

# THE THOMPSON DRAW I ARCHITECTURAL GUIDELINES

ASSOCIATION APPROVED 6-7-03

These Architectural Guidelines have been promulgated pursuant to Article 3 of the Declaration of Covenants, Conditions, and Restrictions for Thompson Draw I (the CC&Rs), official record for Gila County, Arizona, and thereafter amended from time to time. The Architectural Guidelines are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any external improvement upon the property, or make any change in the natural existing surface, drainage, or plant life thereof.

The Architectural Guidelines are administered and enforced by the Board of Directors in accordance with the CC&Rs and the procedures herein and therein set forth. The Architectural Guidelines may be amended from time to time and it is the responsibility of each owner or other Person to obtain and review a copy of the most recently revised Architectural Guidelines.

The Architectural Review Committee has been established in accordance with the CC&Rs to review all proposals for Improvements (as defined in Article 1, Section 1.8 of the CC&Rs) or modifications to properties in Thompson Draw I and to advise the Association Board of Directors on recommendations concerning approval of any such projects.

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## 1 PHILOSOPHY

The lot owners, acting by and through the Thompson Draw Improvement Association (hereinafter known as the Association), and the Board of Directors share the common purpose of preserving the natural beauty and charm of the forest. The intent of the Association will always be to carefully foster well-planned development.

The Architectural Review Committee (hereinafter referred to as the ARC) recognizes the responsibility imposed upon it by the Declaration of Covenants, Conditions and Restrictions (CC&Rs), to enforce and update the Architectural Committee Rules referred to therein. It is incumbent upon every member of the Association to be knowledgeable regarding the CC&Rs and these Rules. Execution of enforcement of action for violations of architectural rules is an Association Board function; the ARC acts only in a review and advisory role.

The Architectural Guidelines outlined below are intended for the use of all property owners, residents, prospective homebuilders and contractors who build a new structure or perform work involving any changes to either the grounds or the exterior of existing structures. These Architectural Guidelines have been developed for the mutual benefit and enjoyment of all thirty eight (38) lot owners. These Guidelines are intended to implement and supplement the CC&Rs. These Guidelines do not replace or supersede the CC&Rs.

The Architectural Guidelines provide specifics to be used for submission of plans, construction of structures, and guidance to the Architectural Review Committee when reviewing submissions. The Board of Directors and the Association may from time to time modify or amend these Architectural Guidelines. All property owners are encouraged, therefore, to keep the Board informed of their wishes.

Building Guidelines and restrictions have been developed to implement this philosophy. Minimum Guidelines of design provide direction to lot owners in the planning, design, construction, and modification of their residences to insure compatibility with the environment and existing structures. The purpose of the Architectural Guidelines is to create a harmonious architectural approach compatible with existing Thompson Draw I structures and the forest. No one structure or improvement should stand apart in its design or construction so as to detract from the overall environment and appearance of Thompson Draw I.

Each lot within Thompson Draw I is unique in terms of its natural opportunities and constraints. In order to take full advantage of those unique attributes, each lot will require a different approach in design and construction within the framework of these Architectural Guidelines. The Guidelines and design restrictions set forth in these Architectural Guidelines should be viewed as the lot owner's protection that the special environment of Thompson Draw I will be preserved and enhanced over time.

It is expected that the design of each residence or other improvements will be tailored to the unique features of each individual lot. To preserve the natural features of each lot, such as significant existing plant materials, washes, or rock outcroppings, each residence or improvement will be required to be sited so as to minimize disruption of the existing environment or impinge upon adjacent properties

The building review process was developed to provide adequate checkpoints along the way, so that time and money are not wasted on plans and designs, which do not adhere to the Architectural Guidelines or the overall principles of Thompson Draw I. Every attempt has been made to streamline this review process to eliminate excessive time delays. Nevertheless, each owner is responsible for strictly complying with the Architectural Guidelines, and all other applicable provisions of the CC&Rs or rules and regulations of any

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governmental authority, in order to bring the building review process to a speedy and satisfactory conclusion.

## 2 ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee operates at the discretion of the Association and the Board of Directors of Thompson Draw I to facilitate the approval of matters concerning the building, alteration or upkeep of Improvements (as defined in Article 1, Section 1.8 of the CC&Rs) located or proposed to be located on the lots within Thompson Draw I, and to make recommendation to the Board of Directors in the consideration of such matters. (CC&Rs Article 3, Section 3.1)

### 2.1 ORGANIZATION AND DUTIES

The Architectural Review Committee operates at the will of the Association and under the provisions of Article 3 of the CC&Rs of Thompson Draw I. Any changes to the organization or duties of the ARC must be in conformance with the CC&Rs, as they exist from time to time.

### 2.2 ELIGIBILITY AND TERMS OF SERVICE

The Architectural Review Committee shall be composed of three to five association members elected by the association membership for a two-year term. One half of the members (or the larger fraction of an odd number of committee members) shall be elected in one year with the remaining members elected in the following year. The nominating committee (as specified in II-2 of the bylaws) shall present candidates for the committee and additional nominations may be made from the floor at the time of the election. Committee members may run for successive terms

### 2.3 MEETINGS

The Architectural Review Committee shall meet on the first Tuesday of the month to review requests by members of the Association to complete exterior Improvements to their property. If no requests are submitted during the month the ARC will meet as needed for other committee business.

### 2.4 ENFORCEMENT

The Association Board of Directors, who may utilize the CC&R fines policy as defined in Article 6 Section 6.3, 6.4 and 6.5, enforces the Architectural Guidelines.

## 3 ARCHITECTURAL DESIGN GUIDELINES

Approval is required for all Improvements, alterations, repairs, excavation or other work, which in any way alters the exterior appearance of any property within the Association. No building, fence, wall, residence or other structure shall be commenced, erected, improved, altered, made or completed without review by the ARC and the prior written approval of the Board. This includes CHANGES to landscaping, painting, houses, garages, carports, porches, walls, fences, gates, patios, decks, ramadas, gazebos, storage sheds, and any and all other structures.

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## 3.1 LIGHTING

All outside lighting must be approved by the Board based on the recommendation of the committee. It must be so designed and installed so as not to beam onto a neighbor's property or otherwise create a nuisance.

## 3.2 ROOFS

All roofs shall be of a material, color, and texture approved by the Board and defined in these Guidelines. Emphasis should be given to fire retardant material.

The overall appearance of the residence will be an important consideration. The color of the roof must conform to the natural earth tone color Guidelines set forth in the Architectural Guidelines. Dominant colors such as black, white, and red detract from the natural colors of the forest. Reflective roof surfaces, which cause excessive glare, are not allowed.

All roof surfaces on the lot shall be of compatible material and color, front and back.

When submitting requests, owners shall specify the proposed type of material and provide a color manufacturers' brochure or a sample along with the name of the color.

## 3.3 COLORS

The colors of external materials must generally be subdued to enhance the colors of the natural forest landscape. Earth tones, generally muted, are recommended. Repainting or maintenance using existing, approved colors or stains do not require ARC review and Board approval.

## 3.4 MATERIALS-EXTERIOR SURFACES

Exterior surfaces will be generally made of natural materials that blend and are compatible with the natural forest landscape. Wood siding, wood logs, and masonry (including stone) are to be the predominant exterior surface. Exposed concrete or concrete masonry units (CMUs) are not allowed except for building foundations.

## 3.5 BUILDING PROJECTIONS

All projects involving construction, modification, replacement, or painting of decks, gazebos, patios, and ramadas require ARC review and Board approval.

All metal projections from a residence or other structures including, but not limited to, chimney flues, vents, gutters, downspouts, and utility boxes shall match the color of the surface from which they project, or may be of galvanized metal.

All constructed projections from a residence or other structures including, but not limited to porches, railings, and exterior stairways shall match the color of the surface from which they project, or shall be of an approved color. Any constructed building projection must be contained within the set-back requirements.

The finished color of all such structures shall conform to 3.3 above.

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## 3.6 GATES, FENCES AND RETAINING WALLS

All projects involving construction, modification, replacement, or painting of gates, fences and retaining walls require ARC review and Board approval.

Retaining walls, if used, shall be a visual extension of the landscape of the surrounding area, and must be constructed of natural materials.

Fences must minimize obstruction of views and blend with natural surroundings. They may not be used to delineate property lines, or to arbitrarily delineate the setback requirements.

Fences will be allowed preferably in the back of the cabin. The height of the fences will be restricted to 6 feet above adjacent grade.

The area enclosed by a fence shall not exceed 1000 square feet as defined in the CC&Rs Article 2, Section 2.1.8.

## 3.7 AIR CONDITIONING AND HEATING UNITS

Air-conditioning/heating units should be mounted on the rear of the cabin where possible. Cabin owners are encouraged to screen units visible from the road or other cabins.

## 3.8 WINDOW TREATMENTS AND AWNINGS

Window treatments and Awning colors are to be cohesive with colors covered in Section 3.3 of these Guidelines.

## 3.9 AUXILIARY BUILDINGS

Auxiliary buildings are to meet the same restrictions as materials of the main buildings and are to match the finishes and materials of the main building.

The size of auxiliary buildings should conform to the CC&Rs Article 2 Section 2.1.3.

## 3.10 HEIGHT OF STRUCTURES

The height of the structures shall not be over 30 feet above average adjacent grade around the structures. Chimneys may exceed the limit as required by County Codes and draw requirements.

## 3.11 SIZE

The footprint of the main building inclusive of attached patio, deck, porch, carport or garage which are under roof, shall have a square footage that does not exceed 7% of the square footage of the lot (approximately 3000 square feet for an acre lot).

The total of all structures shall not exceed 10% of the square footage of the lot (approximately 4300 square feet for an acre lot).

## 3.12 DRIVES

The drives are to be of decomposed granite or natural rock.

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## 3.13 BUILDING ELEVATION

It is expected that the design of each residence or other improvement will be tailored to the unique features of each individual lot. To preserve the natural features of each lot, such as significant existing plant materials, hills, washes, or rock outcroppings, each residence or other improvements will be required to be sited so as to minimize disruption of the existing environment.

## 3.14 SATELLITE DISHES

Satellite dishes are permitted. Size and location should be selected which do not interfere with other cabins or the common areas. They are subject to the review of the ARC and are at the discretion of the Board.

## 3.15 ANTENNAS

No tower style antenna for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used or maintained outdoors on any property within Thompson Draw I, whether attached to a building or structure or otherwise, unless reviewed by ARC and approved by the Board of Directors.

## 3.16 GARDENS

Gardens that do not interfere with other cabins or the common areas are permitted. Fences used to protect or confine gardens must conform to Section 3.6 of these Guidelines.

## 3.17 PLAYGROUND EQUIPMENT

Playground equipment that does not interfere with other cabins or common areas may be erected. It should conform in color and material to Sections 3.3 and 3.4 of these Guidelines.

Tree houses are not permitted.

## 3.18 BASEMENTS

Basements are permitted within the restrictions of the Height of Structure Section 3.13 of these Guidelines and Article 2 Section 2.1.21 of the CC&Rs.

## 4 IMPROVEMENT PROJECT REVIEW PROCEDURES

All Improvements affecting the exterior of any property, front, side, or back require ARC review and Board approval. Each improvement project will be considered on its individual merit and appropriateness to the surroundings and every effort will be made to assist owners in achieving the desired results in accordance with the CC&Rs and the intent of these Guidelines.

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## 4.1 PROJECT SUBMISSION CHECKLIST

The following Checklist is intended as a guide for submitting any request for Improvements or architectural changes within Thompson Draw I.

- 1) Obtain an ARC Project Request Form (section 4.2) from the Association Secretary
- 2) Review the appropriate CC&R section and Architectural Guidelines and provide a copy of these Guidelines to the contractor.
- 3) Ensure that the plans and specifications are complete and that all setbacks and easements are noted. Plans should be drawn to scale.
- 4) Prepare five copies of the plans and specifications. Attach them to the request form and submit all to the Chair of the ARC. Applications must specify an estimated completion date for the project.
- 5) Obtain determination of approval from the Association Board before commencing project.
- 6) Obtain appropriate County permits. If the County requires changes relating to the exterior or site, the owner must notify the Board.
- 7) Notify the Board when the project is completed
- 8) Projects that are not completed within 60 days of the estimated completion date require a new application requesting additional time for completion. The request should include the reason for the delay. Obtain an ARC Project Request Form from the Association Secretary.



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## 4.2 PROJECT REQUEST FORM

All Improvement Project Requests must be submitted to the Architectural Review Committee (ARC) chair the week before the ARC meeting, which is the first Tuesday of each month. All applications coming in after the deadline will be processed the following month.

Applicant/Owner Name: \_\_\_\_\_ Lot \_\_\_\_\_ Tel #: \_\_\_\_\_

Signature \_\_\_\_\_

Project Description: I/We hereby request Preliminary \_\_\_\_\_ / Final \_\_\_\_\_ approval for the following described project: (please use additional sheets for scale plot plans):

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Estimated time to complete the project after approval is obtained: \_\_\_\_\_ days  
Failure to complete the project in the approved time requires that you apply for an extension to the Board.

For Construction, attach a scale copy of the site & elevation plans. For Paint/Stain, indicate the color of trim & house and provide dealer paint chips for paints. For Roofing, include color and type of materials and dealer samples or brochure.

Received by ARC member: \_\_\_\_\_ Date: \_\_\_\_\_

Committee Decision: Date: \_\_\_\_\_

Approved       Approved w/conditions       Not Approved

\_\_\_\_\_  
ARC Committee Representative

Remarks: Committee action is only related to compliance of the proposed project to the approved Guidelines and is not in any way an approval of the suitability or structural integrity of the Improvement requested, nor does it waive building codes or county approval of construction in the setbacks or easements.

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Board Decision Date: \_\_\_\_\_

Approved       Approved w/conditions       Not Approved  
Approval authorization is valid for \_\_\_\_\_ days from approval date.  
Approved project is to be completed by: \_\_\_\_\_

\_\_\_\_\_  
Board Representative

Please acknowledge completion by returning a signed copy of this form to the ARC chair.

I hereby certify that the above-described project has been completed as approved by the Association Architectural Review Committee and Board and acknowledge that it is subject to inspection by the Board.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Applicant/Owner

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## 4.3 SUBMISSION OF PLANS

In conformance with the CC&Rs Article 2 Section 2.1.12.b, all plans for exterior Improvements must be reviewed by the ARC and approved by the Board prior to commencement of that improvement. No changes in, nor deviations from such plans and specifications, once approved, shall be made without prior written approval of the Board. Plans shall be submitted to the ARC in accordance with the following submittal and review procedures.

### 4.3.1 OPTIONAL PRELIMINARY SUBMITTAL

To safeguard against unnecessary owner expense, the ARC recommends that preliminary plans be submitted for review prior to the preparations of final drawings for projects of significant size and effort. This preliminary review is to offer guidance prior to the final submission.

Five (5) copies of each sheet are required. The following forms and information are recommended for preliminary reviews:

- Site plan: showing property line, existing and proposed exterior Improvements, trees that may be removed, and drives, etc.
- Building Plans: showing proposed exterior structure elements and total square footage.
- Elevations: 4 elevations showing the building as it relates to slopes of the site, building heights, building materials and colors.
- Project Request Form: Check the "Preliminary" space under Project Description and forward to the ARC.

Optional Preliminary project reviews and recommendations require a majority vote by the ARC.

At their discretion the ARC may consult the Board before finalizing their review.

### 4.3.2 FINAL SUBMITTAL

A Project Request Form (Exhibit 4.2) must accompany any request for an Improvement project affecting the exterior of any property. This form must be accompanied by plans drawn to scale. Five (5) copies of each drawing on 8 1/2" X 11" or 8 1/2" X 17" paper are required. The required drawings and information will be as follows:

- Site Plan: showing property lines, set-back requirements, existing and proposed exterior Improvements with dimensions from set-backs, all trees to be removed, drives (indicating material), grades across the site, fences, and retaining walls.
- Building Plan: showing exterior structure with lay outs of buildings and projections and total square footage
- Roof Plan: showing roof slopes, ridges, valleys, overhangs, and materials.
- Building Elevations: provide all elevations of the structure. Elevations are to indicate the relation of the structure and slopes of the site, building heights,

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dimensions, location of exterior doors and windows. All exterior material and color are to be indicated on elevations.

- Color Samples: Provide color samples of all exterior materials and colors proposed.

## 4.4 REVIEW OF PLANS

On the first Tuesday of each month the ARC will review all plans received since the previous review meeting in conjunction with the CC&Rs and the Architectural Guidelines.

From time to time, the ARC may request additional information or documentation from the owner.

Plans submitted to the ARC by the end of a given month will be reviewed and forwarded to the Board for response to the owner by the end of the following month.

The ARC may recommend approval, conditional approval, or rejection of a request by a majority vote of the committee.

At their discretion, the ARC may consult with knowledgeable experts to gain information to aid in the review process.

ARC's recommendation and all documentation received with the request will be forwarded to the Board.

ARC members will recuse themselves from deliberations regarding any project for properties they own or in which they have an interest.

## 4.5 PROJECT APPROVAL

Project Approval is a three-step process involving the ARC, the Board of Directors and the Lot Owner.

- The ARC will review project requests on the first Tuesday of each month and make recommendations to the Board of Directors. A recommendation by the ARC will require a majority vote. All documentation with the ARC's recommendation will be forwarded to the Board immediately following the meeting.
- Subsequent approval or rejection by the Board will require a majority of the board and comply with Article 2 Sections 2.1.12.c, d, e, and f of the CC&Rs. The Project may be Approved, Approved Conditionally - requiring some changes by the Lot Owner - or Rejected. The Board will forward the Project Request Form to the Lot Owner with the Board's decision and recommendations, if any.
- Upon completion of the project, the Lot Owner must return the completed Project Request Form to the Board. The Board will review the completed project to ensure that it is in compliance with the approved Project Authorization.

## 4.6 FEES

Actual costs incurred by the ARC and/or the Board in the processing of the Project Request (e.g. copying, faxing, long distance calls) may be charged to and payable by the Lot Owner in compliance with the CC&Rs Article 3 Section 3.3.

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## 4.7 CHANGES AND RE-SUBMITTAL OF PLANS

Requests for Improvements can be resubmitted with corrections and/or changes as requested by the Board of Directors. Review and approval of these requests will follow the procedures outlined in Sections 4.3, 4.4 and 4.5 of these Guidelines.

## 5 CONSTRUCTION REGULATIONS

The following regulations will be enforced in consideration of the impact of construction on other residents, Lots and common areas within Thompson Draw I.

### 5.1 DEBRIS AND TRASH REMOVAL

Owners and builders shall clean up all trash and debris on the construction site. Lightweight material, packaging, and other items, shall be covered or weighted down to prevent blowing of materials off the construction site. Each construction site shall be kept neat and shall be properly maintained to prevent it from becoming an eyesore, or affecting other lots and any common areas.

### 5.2 SANITARY FACILITIES

Each Owner and Builder shall be responsible for providing adequate sanitary facilities for construction workers on their property. Portable toilets or similar temporary toilet facilities shall be located only on the site itself.

### 5.3 VEHICLES AND PARKING

If necessary the Board may provide written authorization for temporary designated parking areas outside of the Owners lot for construction vehicles and machinery. Construction crews will not park on other lots or any common areas (including roads) without permission. Private and construction vehicles and machinery shall be parked only in areas designated by the Board. All vehicles shall be parked so as not to inhibit traffic, or damage the natural landscape.

### 5.4 REPAIR AND RESTORATION OF PROPERTY DAMAGE

Damage and scarring to other property, including, but not limited to, open space, other lots, roads, driveways, and/or other improvements are to be avoided. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or the property owner. Upon completion of the construction, each owner and builder shall clean the construction site and repair all property, which was damaged, and repair all roads, driveways, pathways, culverts and ditches.

### 5.5 NOISE

The owner and/or builder shall be responsible for minimizing excessive noise from the construction site.

### 5.6 DAILY OPERATIONS

Daily work hours shall be limited to day light hours.

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## 5.7 TIME OF CONSTRUCTION

The owner is to provide an estimated time for completion of each project at the time the request is submitted (See Exhibit A, Section 4.2). Projects that are not completed by the estimated completion date require notification to the Board of additional time needed for completion. The Association Board may utilize the CC&R fine policy defined in Article 6 section 6.3, 6.4 and 6.5 adopted by the Association membership to assess fines for non-completion of a project within the agreed upon timeframe.