

Devon Homeowners Association

Rules and Regulations

Devon is a community as defined by its governing documents. The quality of the homes and neighborhood is preserved by the Covenants, Conditions, and Restrictions (CC&R's), administered by the Devon Homeowners Association Board of Directors. Management is conducted under the supervision of the Board and is carried out by Renaissance Community Partners.

The following is a condensed version of the most often addressed deed violations as contained in the CC&R's. Please refer to your original document for the full text. The omission of any restriction herein does not negate any member's responsibility to comply with all restrictions found in the original recorded document. All owners received a copy of the CC&R's from their title company at closing. If you need another copy, it can be obtained for a small fee, by calling Renaissance Community Partners at 480-813-6788.

ASSESSMENT OBLIGATIONS

Membership Fees: Membership Assessments are due monthly. All fees received after the 30th are considered late and subject to a late fee. Collections costs, filing of liens (lawyer's fees) and costs paid by the Association to collect Assessments, are considered "hard costs" and cannot be waived. All fees can be sent to the following address:

Devon Homeowners' Association
633 E Ray Rd Ste 122
Gilbert, AZ 85296

Note: The failure of the Association to send an invoice to the owner does NOT relieve the owner of the responsibility to pay all fees.
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ARCHITECTURAL CONTROL

Approval of plans: All construction and landscape designs must be approved by the Board of Directors prior to implementation. Any and all additions or changes to a home or yard that change the external appearance must have prior written approval from the Board of Directors.

Boundary and Party Walls: Each wall or fence, which is located between two Lots, shall constitute a party wall. Owners have equal rights to use such a wall provided one owner's use does not interfere with the use and enjoyment of the wall by the other owner. As such, adjoining owners have the responsibility to perform any necessary maintenance, repair or

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replacement of the wall, the cost of which shall be shared equally. Any wall which is constructed between and separates a privately owned Lot and Devon Common Area, shall constitute a boundary wall. Walls that separate a privately owned Lot and a Lot that does not fall within Devon property lines (borders another HOA etc.) shall also constitute a boundary wall. These walls lie entirely within the owner's Lot property line and therefore the owner is responsible for the maintenance, repair and replacement of said wall.

Drainage: No excavation or grading work shall be performed on any Lot that alters or impairs the direction or flow of water in accordance with the drainage plans for the project. Town of Gilbert Municipal Code Sec 34-38 (Code 1984, 8-5-4) shall also apply. All of Devon's Common Area is designated a retention basin system. Curb-side storm drains flow into these retention basins through large concrete pipes and as such must be kept clear of debris at both the curbside drain and at the ends of the pipes that are located in the Common Areas. These ends usually have large metal grates that can swing open and have large river rocks placed at the point where water exits the pipe. The rocks are there to help prevent erosion of the soil and grass. These rocks must not be moved or disturbed or used as play things. State and local laws govern all residential development drainage plans. Serious flooding could occur if this system is not kept up to the standards that have been developed by state and local codes and ordinances.

Landscaping: Landscaping must be installed on all areas subject to public view within 60 days from the close of escrow. Each owner shall keep all shrubs, trees, hedges, grass, and plantings of every kind, neatly trimmed and shall keep all such areas properly cultivated and free of trash, weeds and other unsightly material. A minimum of one (15 gal) tree and four (5 gal) shrubs must be maintained in each yard. More details on this subject are found in the CC&R's.

GENERAL USE RESTRICTIONS

Animals: The term "pets" is defined as generally recognized house or yard pets raised solely as domestic pets and not for commercial purposes. Pets are to be limited to two per Lot. Pets must not be allowed to become a nuisance or make an unreasonable amount of noise. No fowl, poultry, reptile, or livestock may be kept on any Lot. All pets shall be confined to an owners Lot except when such pets are kept on a leash, not to exceed six feet (6') in length. Pets are not allowed on any other owner's Lot. Any owner, resident or other

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person who brings or permits a pet to be on the Common Area or any Lot or street shall be responsible for immediately removing any feces deposited by the pet. The following Town of Gilbert regulations reference dogs as pets in the town, both on private and public property.

1. Municipal Code Sec 6-62 (Ord. No. 10071, 11,19,96) Removal of fecal matter.
2. Municipal Code Sec 6-60 (Code 1984, 13-2-7) State of AZ A.R.S. 11-1012, Dogs at large.
3. Municipal Code Sec 46-42 (Code 1984, 10-1-24(L)) Dogs to be leashed at all times.

Basketball Goals and Backboards: No permanent basketball hoop, goal, or backboard shall be constructed or installed on any Lot without the proper written approval of the Board of Directors. Portable hoops are not to be left on the sidewalk, in the street, or to be placed so as to cause a possible nuisance to a neighboring Lot.

Clothes Drying Facilities: No outside clothes lines or other outside facility for drying or airing clothes shall be erected, placed or maintained on any Lot so as to be visible from a neighboring property or the Common Areas.

Diseases and insects: No person shall permit any thing or condition to exist upon any Lot, which shall induce, breed, or harbor infectious plant diseases or noxious insects.

Garages: Garages situated on Lots shall be used only for the parking of vehicles and shall not be used for or converted into living areas or recreational facilities without the prior written approval of the Board of Directors. Garage doors should be kept closed when not in use.

Lights: No spotlights, floodlights or other high intensity lighting shall be placed or utilized upon any Lot, which, in any manor, will allow light to be directed or reflected unreasonably upon any other Lot. Architectural rules will apply for installation of said lights.

Machinery and Equipment: Lawn and garden equipment may be kept on a Lot provided such equipment is stored in a building approved by the Board of Directors. Machinery and equipment must not be visible from neighboring property or the Common Area.

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Mechanical Equipment: No air conditioning units or appurtenant equipment may be mounted installed or maintained on the roof of any residential unit or other building on a Lot, so as to be visible from neighboring property. Any such equipment installed on the ground shall be screened from adjacent Lots and streets.

Motor Vehicles: No automobile or other motor vehicle or equipment shall be constructed, reconstructed or repaired upon a Lot or other property within the Association. Normal vehicle maintenance to include oil changes, flat tire repairs and belts and hoses may be performed, providing all fluid leaks and stains are cleaned and or removed from streets and driveways.

Go-Peds, Motorized Skateboards and Scooters, and Quads: None of the afore mentioned motorized vehicles are permitted on Common Area grounds or walkways. Walkways are reserved for pedestrian and non-motorized vehicle traffic only. Town of Gilbert Municipal Code Sections 62-145, 62-146, and 62-147 (Ord. No.1079, I, 1-6-98) shall apply at all times. Go-peds are permitted to be operated on public streets in compliance with the Town of Gilbert and Arizona State laws and ordinances.

Overhead Encroachments: No tree, shrub, or planting of any kind on any Lot shall be allowed to overhang or otherwise encroach upon any Lot, pedestrian way, or other area from ground level to a height of eight (8) feet. Homeowners may trim encroached plants, tree branches and shrubs at their property line if the offending party has not done so. A good neighbor policy should apply and is preferred over disputes. Contact Renaissance Community Partners for questions and or suggestions. The Board of Directors has the final say in this matter.

Parking: Except as specifically permitted by the Board of Directors, no boats, trailers, motor homes, campers, trucks classified by the manufacturer's rating as exceeding 3/4 ton, unlicensed or inoperative vehicles shall be parked or stored in or upon any Lot, the Common Areas or the public streets of Devon HOA. Temporary parking on a Lot or the adjacent street for the purposes of loading or unloading is permitted.

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Residential Use: All residential units shall be used, improved and devoted exclusively to residential use. No trade or business may be conducted on, in, or from any Lot or residential unit. Exceptions: 1) An owner or other resident of a unit may conduct a business activity within a residential unit so long as the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the residential unit. 2) The business activity conforms to all applicable zoning ordinances and codes and meets the requirements of the Association. 3) The business activity does not involve persons coming on to the Lot or the door to door solicitation of owners or other residents in the Association. 4) The business does not constitute a nuisance, hazard, is deemed offensive or threatens the security or safety of other residents in the Association, as may be determined from time to time, at the sole discretion of the Board of Directors.

Signs: No signs whatsoever (including, but not limited to commercial) which are visible from neighboring property shall be erected or maintained on any Lot without prior written approval of the board of directors except: 1) Signs required by legal proceedings. 2) Residence identification (address) signs, provided the size, color content and location of such signs have been approved in writing by the Board of Directors. 3) One (1) for sale sign placed by a professional residential real estate brokerage company or placed by the owner of the Lot, provided that the Board of Directors shall reserve the right to request reasonable modification to such signs if deemed appropriate. One (1) alarm monitoring company sign is permitted in the front yard with Board approval.

Towing of vehicles: The Board shall have the right to have removed or towed any car, truck, motorcycle, mobile home, travel trailer, tent trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or other similar equipment which is parked or left on a Lot in violation of the Association documents. The expense for towing or removal will be borne entirely by the owner of the Lot where the vehicle or equipment is located and will be due upon demand. All amounts owed to the Association shall be secured by the assessment lien and the Association may enforce collection of said amounts in the same manner as provided for in this declaration for the collection of assessments.

Trash Containers and Collection: Trash containers must be concealed except during collection times. Storing of trash containers behind the wing wall is not acceptable if the container is visible from the street, Common Area or neighboring property. The hours that containers may be placed out are between 4pm the night before till 9pm the night of the collection day. This provides a window of twenty-nine (29) hours. Contact Renaissance Community Partners

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if there is a problem with this time schedule, such as an absence due to being away on vacation or an emergency situation.

Window Coverings: No window, which would be visible from neighboring property or Common Area, shall be covered with aluminum foil, bed sheets, newspapers or other like materials. No reflective materials shall be installed or used on any improvement without prior written consent of the Board of Directors.