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THUNDERMIA0001DG-9-1-1--
Garcia

Carpenter, Hazlewood, Delgado & Bolen
1400 E. Southern Ave. #400
Tempe, AZ 85282

2018
DESIGN GUIDELINES
FOR
THUNDER MOUNTAIN ESTATES

RECITALS

A. The original Design Guidelines For Thunder Mountain Estates, a subdivision of Maricopa County, Arizona (the "Design Guidelines."), were attached as Exhibit "A" to that certain "First Amendment to Declaration of Covenants, Conditions and Restrictions for Thunder Mountain Estates" recorded in Docket 86 at Page 628550, Maricopa County Records (the "CC&R' S"); The Amended and Restated Design Guidelines for Thunder Mountain Estates, with Design Guidelines attached as Exhibit A are recorded in No. 93-0709534 (the "Design Guidelines").

B. The CC&R's at Section 2.5 provide that the Design Guidelines may be amended by a unanimous vote of the Architectural Committee, which committee is established pursuant to the CC&R's.

C. The Architectural Committee desires to amend and restate the Design Guidelines as provided herein.

NOW, THEREFORE, the Architectural Committee amends and restates the Design Guidelines on the terms and conditions set forth herein:

1. The undersigned, being all the members of the Architectural Committee and having the power and authority pursuant to the CC&R's, hereby amend and restate the Design Guidelines as set forth on Exhibit "A," attached hereto (the "2018 Design Guidelines"). The 2018 Design Guidelines shall henceforth be the "Design Guidelines" for Thunder Mountain Estates under the CC&R's, and for all other purposes, and supersede and replace previous versions.

2. All property and persons previously subject to the Design Guidelines shall henceforth be subject to the terms and conditions set forth in the 2018 Design Guidelines, which shall be a covenant running with the real property which is subject to the CC&R's and shall be binding upon all parties having any right, title or interest in said real property or any part thereof, their heirs, successors and assigns and which shall inure to the benefit of each owner thereof.

EXHIBIT "A"
THUNDER MOUNTAIN ESTATES
DESIGN GUIDELINES
(2018)

Philosophy

With it's breathtaking city views and beautiful dense desert flora, Thunder Mountain Estates is one of the choicest parcels of real estate to be subdivided in Arizona in many years. The Architectural Committee's responsibility extends to ensuring the least disturbance to the natural terrain, while enhancing the land for gracious living. For this reason all building must occur within the building envelope created through adherence to required setbacks and only thirty (30%) of the total lot area to be disturbed for improvements with no more than 20% under roofs, excluding driveways and walkways. Projects deserving merit, in our view, take their cues from the land —from its slope, form and views, color, vegetation, drainage, qualities of texture, solidity and mass. The Design Guidelines are created to incorporate this philosophy.

1. PRIOR REVIEW AND COMPLETION OF CONSTRUCTION

Lot owners must submit all construction plans (including landscaping and lighting) to the Architectural Committee for approval prior to starting improvements of any kind, or changing any improvements previously approved by the Architectural Committee. Architectural Committee Review Procedures are available from the Architectural Committee upon request and must be followed. Homes must be completed within nine months of commencement of site preparation.

2. GENERAL DESIGN CONSIDERATIONS AND HEIGHT LIMITATIONS

Preserving the views, natural landscape and aesthetic quality of our community are of paramount importance. Therefore, low profile residences which embrace and encompass the natural landscape and include courts, recesses and deep—set windows are preferred. Multi—level designs which follow the contours of the land are also encouraged. However, the living area of any second story (living area located above or below the main living area) shall be limited to 35% of the main, air conditioned living area, not including garages, patios and other auxiliary space. Cut and fill are to be minimized and in no event are to exceed 5'0" in the aggregate across the length and breadth of the house unless required by Maricopa County Flood Control District to meet County requirements for finished floor elevation. All mechanical equipment must be mounted at grade and fully screened from view from neighboring lots. Garage entrances shall be oriented away from the street, if possible. If such orientation is not possible due to site constraints, the garage entrances must be enclosed by doors.

For single story residences, the maximum height of any residence shall not exceed 18'0" measured from the highest existing grade where any portion of the residence touches the lot to the highest point of any parapet or any projection therefrom (chimneys excluded), and 22'0"

measured from the highest existing grade where any portion of the residence touches the lot to the highest point of any pitched roof or any projection therefrom (chimneys excluded). While not prohibited, two story residences are discouraged. If the residence is to be two story and provided the upper story does not exceed 35% of the main, air conditioned living area, not including garages, patios and other auxiliary space, then the maximum height of the upper story shall not exceed 25'0" measured from the highest existing grade where any portion of the residence touches the lot to the highest point of any parapet or pitched roof or any projection therefrom (chimneys excluded) and the maximum height of the remainder of the residence shall be the same as set forth herein for single story residences. Whether one story or two story, the maximum root slope shall not exceed 5'0" vertically for every 12'0" horizontally (5:12).

3. MATERIALS AND COLOR

Exterior materials, textures and colors shall blend with the natural landscape. Integral earth tones are encouraged for all exterior surfaces. No white or near-white materials or reflective finishes may be used on exterior surfaces, such as walls, glass, roofs, doors, trim, fences, pipes, equipment, mailboxes, newspaper tubes and all projections above roof lines. Plastic or metal siding is not allowed. No construction on any lot may use plastic or aluminum siding. Stucco, stuccoed masonry or traditional adobe shall be the predominant exterior surfaces. Large expanses of painted wood will not weather well in desert conditions and will not be approved. Natural concrete block or concrete color slump block will not be permitted except minimally at ground level. Driveways shall be surfaced with a minimum of two (2) inches of asphaltic concrete, or natural colored decomposed granite.

4. ROOFS

Roofs shall be clay tile, or four-walled flat parapet. Continuity of parapets in flat roof designs is required. Combustible materials, such as exposed plywood, may not be used. Composition or asbestos roofs are not allowed. Colors of roof materials shall be compatible with the earth—tone scheme of other building materials. No mechanical equipment, including air conditioners, evaporative coolers, and solar panels, may be placed on any roof unless completely screened by parapets.

5. WALLS AND FENCES

Walls and fences must be of stucco. Stuccoed masonry or traditional adobe and must match the house in material and color. Wrought iron may be used for accent details. Walls and fences may not exceed six (6) feet in height. All exterior wall materials must be continued down to finished grade, thereby eliminating unfinished foundation walls.

6. DRAINAGE

Natural drainageways, which occur frequently throughout Thunder Mountain Estates, contribute to the character of the land. Such washes can enhance a site and should be treated as assets. Drainage easements have been established encompassing protected washes for 100—year storm flows. These easements have potential for water flows of a higher volume and must remain unaltered and unobstructed. Large rip—rap areas or exposed masonry

containment will not be permitted (unless County required) nor will obstruction or diversion without specific written approval from the County and the Architectural Committee. Internal building rainwater leaders are encouraged to minimize future site erosion. Improvements designed and constructed to bridge these easements are encouraged, but must not obstruct 100- year storm flows, and must be accompanied by a backwater flood analysis prepared by a licensed civil engineer ensuring the safety and feasibility of the design. Such improvements are subject to review and approval by a licensed civil engineer retained by the Architectural Committee at the lot owners expense.

7. SETBACKS

All buildings must have a minimum setback of fifty (50) feet from the front lot line, forty (40) feet from the rear lot line, twenty-five (25) feet from any interior lot lines, twenty-five (25) feet from a side lot line adjacent to a street and five (5) feet from any recorded drainage easement. Eaves, patios or walls and fences may not protrude into building setback areas. Driveways and walkways may be placed within the setback areas.

All building must occur within the building envelope created through adherence to required setbacks and only thirty (30%) of the total lot area to be disturbed for improvements with no more than 20% under roofs, excluding driveways and walkways.

8. LIGHTING

An overall lighting plan for Thunder Mountain Estates has been carefully designed, the intent of which is to create a unified, natural effect which will not interfere or compete with the dramatic nighttime views of the desert and valley below. Therefore, landscape lighting must be of the low wattage, 12 volt type to prevent spillage to neighboring lots. Exterior spotlights and floodlights must be focused downward.

9. SIGNAGE

No signs are allowed on any lot except:

- (a) signs required by legal proceedings;
- (b) two (2) residential identification signs not to exceed 120 square inches each;
- (c) during construction, one (1) free—standing job identification sign not to exceed six (6) square feet; and
- (d) if residence is listed for sale, one for sale sign of material, size, design and copy as established by the Architectural Committee.

All signs or sign designs shall be submitted to the Architectural Committee for review and approval prior to use.

10. RESIDENCE SIZE

Single—level residences and multi—level residences where the additional levels are not directly above or below the main living livable area must have a minimum of twenty-eight hundred (2800) livable square feet, and two-story residences where the second level is above or below the main living area must have a total of thirty-two hundred (3200) livable square feet,

DESIGN GUIDELINES FOR THUNDER MOUNTAIN ESTATES

exclusive of accessory buildings, breezeways, screen porches, terraces, patios and garages. However, single-level residences built on the following lots which have small building envelopes may have a minimum of twenty-four hundred (2400) livable square feet exclusive of accessory buildings, breezeways, screen porches, terraces, patios and garages: Lots 5, 8, 9, 10, 11, 13, 17, 30, 41, 43, 45, 49, 53, 70, 73, 80, 81, 88, 89, 90, 91, 93, 94, 105, 115, 124, 125, 129.

11. SOLAR COLLECTORS

Solar panels may not be installed on a roof, Ground mounted solar panels may be installed but must be integrated into an approved landscape scheme.

12. STORAGE

All storage tanks, storage units, or other storage facilities must be completely shielded from view of the street and neighboring lots, or installed underground.

13. RESTRICTIONS TO SINGLE FAMILY

No more than one (1) single—family residence may be constructed on any lot. More than one (1) lot may be used for one (1) home, in which case design guidelines will apply as if the combined lots were a single lot.

Any guest house (if approved by the County) must be designed as a single visual element with the residence, connected by walls, courtyards, or other major landscape elements, and may not be rented or leased.

14. POOLS AND SPAS

Pools and spas shall be visually connected to the residence through walls, walkways, courtyards, and major landscaping, and must be screened to minimize their view from streets and neighboring lots.

15. TENNIS COURTS

Tennis courts are not allowed except in certain situations on large lots, as approved by the Architectural Committee. If approved, tennis courts shall be fenced and sighted for minimal visual impact.

16. BASKETBALL HOOPS

Basketball standards, backboards and hoops may not be installed on any lot, unless approved by the Architectural Committee. If approved, such items shall not be visible from other lots, streets, or public spaces. Portable Basketball standards with backboard and hoop attached which can be rolled in and out of garages are allowed as long as they are stored out of view when not in use.

17. ANTENNAS

No antenna for transmission or reception of television or radio signals or any other form of electromagnetic radiation may be erected, used, or maintained whether attached to a building or structure or otherwise. Notwithstanding this prohibition, individual satellite dishes are allowed, as long as they are black in color, are located in the building envelope and are screened to minimize their view from streets and neighboring lots.

18. VEGETATION

Natural growth must be preserved outside of house, pool, and patio areas. Supervision during the construction process must be exercised to avoid unnecessary damage to the site by workmen, vehicles and construction equipment. Areas where vegetation has been disturbed must be replanted. Grass must be limited to patio area and small areas for accent, with the exception of a walled rear yard. Vegetation associated with allergic reactions, such as mulberry, olive and cottonwood, shall not be planted. All trees and plant stock must be chosen so that their mature size will not obscure views of the city or mountains from neighboring lots.

Landscaping on corner lots must not create a traffic hazard. Landscape lighting must be of the low wattage, 12—volt type to prevent light spillage onto neighboring lots.

Recommended, drought-resistant plant varieties include:

Screening/Patio Trees:

Mesquite	Acacia
Arizona Ash	Hackberry
Ocotillo	Palo Verde
Ironwood	

Shrubs for Cut or Fill Areas:

Prickly Pear	Feathery Cassia
Salt Bust	Arizona Rosewood
Ocotillo	Dodonaea
Yucca	Oleander
Desert Broom (male)	Texas Ranger
Creosote Bush	Jojoba
Agave	

Ground Cover for Cut of Fill Areas:

Primrose Jasmine	Aloe
Carolina Jasmine	Santolina
Lantana	Thyme
Blackfoot Daisy	Potentilla
Fountain Grass	Gazanias
Pampas Grass	Cat Claw
Common Trumpet Creeper	

19. CONSTRUCTION REGULATIONS

In order to assure that the natural desert landscape is not damaged during construction activities, the following construction regulations will be enforced:

(a) No construction trailers, portable field offices, etc. is allowed without specific approval from the Architectural Committee, and with approved screening and landscaping.

(b) Construction site must be cleared of trash and debris regularly, and materials must be covered or weighted against the wind. No trash shall be dumped, buried or burned on any portion of Thunder Mountain Estates. Dust and noise must be controlled.

(c) construction crews will not park on, or otherwise use, other lots or any open space. Vehicles and machinery shall be parked only in areas designated by the Architectural Committee to avoid inhibiting traffic or damaging the natural landscape.

(d) Owners and builders are advised of the fact that the lots and open spaces contain valuable native plants and other natural landscaping materials that must be protected during construction, including topsoil, rock outcroppings, boulders, and plant materials. Valuable materials that cannot be removed must be marked and protected by flagging, fencing or barriers. The Architectural Committee has the right to flag major terrain features or plants which are to be fenced off for protection. Any trees or branches removed during construction must be removed immediately from the construction site.

(e) No blasting shall occur without the permission of the Architectural Committee, and then only in conformance with applicable governmental regulations.

(f) The lot owner is responsible for restoration and repair of any construction damage, including the natural terrain, as required by the Architectural Committee.

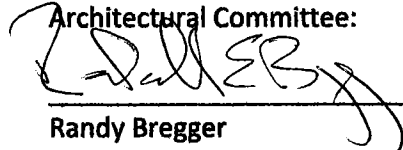
(g) Each owner and builder will be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the site itself or in areas approved by the Architectural committee.

20. VARIANCE


Any lot owner seeking a variance from a specific design guideline from the Architectural Committee shall do so in writing, to the Architectural Committee. The Architectural Committee shall have 30 days to respond to such request. Unless the lot owner receives written approval from the Architectural Committee for the variance requested, it shall be deemed disapproved. The decision of the Architectural committee shall be final.

IN WITNESS THEREOF, the parties have executed this agreement on the dates set forth below.

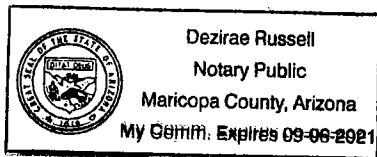
Thunder Mountain Improvement Association
Architectural Committee:



Randy Bregger

SUBSCRIBED AND SWORN to before me this 29th day of September 2018, by
Randy Bregger, Architectural Committee Chair.

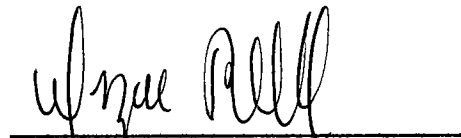

Notary Public

My Commission Expires: 09/06/2021

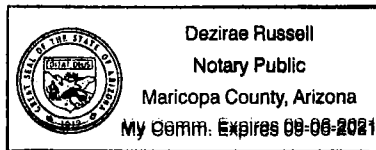


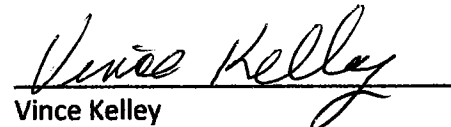

Richard Soloski

SUBSCRIBED AND SWORN to before me this 29th day of September 2018, by
Richard Soloski, Architectural Committee Member.

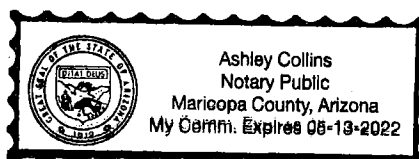

Notary Public

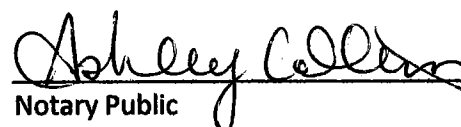
My Commission Expires: 09/06/2021




Vince Kelley

SUBSCRIBED AND SWORN to before me this 2nd day of October 2018, by
Vince Kelley, Architectural Committee Member.




Notary Public

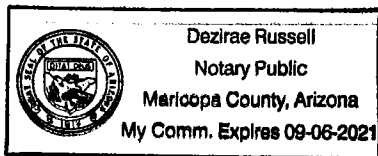
My Commission Expires:

Thomas Smith
Tom Smith

SUBSCRIBED AND SWORN to before me this 29th day of September 2018, by
Tom Smith, Architectural Committee Member.

Wynne Bell
Notary Public

My Commission Expires: 09/06/2021



Jim Polsinello
Jim Polsinello

SUBSCRIBED AND SWORN to before me this 29th day of September 2018, by
Jim Polsinello, Architectural Committee Member.

Diana L. Johnson
Notary Public

My Commission Expires: 02/08/2021

