

TATUM RANCH

DESIGN GUIDELINES

For Parcel 2

Adopted by Resolution of the Board of Directors of the Tatum Ranch Community Association April 13, 1993

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I. ARCHITECTURAL DESIGN STANDARDS

The following architectural design standards have been formulated as a response to the natural desert setting and aesthetics at Tatum Ranch. Design solutions which respond to this unique environment and climate are encouraged. Although the climate is generally mild and comfortable, homes should be designed to respond to the severity of the summer heat by incorporating solutions such as proper orientation, window shading, and climate moderating courtyards. Forms and textures that minimize glare and create shadows are appropriate as are soft colors that complement and harmonize with the natural desert. Adjusting floor plans and site plans for an integrated fit with the natural vegetation and washes on a site will help to create shaded micro climates that make the desert habitable.

A. FLOOR AREA

All residences (excluding guest houses) shall exceed 2,000 square feet of livable area (excluding basement square footage) except, and unless, there are special circumstances or unique design considerations, all of which must be approved by the Architectural Review Committee. The lots which may have two story homes built upon them must have at least 1,500 square feet of living area on the first floor and the second level area and/or 2 story vaulted area shall not exceed 85% of the first level's livable area.

B. LOT RESTRICTIONS

No more than one residence may be constructed on any lot or compound (where two or more lots are combined under single ownership).

C. ROOFS

All roofs shall be of a material, color and texture approved by the Architectural Review Committee. In keeping with the low natural landscape, roofs should be predominately flat or of a low pitched traditional horizontal desert architecture which emphasizes walls instead of roofs. An overall desert integrated appearance of the residence is an important consideration. The Residential Architectural Committee may approve roof slopes with a minimum of 3 in 12 and a maximum of 6 in 12. The color of roofs must conform to the color standards set forth in the Design Guidelines which include only muted, light to middle range values of the desert. Dominate colors such as black, white, and deep terra cotta red detract from the natural colors of the desert. Reflective roof surfaces are not allowed. No devices of any type including antennas, evaporative coolers, solar panels, and air conditioning units may be placed on any roof unless approved by the Architectural Review Committee. Tile is the preferred roofing material for pitched roofs.

D. COLOR

The color of exterior materials must generally be subdued to enhance the colors of the natural landscape. Earthtones, generally muted, are recommended. The colors of the desert are rich and varied and are highlighted by different light

conditions based on the time of day and season of the year. The intent of these Design Guidelines is to allow these colors to flourish. This is achieved by repeating the middle range values of the desert colors.

E. MATERIALS - EXTERIOR SURFACES

Exterior surfaces will be generally of natural materials that blend and are compatible with the natural landscape. Masonry, stucco, or traditional adobe are to be the predominate exterior surfaces. These materials provide an outer surface to withstand the climate extremes. Large expanses of painted surfaces, particularly wood, will not weather well in desert conditions and will not be approved. Brick is not allowed as an exterior surface for a home. Wood elements where used should be assembled with members of sufficient mass to minimize the effects of weathering.

F. HEIGHT OF STRUCTURES

Because the desert landscape is low, scarcely ever reaching 2 stories, and because low buildings will maintain cooler summer temperatures, single story buildings are encouraged in custom lot subdivisions at Tatum Ranch. The Architectural Review Committee has the right to prohibit the construction of any residence or other structure which would appear excessive in height when viewed from the desert, from the street or from other lots anywhere in the project. Floor levels may be sited below natural grade. The maximum height for any single story residence shall not exceed 26 feet. Certain lots will be allowed to have 2 story homes on them. These homes can have a maximum height of 32 feet. Please refer to the project sales information which identifies those lots on which two story homes will be permitted. Where 2 story homes are permitted, the second level area and/or 2 story vaulted area shall not exceed 85% of the first floor livable area.

G. BUILDING PROJECTIONS

All projections from a residence or other structure including but not limited to, chimney flues, vents, gutters, down spouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project or shall be of an approved color. Any building projection must be contained within the building envelope.

H. NO REFLECTIVE FINISHES

No highly reflective finishes other than glass, which may not be mirrored, shall be used on exterior surfaces, including without limitation the exterior surfaces of any of the following: roofs, all projections above roofs, retaining walls, doors, trim, fences, pipes, equipment, mailboxes, and newspaper tubes.

I. BUILDING ENVELOPE

The building envelope is the portion of each lot within which all improvements must be built and alterations to the existing landscape may be permitted. The most appropriate building envelope must be identified with exception of limited entry features by the Architect for each lot based on the natural features of the lot, views, relationship to adjacent building envelopes, and topography. Slight modifications to the proposed building envelope may be made by the Architectural Review Committee upon application of an owner as part of the Design Review Process. The building envelope may not exceed 80% of the lot size. It is important to note that the definition of building envelope in the CC&R's differs from the City of Phoenix's definition. The City defines this as an area which encompasses all structures on a lot or parcel of common ownership (maximum of 6,000 square feet allowed) while we define it as including both the structure and the landscaped area within the privacy wall.

J. SWIMMING POOLS

Swimming pools should be designed as being visually integrated with the residence through walls or courtyards, and screened or separated from the natural area or direct view of the streets or neighboring properties. They must be constructed according to City of Phoenix regulations. Pools may not be backwashed into the washes, common landscaped areas, drainage ways or streets. All backwash water should be retained on the owner's lot. If necessary, a dry well should be constructed to help alleviate any problems.

K. GUESTHOUSE/POOLHOUSE/RAMADAS

All of these are permitted as long as they are within the building envelope. Such structures should be designed to complement the form of the main residence, and should be physically and visually connected by properly designed walls, courtyards, and other major landscape elements. The guesthouse must comply with the zoning regulations of the City. A guest suite, without a kitchen, may be constructed on any lot either detached from or attached to the residence with the approval of the Architectural Review Committee. No guesthouse or guest suite may be leased or rented.

L. TENNIS COURTS

Tennis courts are not allowed except in certain situations on large lots as approved by the Architectural Review Committee. When permitted, these structures must be constructed within the building envelope. Tennis courts should be fenced and sited for minimal visual impact from the streets or from neighboring properties. Protection for the natural area must be provided. The construction of tennis courts below grade helps to reduce the need for fencing. No tennis court lighting will be allowed. Maximum fence height is 8 feet above natural grade.

M. PATIOS AND COURTYARDS

Patios and courtyards shall be designed as an integral part of the architecture of the residence so they can be shaded and protected from the sun by the walls of the residence. Such open areas can take advantage of natural air flows to produce cooler temperatures. By orienting these outdoor spaces inward, encroachment of the desert will be minimized.

N. WINDOWS AND SKYLIGHTS

Skylights are not recommended because of excessive heat gain, but they are not disallowed. Window frames of tan, gray or of dark anodized aluminum, baked enamel or wood with tinted glass are preferred for the desert climate. Front elevation windows and frames should be inset from the exterior wall surface. Side windows which look onto adjacent properties are discouraged.

O. PRIVACY WALLS

They are to be designed as extensions of the building structure and form (matching color, form, and texture) and must be made of predominantly masonry construction with limited wood treatments. Walls of stucco or stone or wood, if used as an accent detail, may be used for privacy, to delineate the private areas from the rest of the building envelope. They should be a visual extension of the architecture of the residence, and must be located within the building envelope. The colors of walls, if any, must conform to the same color standards as the home. They may not be used to delineate property lines, or to arbitrarily delineate the building envelope.

P. SIGNAGE

Address identification signs must be on each residence. No additional signage detached from the residence will be permitted, except temporary construction signs, standard sized residential real estate signs, or other signs as may be permitted by the Architectural Review Committee.

All temporary construction signs must be removed within 30 days from the date of occupancy.

Q. LIGHTING

The custom lot subdivisions at Tatum Ranch have been designed to utilize little or no site lighting outside walled areas with little or no light spilling into the natural area. This restriction is intended to create a unified, natural affect which will not interfere or compete with the dramatic night time views. Residential lighting must be limited to a small area within the building envelope, may not result in excessive glare and must be approved by the Architectural Review Committee.

R. PARKING

Each residence shall contain parking space within the lot for at least two automobiles and an enclosed garage either attached to or detached from the main structure of the residence. No on street parking will be permitted.

S. ACCESS DRIVES

Wherever feasible, the Architectural Review Committee will encourage shared driveways between two lots. In any event, the location of access drives must be sited to avoid important natural features of a lot, such as large or significant plant materials, washes or drainage ways, and to minimize disruption of the existing landscape. It is preferred that utility lines be extended to the home adjacent to the access drive. Material other than asphalt is permissible (i.e. decomposed granite, etc.).

T. ANTENNAS

There shall be no antenna of any sort either installed or maintained which is visible from neighboring property, except as expressly permitted by the Architectural Review Committee.

U. VISIBLE EQUIPMENT OR STORAGE TANKS

All mechanical equipment and storage tanks shall either be shielded from view by walls or structures or installed or constructed underground.

V. ADDITIONAL CONSTRUCTION AND/OR EXTERIOR CHANGES

Any changes to the approved plans before, during, or after the construction of an improvement must first be submitted to the Architectural Review Committee for approval.

W. WASHES AND DRAINAGE EASEMENTS

These natural drainage ways occur frequently throughout Tatum Ranch and should not be obstructed. Improvements on grade should be sited to avoid the washes. In any case, the property line inlet and exit points of all washes must be preserved.

X. SITE DRAINAGE AND GRADING

Site drainage and grading must be done with minimum disruption to the lot and shall not drain to adjoining lots, except as established by natural drainage patterns, nor cause a condition that could lead to soil erosion of open spaces.

Y. SETBACKS

Houses generally have minimum twenty-five foot setbacks from all street property lines, which setback area shall remain undisturbed natural desert, except for access driveways as provided in section T above and utility line extensions (water, sewer, phone and cable TV). Side yard and rear yard setbacks that must also be adhered to when designing placement of the residence.

Z. FOUNDATIONS

All exterior wall finishes must continue down to finish grade thereby eliminating unfinished foundation walls.

AA. NATURAL AREA

The natural area is that portion of the lot which lies outside the building envelope and must remain as natural desert except for the specimen trees which must be planted on each lot in this area (see Natural Area - Revegetation).

AB. NATURAL AREA - REVEGETATION

The natural area outside the building envelope must be revegetated with strategically placed specimen trees that comply with the approved plant list. These trees should be of at least a 36-inch box size. The trees along with irrigation are the only landscape changes that may be made to the natural area. These trees should be labeled in the landscape plan.

AC. PLANT LIST

Appendix A contains a list of all plant material that may be planted within Tatum Ranch. This appendix also lists species with characteristics that are not acceptable at Tatum Ranch. Under no circumstances is it permissible to plant any prohibited plant.

AD. PROTECTED PLANTS

Protected plants are those desert plants which, either because of the size or age and type, must be protected by the homeowner. These include the following tree species of four inch caliber or greater or cacti species six feet or greater in height: Ironwood, Mesquite, Palo Verde, Saguaro, Barrel, Ocotillo, and Yucca. Improvements should be sited to avoid these protected species if at all possible. The Architectural Review Committee must approve any plans for transplanting these species, and it is recommended that professionals be consulted prior to transplanting any desert plant materials. If for any reason these materials need to be destroyed because of the location of the building envelope, they must be replaced with a like plant of the same size.

AE. TURF

The total allowable square footage of turf for any lot is limited to the equivalent of 10% of the gross lot size.

AF. CITY OF PHOENIX BUILDING CODE

If there is an instance where the City of Phoenix code is more restrictive than these guidelines, the City of Phoenix Building Code prevails.

II. RESIDENTIAL ARCHITECTURAL PROCEDURES

Plans and specifications shall be submitted to the Architectural Review Committee in accordance with the following submittal and review procedures.

A. DESIGN REVIEW PROCESS

A.1 INTRODUCTION

The review process shall occur in two stages: preliminary and final design review. Documents are to be submitted in duplicate for both stages. Final approval shall occur provided the final development plans are prepared consistent with the previous approved design plans (and provided the governing Architectural Review Committee has not requested revisions based on changes resulting from transforming preliminary plans into final plans).

The Architectural Review Committee will meet as necessary to perform its duties pursuant to the Master CC&R's. The written consent of a quorum of regular members shall constitute an act by the Architectural Review Committee.

To assist the Architectural Review Committee in its evaluation of the Preliminary Plans, the owner shall provide preliminary staking at the locations of the corners of the residence or major improvement and such other locations as the Architectural Review Committee may request.

Construction documents (working drawings and specifications) shall be prepared in accordance with the Final Designs and Plans approved by the Architectural Review Committee. Construction shall not commence until all the above requirements are satisfied. It should be noted that the City of Phoenix currently charges both a fiscal impact fee for this area of Phoenix and a water acquisition fee. It is the owner and/or builder's responsibility to pay these and other fees.

A.2 PRELIMINARY DESIGN SUBMITTAL AND REVIEW

The following documents are required to be submitted to the Architectural Review Committee for preliminary design approval by each Builder. The Architectural Review Committee will review the documents and inform the Builder as soon as reasonably possible, but in any event within ten (10) days from the date of submittal, whether the preliminary design is approved. If the preliminary design is not approved, the Architectural Review Committee will outline the reasons for denial. The following items are minimum requirements for submission to the Architectural Review Committee:

- a. Sketch showing location of sales office, model complex (residential only) and construction office.
- b. Home building plans including wall sections, floor plan and details of exterior decks or patios at 1/4" = 1'0".

- c. Elevations at $1/4" = 1'0"$.
- d. Exterior materials and color selections.
- e. Landscape concept plan or plans indicating typical lot and frontyard streetscape at 1" - 20' scale, together with proposed plant list showing any areas to be irrigated, proposed plants and sizes thereof; driveway, storm water retention, decorative features, etc., if not shown elsewhere on architectural plans. This plan must also show the area where construction storage and debris will be confined.
- f. Designs of entrance features with walls, signage, landscaping and lighting. All of the foregoing features shall complement the architecture of the subdivision or parcel development.
- g. Preliminary design package for all signage (including proposed location thereof and any flags, if applicable, together with copy, color, dimensions, construction design and materials).
- h. If an Ancillary Association is formed pursuant to the Master CC&R's, the Builder's set of guidelines showing regulations to govern the association.
- i. An approximate time schedule indicating commencement and completion dates for construction, utility hook-up, completion of landscaping work and anticipated occupancy date.
- j. Site plan (at no smaller scale than 1 inch = 20 feet) showing the location of the building envelope, the residence and all buildings or other major structures, driveway and parking areas, specimen vegetation (existing, to be relocated and new specimens in the natural area), a grading plan including existing and proposed topography, utility connections, and finished floor elevations, including garage consistent with the approved Preliminary Plans and incorporating all modifications to such Preliminary Plans requested by the Architectural Review Committee.

A.3 FINAL DESIGN SUBMITTAL AND REVIEW

The final design review is intended as a confirmation that the approved preliminary design has been carried forward into the construction documents with a reservation by the Architectural Review Committee to bring up any new matters in the Builder's plans. The Builder's final design submittal shall include statement defining any and all changes from the preliminary design submission. The Architectural Review Committee will review the documents and inform the Builder no later than ten (10) days from the date of submittal whether the final design was approved. If the final design is not approved, the Architectural Review Committee will outline the reasons for denial. Final approval by the Architectural Review Committee shall be issued in writing.

A.4 COMPLIANCE AND VARIANCES

The approved final design is binding. Once approved, the Builder must either build the project as per the submitted working drawings, or submit requested revisions. Such revisions, if approved, will be granted a variance by the Architectural Review Committee no later than ten (10) days after submission. No such changes may be undertaken until a variance has been granted.

SunCor Development Company and its related entities, the Association, and the Residential and Commercial Architectural Review Committee's of the Association assume no liability to any Owner or Builder in Tatum Ranch, or any other party, for any damage or loss suffered on account of the approval or disapproval (including any delays in connection therewith) of any plans, drawings or specifications submitted to either Architectural Review Committee or the construction or performance of any work contemplated thereunder.

A.5 CHANGES OR ALTERATIONS

Any change or alteration requested by an Owner or Builder to a structure or design of any part of a lot or parcel shall be submitted in writing to the governing Architectural Review Committee with the appropriate fee and copies of all plans and specifications detailed in Section 2.4 as to the item or items requesting to be changed or altered. If the change or alteration is preliminarily approved, the Owner or Builder shall also be required to comply with Section 2.5 of these Guidelines.

B. PREDESIGN MEETING

Prior to preparing preliminary plans for any proposed improvement, it is mandatory that the owner and/or his architect meet with a Architectural Review Committee member to discuss proposed plans, and to explore and resolve questions regarding building requirements in Tatum Ranch. This informal review is intended to offer guidance prior to initiating preliminary design. An appointment for a predesign meeting should be made at least one week in advance.

C. CONSTRUCTION AREA PLAN

Prior to the commencement of any construction activity on a lot, the owner and builder shall provide a separate site plan marked to show the manner in which the natural desert will be protected, and the areas in which all construction activity will be confined, including: size and location for construction material storage, limits of excavation, driveways, parking areas, chemical toilet location, temporary structures, dumpsters (storage for debris), fire extinguisher, utility trenching and construction sign. This plan should identify the methods for protection, such as fencing, flagging, rope, barricades, or other means, to be set up prior to commencement of construction.

D. SUBSEQUENT CHANGES

Additional construction, landscaping, or other improvements to a residence or lot, and/or any exterior alterations and/or additions after completion of an approved structure must be submitted to the Architectural Review Committee for approval prior to making such changes and/or additions. Failure to submit such changes to the Final Plans as approved by the Architectural Review Committee and/or failure to construct the home in accordance with the approved Final Plans shall entitle the Association to pursue any and all rights or remedies set forth under the Declaration to enforce the owner's compliance with these guidelines.

E. WORK IN PROGRESS/INSPECTION

The Architectural Review Committee may inspect all work in progress and give notice of noncompliance. Absence of such inspection and notification during the construction period constitutes neither approval with work in progress nor compliance with these Design Guidelines or the Declaration by the Architectural Review Committee.

III. CONSTRUCTION REGULATIONS

In order to assure that the natural desert landscape on each lot is not damaged during construction activities, the following construction regulations shall be enforced during the construction period. These regulations shall be made a part of the Construction Contract Document specifications for each residence or other improvements on a lot and all builders, owners, and other persons shall be bound by these regulations. Any violation by a builder shall be deemed to be a violation by the owner of the lot.

A. PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the builder must meet with a representative of the Architectural Review Committee to review construction procedures and coordinate his activities in Tatum Ranch.

B. SITE WORK

Except as approved by the Architectural Review Committee in connection with the construction, reconstruction, or alteration of any improvement for which the owner has obtained the approval of the Architectural Review Committee:

- A. No excavation or fill shall be created or installed upon any lot.
- B. No change in the natural or existing drainage for surface waters shall be made upon any lot.
- C. No protected plants shall be damaged or removed from any lot.

In the event of any violation of A or B above, the Architectural Review Committee or the Association may cause such lot to be restored to its' state existing immediately prior to such violation; or, in the event of any violation of C above, cause to be replaced any protected plant which has been improperly removed or destroyed with either a similar plant type and size or with such other plant as the design review committee shall deem appropriate. The owner of such lot shall reimburse the Architectural Review Committee or the Association for all expenses incurred by it in performing its' obligations under this paragraph; provided, however, that with respect to the replacement of any plant the owner shall not be obligated to pay an amount in excess of the expenses which otherwise have been incurred by the Architectural Review Committee or the Association had it elected to replace the damaged, destroyed, or remove protected plant with a plant similar in type and size.

C. CONSTRUCTION ACCESS

The only approved construction access to be utilized by a builder/owner or their agents during construction of improvements on a lot shall be built over the approved driveway location for the lot unless the Architectural Review Committee approves an alternative access point.

D. CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES, ETC.

Any owner or builder who desires to bring a construction trailer, field office, or the like to Tatum Ranch shall first apply for and obtain written approval from the Architectural Review Committee. The Architectural Review Committee will work closely with the owner or builder to determine the best possible location for such facilities. Such temporary structures shall be located only in those areas approved by the Architectural Review Committee and shall be removed upon completion of the construction.

E. DUST AND NOISE

The owner and builder shall be responsible for controlling dust and noise from the construction site. No blaring music will be allowed.

F. SANITARY FACILITIES

Each owner and builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the lot in areas approved by the Architectural Review Committee.

G. VEHICLES AND PARKING AREAS

Construction crews will not park, or otherwise use, other lots or any other open space. Private and construction vehicles and machinery shall be parked only in those areas designated by the Architectural Review Committee. All vehicles shall be parked so as not to inhibit the normal flow of traffic and within the designated areas so as not to damage the natural landscape.

H. DEBRIS AND TRASH REMOVAL

Owners and builders 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 at least once a week to a legal dumping site located off the project. A dumpster is required on site to handle all debris. Light weight material, packaging, and other items, shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Owners and builders are prohibited from dumping, burying or burning trash anywhere on the lot or in Tatum Ranch. During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eye sore or affecting other lots and any open space. Any clean-up cost incurred by the Architectural Review Committee or the Association in enforcing the requirements of this provision will be billed to the owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces, and driveways or other portions of Tatum Ranch.

I. DAILY OPERATION

Daily working hours for each construction site shall not commence prior to 30 minutes before sunrise and shall end no later than 30 minutes after sunset.

J. SIGNAGE

Temporary construction signs shall be limited to one sign per lot not to exceed 6 square feet of total surface area. Such sign shall be free standing and the design and location of such sign shall be approved by the Architectural Review Committee.

K. EXCAVATION MATERIALS

Excess excavation materials must be hauled away from Tatum Ranch.

L. RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGED

Damage and scaring to other property, including, but not limited to, open space, other lots, roads, driveways 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 person causing the damage or the owner of the lot upon which such construction activity is in progress. Upon completion of construction, each owner and builder shall clean his construction site and repair all property which has been damaged, including but not limited to restoring grades, planting shrubs, and trees as approved or required by the Architectural Review Committee, and repairing streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing as appropriate.

M. CONSERVATION OF LANDSCAPING MATERIALS

Owners and builders are advised of the fact that the lots and open spaces contain valuable native plants and other natural landscaping materials that should be absolutely protected during construction, including topsoil, rock out-croppings and plant materials. Materials which cannot be removed should be marked and protected by flagging, fencing or barriers. The Architectural Review Committee shall have the right to require that major terrain features or plants be fenced off for protection. Any trees or branches removed during construction must be promptly gathered and removed from the construction site.

N. SAFETY

All construction sites shall be maintained in a safe condition. All applicable OSHA regulations and guidelines must be strictly observed by builders and owners at all times. At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available on the construction site at all times.

O. MISCELLANEOUS AND GENERAL PRACTICES

All owners will be absolutely responsible for the conduct and behavior of their agents, representative, builders, contractors, and subcontractors at Tatum Ranch. The following practices are prohibited at Tatum Ranch:

- 1) Changing oil on any vehicle or equipment on the site itself or other than at a location designated for that purpose by the Architectural Review Committee.
- 2) Cleaning by concrete suppliers and other contractors of their equipment at other than locations designated for such purposes by the Architectural Review Committee.
- 3) Removing any rocks, plant material, topsoil or other similar items from any property within Tatum Ranch, including construction sites, except as approved by the Architectural Review Committee.
- 4) Possession or use of any type of fire arms on the property.
- 5) Using disposal methods or units other than those approved by the Architectural Review Committee.
- 6) Careless disposition of cigarettes and other flammable material.
- 7) Damage to or removal of any desert plant materials not previously approved by the Architectural Review Committee.
- 8) Playing loud music or creation of any unnecessary noise or other nuisance in Tatum Ranch.