax
Bougainvillea "Barbara Karst"
Tecomaria capensis
Plumbago aruiculate
Xylosma congestum
Viburnum davidii
Gardinia jasminoides
Hibiscus rosa-sinensis
Myrtus communis
Nerium oleander "Pink Petite"
Prunus laurocerasus
"Anbri"
Nandina domestica
Buxus microphylla
japonica
Euonymus japonicus
"Grandifolius"
Ruellia brittoniana
Justicia spicigera
Cuphea hyssopifolia
Philadelphus virginialis
Carissa grandiflora
Feijoa sellowiana
Rhaphiolepis umbellate
Pittosporum tobira
Ruellia peninsularis
Cassia
Hamelia patens
Leucophyllum
Ligustrum japonicum
Pittosporum tobira
"Wheeler's Dwarf"

Ground Cover

Common Name

Scientific Name

Asiatic Jasmine	Trachelospermum asiaticum
Buffalo Juniper	Juniperus sabina
Creeping myoporum*	Myoporum parvifolium
Dichondra lawn*	Dichondra
Foxtail fern*	Asparagus meyeri
Freeway Acacia	Acacia redolens
Ice Plant	Drosanthemum speciosum
Lantana	Lantana species
Myoporum	Myoporum parvifolium
Periwinkle*	Vinca major
Rain Lily/Fairy Lily*	Aephyranthes candida
St. John's Wort*	Hypericum calycinum
Trailing Rosemary	Rosmarinus officinalis
Verbena	Verbena peruviana
Yellow Dot Wedelia*	Wedelia trilobata

- Indicates shade or semi-shade tolerant

Appendix "C"

PROHIBITED PLANT LIST

The following may not be planted or maintained anywhere in Morrison Ranch:

*Fountain Grass (*Pennisetum setaceum*) will be prohibited as a defined weed with the potential to spread throughout the development and as a fire hazard.

*Common Bermuda Grass (*Cynodon dactylon*) will be prohibited as a defined weed.

*Mexican Palo Verde (*Parkinsonia aculeatra*) will be prohibited as a harbinger of pests and because of its ability to spread throughout the development.

*Desert Broom (*Buccharis sarothroides*) female plants are prohibited as a defined weed with potential to spread throughout the development. Male plants are acceptable provided they are marked (tagged) as such and purchased from a reputable nursery.

*Date Palms are not approved in either front or rear residential yards.

**Please note, Desert Landscape (Palms and other desert plants, i.e., date palms, aloe vera, fire stick, agave, etc.) are not approved for front yards in Morrison Ranch. Desert plants may be planted in pots; however, they will not be counted as part of the overall plant requirement.