

THE SHORES AT RAINBOW LAKE
ARCHITECTURAL COMMITTEE RULES

The Architectural Committee is committed to the development of The Shores at Rainbow Lake as a neighborhood of quality and elegance. The success of The Shores at Rainbow Lake will be due in a large measure to our ability to project enthusiasm and a strong vision for this development to all those involved in its realization -- to the Owners, Designers, Architects, and Builders. Together we will bring this vision to a reality by a commitment to administering and enforcing, reasonably and equitably, the protective covenants (CC&R'S), design standards, and review procedures necessary for its successful completion.

In accordance with the power granted to the Architectural Committee by Article 4.9 of the Declaration of Covenants, Conditions and Restrictions for The Shores at Rainbow Lake (the "Declaration") recorded in Docket 825, pages 248 through 309, records of Navajo County, Arizona, the Architectural Committee of The Shores at Rainbow Lake Owners Association (the "Association") readopted and amended the following Architectural Committee Rules effective as of June 1, 2001.

ARTICLE I

GENERAL PROVISION

A. Definitions. Capitalized terms used in these Rules with our definition shall have the meanings given to such terms in the Declaration.

B. Review Fees. The Architectural Committee may adopt a fee schedule for fees to be paid to the Association in connection with the Architectural Committee's review of plans and specifications for the construction of improvements in the Project or any other matter submitted to the Architectural Committee for review and approval in accordance with the provisions of the Declaration.

C. Time Periods. In computing the number of days for purposes of any provisions of these Rules, all days shall be counted including Saturdays, Sundays and holidays; provided however, that if the final day of any time period falls on a Saturday, Sunday, or holiday, the final day shall be deemed to be the next day which is not a Saturday, Sunday or Holiday.

D. Nature of Approval. Any approval of plans, specifications or other matters given by the Architectural Committee shall be only for the purpose of permitting construction of proposed improvements within the project. Such approval shall not constitute an approval, ratification or endorsement of the quality or architectural or engineering soundness of the proposed improvement. Failure of any Owner, general contractor engaged by the Owner, any subcontractor engaged by the Owner's general contractor or the Owner of anyone else acting in a similar capacity, to comply with any provision of these Rules, including the Review Procedures under Article II and the Review Fee provisions at section 2.4, immediately voids any approval of plans or any other approval given by the Architectural Committee. Upon such violation of the Rules, the Architectural Committee may engage in the Remedies section at Article II.H.

ARTICLE II

REVIEW PROCEDURES

A. Submission of Plans. Any person seeking the approval of the Architectural Committee for the construction of any Residential Unit or other improvements or landscaping within the Project must submit to the Architectural Committee two (2) sets of plans and specifications which must include (i) a specification of the nature, kind, shape and height of the improvements to be constructed, (ii) the exterior color of the proposed improvements as evidenced by manufacturer's color chips, and (iii) the kind and nature of the materials to be used in the construction of the proposed improvements. The plans and specifications must be accompanied by two (2) copies of a site plan showing the location on the Lot of the proposed improvements and the dimension of all improvements. Also provide type and color of finished roof materials. No person may engage in any construction or improvement on any property within the boundaries of The Shores without approval of their plans by the Committee. Any such unauthorized construction or improvements shall immediately be remedied by the Board as provided under Article 2.5 of these Rules, as well as by any other remedies available at law.

B. Site Plan Requirements. A Submittal Checklist must be submitted to the Architectural Committee for review along with the Application and two (2) sets of the plans and specifications as described in Article II, subsection 2.0. The minimum site plan requirements must:

1. Include a site plan drawn on 24"x36" sheets at a scale of not less than 1" = 20'.
2. Show and dimension all set back and easement lines.
3. Show the adjacent property on each side of lot, either a lot, common area, lake or street, etc.
4. Show the existing utility locations and proposed connections (location, size, type).
5. Show the location, size and type of proposed driveway.
6. Show the propane tank location and type of enclosure "if applicable".
7. Show size, length and type of driveway culvert "if applicable".
8. Show enough spot elevations on and off site of the lot to determine the direction of drainage or flow, also show finish floor elevation.
9. Show all trees 8" and larger;
10. Minimum setback requirements are shown on Exhibit C.
11. A landscaping plan must be submitted (indicate no landscaping plan if none is going to be done).

C. Dog Run Fences. A request for a dog run fence must be submitted to the Architectural Committee either with the residential unit or as a separate request, in either case, the Article II, subsection 2.0

"Submission of Plans" and subsection 2.3 "Time of Approval" would be the same.

The minimum requirements for a dog run fence:

1. Cannot exceed 5.0 feet in height.
2. Has to be within setback requirements.
3. Fences can be on one or two sides of the property only, one side, or one side and the rear.
4. Area cannot exceed 500 Sq.Ft.
5. Include a fence material that would match the existing structure.
6. No brick or masonry fences or fence posts are permitted.
7. A plan sketch or a picture of the fence must be submitted with the application.

D. Time for Approval. The Architectural Committee shall review all applications submitted to it and advise the person submitting the application of the Committee's approval or disapproval of the plans and specifications within thirty (30) days requirements of these Rules. If the Architectural Committee determines there is not sufficient information submitted to it to approve or disapprove the plans and specifications for the proposed improvements, the Architectural Committee shall so notify the person submitting the application and specify the additional information required for review by the Architectural Committee before it can make a decision. The Architectural Committee shall have thirty (30) days after the submission of the additional information in order to approve or disapprove the application.

E. Lakefront Improvements. Any application for Architectural Committee approval for the construction of Lakefront Facilities and/or any shoreline modifications must be submitted separate and apart from the plans and specifications for the construction of other improvements on a Lot or Parcel. The plans and specifications for Lakefront Facilities must include the same information required in Article 11.A of these Rules for plans and specifications for improvements other than Lakefront Facilities.

F. Boat Docks. Boat dock size shall not exceed 150 sq. ft. (not including transition walkway from shore to dock). The boat dock transition walkway shall not exceed a distance of 25 feet from property line or natural shoreline (whichever is appropriate) into the Lake area; the combined transition walkway and dock will not exceed 35ft. in length. The Distance allowed into the Lake may be reduced in certain areas, such as channel areas, due to space limitations. In keeping with the surroundings, Boat Docks will be constructed of redwood, cedar or treated wood that is manufactured for dock purposes, however, alternate material samples and, if available, product literature shall be included with the submission to aid the Committee in its review. A suggested dock layout is attached to these Rules as Attachment A. Due to Lake level fluctuation, a floating dock is recommended. The Committee also suggests that adjacent property owners share a dock whenever it is feasible to do so. If shoreline dredging is desired to have good access from the Lake to the boat dock during Lake level

fluctuations, a plan for the dredging must have prior approval of the Town of Lakeside and Show Low Irrigation District.

G. Review Fee. As authorized under Article 1.B, any person seeking the approval of the Architectural Committee for the construction of any Residential Unit within the Project, shall submit \$2,500.00 to the Architectural Committee (of which \$100.00 is for plan review; \$1,400.00 is for Street Reserve and \$1,000.00 deposit, refundable if the construction is completed as approved) at the same time as submitting the plans and specifications provided for in Article 2.A. Plans for secondary construction not requiring a city permit will require a \$200.00 fee of which \$50.00 is for plan review and \$150.00 is for street reserve. Plans for secondary construction requiring a city permit will require an additional \$500.00 deposit, refundable if the construction is completed as approved. No person may engage in any construction or improvement on any property within the boundaries of the Association without submission of the required fee. Any such unauthorized construction or improvements shall immediately be remedied by the Board as provided under Section 2.5 of these Rules, as well as by any other remedies available at law.

H. Remedies. Upon any violation, however minor, of any of these Rules, the Board may, in its discretion, initiate any or all of the following legal remedies:

1. Engage legal counsel to represent the Board in remedying the violations;
2. File an action in the appropriate court of law to immediately stop, through an injunction or otherwise, the unauthorized construction, improvements, landscaping or other violations;
3. Assess a daily penalty of up to \$500.00 on the Owner or Person in violation of the Architectural Rules; and
4. Any other remedy provided under Arizona or Federal Law;
5. Any costs incurred by The Shores at Rainbow Lake in the course of curing any noncompliance deficiencies in completing the project as approved shall be charged against the Owner or Person in violation.

These remedies apply jointly and severally to all Owners, general contractors engaged by the Owner, any subcontractors engaged by the Owners general contractor or the Owner or anyone else operating in a similar capacity. Any person in violation of these Rules, or the Owner even if he is not in violation of the Rules, shall reimburse the Association for all attorneys' fees and related costs and expenses incurred in exercising this Remedies section. This includes all attorneys' fees and related costs and expenses incurred in collecting attorneys fees and related costs and expenses.

I. Specific Procedure. Lot owners must submit all plans to the Architectural Committee for approval prior to making improvements of any kind, or changing any improvements previously approved by the Architectural Committee. Approval by the Architectural Committee shall not relieve the owner from obtaining any and all other required municipal, county, or health department approvals: The following procedure should be followed closely to minimize delay in obtaining approval.

1. Pre-Design Meeting. Prior to preparing preliminary plans for a proposed improvement, the owner and/or his architect should meet with an Architectural Committee member to discuss proposed plans, and to explore and resolve any questions regarding building requirements in The Shores At Rainbow Lake. This

informal review is to offer guidance prior to initiating preliminary design. An appointment for a pre-design meeting should be made at least one week in advance.

2. Submittal Check List. Preliminary plans, including all of the exhibits as outlined in the Submittal Check List must be submitted to the Architectural Committee. After final approval is obtained from the Architectural Committee, any additions or changes to plans will require the approval of the Committee. The SUHM1TTAL CHECKLIST is attached as Attachment B.

3. Project Approval Limitation. If construction has not begun within six (6) months of the final approval from the Architectural Committee the plans would need to be resubmitted to the Architectural Committee for review.

4. Architectural Committee Decisions.

a. Committee Procedures.

i. Review. The Architectural Committee will respond in writing within thirty (30) days of submittal, provided plans are in accordance with the SUBMITTAL CHECKLIST. Reasons for disapproval will be clearly stated.

ii. Resubmit. In the case of disapproval, the owner may revise and resubmit. If the resubmission is not approved, the owner may appeal.

iii. Appeal. The owner may request a hearing with the Architectural Committee, which must be set within fifteen (15) days. The decision of the Architectural Committee at the hearing will be final.

b. Enforcement.

The Architectural Committee may inspect all work in progress and give notice of non-compliance. In the event of non-compliance, the Architectural Committee may seek any or all of the remedies prescribed in Article II, subsection 2.7.

c. Clarification. For any clarification or additional information, please contact:

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Lakeside, Arizona 85929

Telephone No.: 928-368-6062
Cell No.:
Fax No.: 928-368-6900
Email: shoresateainbowlake@cableone.net

It is vitally important that full communication be established with the Architectural Committee at an early date to avoid construction delays or the expense of correcting non-conformance with Design Guidelines.

ARTICLE III

STANDARDS FOR CONSTRUCTION

A. Conformance with surroundings. All Residential Units, buildings and other improvements to be constructed on Lots or Parcels in the Project must be

consistent and in conformity with the natural surroundings and residential Units, buildings and other improvements constructed by the Declarant. In keeping with the surroundings, the use of wood siding and trim and rock for decorative areas is recommended however, alternate materials will be considered.

Material samples and, if available, product literature should be included in the submission to aid the Committee in its review.

B. Minimum Size of Residences. Each Residential Unit must contain a minimum of 1,600 livable square feet. In determining whether the minimum requirements set forth in this Section have been met, the square footage of any garages, porches or patios shall be excluded. Each Residential Unit must contain an attached garage providing parking for at least two automobiles.

C. Type of Improvement. No building or structure other than one single family Residential Unit, together with appurtenant garage and other structures attached to the Residential Unit, shall be constructed, erected or maintained on any lot.

D. Garages. Each Residential Unit must have an attached garage providing parking for at least two automobiles.

E. Air Conditioning and Heating Units. No air conditioning compressors, fans or other equipment and no heating system or equipment shall be constructed or installed on the roof of any Residential Unit or other structure. Compressors and fans and other equipment for central air conditioning and heating systems which are located outside the exterior of a Residential Unit must be adequately walled, fenced or landscaped to prevent unreasonable noise and visibility.

F. Exterior Colors. The exterior colors of all Residential Units, buildings and other Structures must be approved by the Architectural Committee based upon manufacturer's color chips submitted with the plans and specifications.

G. Landscaping. All Landscaping must be approved by the Architectural Committee prior to installation. All landscaping shall be consistent with existing natural vegetation or landscaping installed by the Declarant. Landscaping with items that are or were used as machinery or equipment such as, but not limited to, vehicles, tractors, wagons, cultivators, plows, etc., will not be allowed. However, small items typically considered as lawn ornaments would be allowable subject to compliance with Architectural Committee approval procedures.

H. Signs. Only one general contractor sign is allowed per home site. This sign must not exceed 2' x 3' or any configuration greater than 6 square feet and must be of wood construction. Any signs placed on construction sites must be removed within 30 days after completion of the construction project.

I. Construction Equipment. Large construction trucks and equipment must use extreme caution when driving on the community streets so as not to damage the streets or shoulders.

J. Drainage Culverts. Where needed adequate culverts must be installed in drainage ditches prior to construction so as not to impede drainage, and also to protect the pavement edge of the road.

K. Construction Site Cleanliness. A trash dumpster is to be placed on the

job site before commencement of construction, and kept on site throughout the duration of the project. All construction debris should be picked up on a daily basis so as to keep job sites in a clean and orderly fashion.

L. Propane Tank Enclosure. Propane tanks are to be enclosed using the same material as used on the residence i.e., siding, or a material approved by the Architectural Committee. Enclosures are to be a minimum of 4' and a maximum of 5' in height, and not to exceed 50 square feet.

M. Portable John. A Portable John must be provided on all construction sites before any job is to start.

N. Construction Workers. Construction workers are forbidden to use any of the Shore's facilities.

O. Exposed Concrete (Driveways and Sidewalks). All exposed concrete shall either be colored in earth tone shades or exposed aggregate. Color samples must be submitted to be approved. A real extent of any concrete driveway or sidewalk in proportion to the lot frontage shall be subject to the review of the Architectural Committee.

P. Security Fencing Along Subdivision Boundaries. The old barb wire fencing along the rear property line of the Estates at the Shores at Rainbow Lake subdivision, lots 1 through 5 or any other area where barb wire exists, when needed, to be replaced with a six foot high chain link security fence. The remainder of the subdivision boundary fencing other than barb wire fence, if needed, will be replaced with the same or in kind fence that now exists. If and when the existing old wire fence is to be replaced with the six foot chain link security fence, the adjacent property owners would have the opportunity to upgrade the security fence to a privacy fence, as approved by the Architectural Committee. Said upgrade must include the entire section of fence and the basis of approval thereof will be a majority of the property owners so effected and with the understanding that it is each property owner's responsibility to provide oiling/water seal/maintenance as required on that portion of fence affecting his property. The cost difference between the security fence and privacy fence would be the responsibility of the adjacent property owner.

Q. Work Hours. Work house will be from 7:00 A.M. to 6:00 P.M., Monday through Saturday.

ATTACHMENT A

A suggested dock layout is drawn below for your consideration. Due to Lake level fluctuation a floating dock is recommended. The Committee also suggests that adjacent property owners share a dock whenever it is feasible to do so. If shoreline dredging is required, to have good access from the Lake to the Boat Dock during Lake level fluctuations, a plan for the dredging must be submitted along with the Boat Dock plans.

ATTACHMENT B

THE SHORES AT RAINBOW LAKE
SUBMITTAL CHECKLIST - APPLICATION

Lot #	Date:
Owner:	Telephone No.:
	Cell No.:
	Fax No.:
	E-Mail Address:
Architect:	Telephone No.:
Contact:	Cell No.:
	Fax No.:
	E-Mail Address:
Contractor:	Telephone No.:
Contact:	Cell No.:
	Fax No.:
	E-Mail Address

The following items must be presented to the Architectural Committee for review.

1. Site Plan showing property lines with dimensions, setback dimensions, all structures, driveway and parking areas. (2 sets)
2. Roof and Floor Plans. (2 sets)
3. Exterior Elevations. (2 sets)
4. Description of all exterior materials and colors. (Sample to be enclosed)
5. Description and color of all roofing materials. (Sample to be enclosed)
6. Plans for any other improvements on the lot, such as boat dock, landscaping, dog runs, gazebo, etc.

Comments of Architectural Review Committee:

Date Received for Review:

Date of Review:

Date of Comments to Owner:

ATTACHMENT C

THE SHORES AT RAINBOW LAKE
MINIMUM SETBACK REQUIREMENTS

FRONT YARD	35 FEET
SIDE YARD	10 FEET
REAR YARD	20 FEET
REAR YARD	40 FEET ON LOTS 120 THRU 127
STREET SIDE	35 FEET