

**3 CANYONS RANCH MASTER HOMEOWNERS'
ASSOCIATION**

MASTER DESIGN COMMITTEE GUIDELINES

**Revised
July 2023**

3 CANYONS HOMEOWNERS' ASSOCIATION MASTER DESIGN COMMITTEE GUIDELINES

1. INTRODUCTION

Purpose: The primary purpose of these guidelines is to assist 3 Canyons Ranch Master Homeowners' Association ("3C") members (defined as current legal property owners) with complying with the design requirements and restrictions mandated in the 3C Master Declaration of Covenants, Conditions and Restrictions ("CCRs"), Bylaws, Gate & Roadway Guidelines and Rules (i.e., "Master Documents"). These guidelines are NOT intended to be all inclusive but rather to augment and clarify existing and applicable Master Documents (MD). **This version reflects changes to points of contact and minor edits to promote clarity. These guidelines supersede all previous versions.**

Scope: These guidelines are applicable to all 3C members.

Responsibilities:

3C Board of Directors (BOD). The BOD serves as the non-profit governing body for 3C. As such, the BOD is ultimately responsible for the protection, improvement, alteration, maintenance, repair, administration and operation of 3C as specified in the MD. The BOD facilitates these, in part, by appointing a Master Design Committee (MDC) Chair and providing oversight, guidance and approval of MDC operations. The BOD shall appoint a member of the board of directors as the MDC Chair annually. The BOD will review all CCR violations and fines, as well as approve or deny, as appropriate, all member requests for exceptions and variances in accordance with the MD.

MDC Chair. The Chair is responsible for administering MDC procedures, rules, timelines, design guidelines and reporting and processing violations in accordance with the MD and guidance from the BOD. The Chair will schedule periodic meetings, develop meeting agendas and approve, deny or table member applications on behalf of the MDC Committee. The MDC Chair will notify the BOD of reported violations of the CCRs and provide a written summary of MDC activities a minimum of every three (3) months.

MDC Committee Members. The MDC Committee is comprised of volunteers from the 3C membership and approved by the BOD. Committee members are assigned various duties and responsibilities by the MDC Chair. Generally, these include researching, answering and assisting 3C members with their MDC questions and requests, providing recommendations to the MDC Guidelines, identifying and reporting suspected violations of the CCRs, and providing recommendations to the MDC Chair to approve, deny or table member MDC applications.

3C Members. All 3C members are expected to adhere to the procedures, requirements and timelines specified herein and in accordance with the MD. Members may petition the BOD directly for an exception or variance. All related forms, procedures and MDs are posted on the 3C website at <https://www.threecanyonsranch.com/>

2. MDC PROJECT APPLICATION OVERVIEW

The MDC shall review member proposed improvements, additions and changes to property (i.e., “applications”) within 3C to verify conformity with the MD and these guidelines. This includes, but is not limited to construction, placement, size, color, elevation and style of both new and existing structures and improvements, such as residences, sheds, garages, fences, walls, wells, pools and driveways as further specified in CCRs Section 4.2. Members requesting any curb cuts (i.e., roads or driveways) entering or exiting the 3 Canyons Ranch Road shall also apply to the 3C Road Committee for review and prior approval. Members shall submit the Road Committee approval with the MDC application as applicable. The MDC will review all member projects; members will not begin projects before receiving written MDC application approval. 3C members are encouraged to contact an MDC Committee member with any questions or for assistance with completing the project application request. MDC members and their contact information are listed on the 3C website. The MDC meets monthly, either in-person or in “virtual” form as circumstances warrant. Meeting place, time and method is posted on the 3C website. For a member’s project application to be considered at the next MDC meeting, complete applications and all required supporting documents must be received by the MDC Chair no later than 7 calendar days prior to the scheduled meeting. Members may submit project applications either in electronic (preferred) or hardcopy format to Master Design Committee PO Box 970 Hereford, AZ 85615 (hard copy) OR via email to the MDC Chair as reflected in the current 3C Contact List <https://www.threecanyonsranch.com/contact.php>

3. MDC PROJECT APPLICATION CONTENT

The following paragraphs are intended to streamline and assist the member and prospective member in identifying what information and supporting documents are required in order to submit a project application for MDC consideration. All applications shall contain sufficient detail to enable the MDC to assess compliance with the MD.

MDC Checklist. All project applications shall include a completed MDC Checklist (CL) signed by the CURRENT property owner as determined by the 3C property management team. A sample CL is located on the 3C website.

Site Plan. Site plans are required for all construction-related applications. The site plan is a drawing or survey map of the member’s property and includes the location of proposed project, setback measurements to all property lines from the proposed project, any proposed utilities (i.e., well, power, etc.), other existing buildings, fences, walls and a compass arrow orientation showing north. The setback requirements are stated in the CCRs Section 4.3.4. and MD.

Structure / Floor Plans. New structures, such as a residence, guest house, barn, shed, garage or similar, will include a set of drawings for the proposed construction. Drawings shall contain sufficient detail to accurately determine structure size, style, elevation, HVAC and livable square footage, as applicable. The elevation drawings shall show the proposed structure from the front, back and sides, and shall specify all dimensions (length, width, and height) and include roof-mounted improvements. Applications shall also identify any proposed heating, ventilation and air conditioning (HVAC) systems. HVAC plans shall illustrate where the air conditioning compressor, air handler and/or evaporative cooler will be located. Note roof mounted units are required to be entirely screened behind a parapet or screen (not to exceed four (4) feet in height) and not be visible to surrounding properties,

as specified CCRs Section 4.2.29.

Exterior Color Scheme. An exterior color scheme shall be included for all buildings, structures and walls. A sample or brochure illustrating the type and color of roofing material is also required. Pre-approved color schemes are depicted on the Exterior Color Chart posted on the 3C website and attached to this document. These reflect the darkest permissible colors in the color scheme. Lighter colors in the range, as well as white, are acceptable.

Building Permit. Applications shall include an approved building permit if required by Cochise County. It is the 3C members' responsibility to contact Cochise County to determine this requirement. Note that 3C assessments (i.e., "dues") are based in part upon the livable square footage as identified on the approved building permit.

Fences & Walls. All proposed fences and walls shall be shown on the site plan and shall indicate the proposed dimensions, style, type of material and color.

Curb Cut. All projects requiring curb cuts (roads or driveways) entering or exiting the 3 Canyons Ranch Road easement area will also require 3C Road Committee Approval. Contact a Road Committee member for the specifications of a curb cut on 3 Canyons Road. 3C Road Committee members and contact information are available on the 3C website.

4. MDC PROJECT APPLICATION PROCESS

A simplified overview of a typical application process is attached to the end of this document for member convenience.

Upon receipt, the MDC Chair will review the application and work with the member to ensure all documentation is present and of sufficient detail to process the application. Applications received from members that are NOT in "good standing" or incomplete shall be held without action

The MDC shall consider the completed project application during its monthly meeting and the member or member's agent may attend or participate if desired. The primary sections of the MD used by the MDC to review member applications are Section 4.2.3 (Signs), Section 4.2.4 (Animals), Section 4.2.7 (Lights), Section 4.2.8 (Antennas), Section 4.3.4 (Setbacks), Section 4.3.5 (Height Restrictions), Section 4.3.6 (Story Restrictions), Section 4.3.7 (Size Restrictions), Section 4.3.8 (Number of Buildings), Section 4.9 (Fencing), HOA Rule 14 (Vehicles) and HOA Rule 15 (Miscellaneous structures not to exceed 200 square feet) and Rule 19 (Setback Requirements for Wells).

In some cases, the MDC may request the member or member's agent attend a preliminary onsite visit in order to clarify project details, placement and setback requirements.

To be considered at the next scheduled MDC meeting, completed applications together with all required supporting documents shall be received by the MDC Chair no later than 7 calendar days prior to the meeting date published on the 3C website. Based upon extraordinary circumstances, the MDC Chair may, at his sole discretion, waive submission timelines.

The MDC Committee's intent is to approve or disapprove the member applications within 30 days of receipt (i.e., the "review period"). Note the official review period begins when the MDC Chair receives the complete, signed application and all required supporting documentation. Upon completion of the review period, the member will receive written notification from the MDC Chair of the approval or reasons for disapproval, as applicable. MDC approval is presumed if the MDC fails to provide the member with a written decision by the end of the review period.

Once an application is approved, the member shall, at the discretion of the MDC Chair, schedule at least two on-site formal reviews (an initial and a final) during the construction phase for the purpose of monitoring compliance with the approved plans. Note, formal reviews are typically not applicable for non-construction activities. The member or member's agent shall be provided an opportunity to attend both formal reviews.

The initial onsite review is performed after site prep and trenching is completed but before construction begins. The primary focus of this review is to verify project location, size, dimensions and setback requirements before construction begins. Within five business days after the formal reviews, the MDC Chair shall provide a written report to the member or member's agent specifying any deficiencies, violations or unapproved variations from the approved plans.

A second formal review is typically conducted immediately following final construction. The primary focus of this review is to verify the final project conforms with project application previously approved by the MDC. Within five business days after the second formal review, the MDC Chair shall provide the member a copy of the written report specifying any deficiencies, violations or unapproved variations from the approved plans. If the written report does not specify any deficiencies, violations or unapproved variations from the approved plans, the MDC shall, within 30 days, request the HOA release any construction deposit monies to the member as applicable. If the report identifies any deficiencies, violations or unapproved variations from the approved plans, the HOA may hold the deposit for up to 180 days or until receipt of a subsequent report of construction compliance, whichever is less. If a report of construction compliance is received before the 180th day, the HOA shall release the deposit monies to the member. If a compliance report is not received within 180 days, the MDC shall notify the HOA for further disposition as appropriate.

Applications expire one year after the MDC approval date, and projects are expected to be completed within this time period. Based upon extraordinary circumstances, the member may request and the MDC may grant a one-year extension. Projects not completed within proscribed timelines may require the member to resubmit a new project application for review & approval and may result in a financial penalty as specified in Section 11.

Neither the approval of the plans nor the approval of the actual construction by the HOA or the MDC shall constitute a representation or warranty that the plans or construction comply with applicable governmental requirements or applicable engineering, design or safety standards. The HOA at its discretion may release all or any part of the construction deposit to the member before receiving an MDC compliance report. Release of the deposit to the member does not constitute a representation or warranty from the HOA or the MDC that the construction complies with approved plans.

5. 3C PROJECT APPLICATION FEES

As part of the application submission process, members shall remit to the 3C HOA Treasurer, PO Box 970, Hereford, Arizona 85615, a Construction Deposit (CD) in the amount of \$1000 for new construction of a residence, guest house or for an addition to an existing residence or guest house. The CD shall be returned to the member in accordance with Section 4, less a \$200 non-refundable administrative fee. There are no application fees assessed for any other project applications. Members are reminded that 3C annual assessments (i.e., “dues”) are calculated, in part, upon livable square footage as annotated in the approved building permits. Assessments are effective and prorated from the date the MDC approves the member application. Questions regarding Assessments or CD should be emailed to the 3C Treasurer as reflected in the current 3C Contact List <https://www.threecanyonsranch.com/contact.php>

6. 3C SUBDIVISION REVIEW & APPROVAL

Developers shall submit the plat for a new subdivision of lots or parcels to the MDC prior to submission to Cochise County. The MDC will review the submission to ensure there are no conflicts with the CCRs. After approval of the plat by Cochise County, the MDC shall submit the subdivision to the BOD for review and approval.

7. 3C NEW VILLAGE REVIEW & APPROVAL

New villages shall comply with the 3 Canyons Ranch MDs and shall be governed by village CCRs, village association articles of incorporation and bylaws (village governing documents). A complete set of the proposed village governing documents shall be submitted to the MDC. The village documents shall comply with the 3C MDs. The submission of the village governing documents shall include a \$3,000 application fee plus any additional attorney and other fees, to cover the cost to the master association for review of the proposed village governing documents. After the initial approval by the MDC, the village governing documents shall be submitted to the BOD for review and approval of the village.

8. ROLE OF MASTER DESIGN COMMITTEE FOR NEW VILLAGE

Notwithstanding the creation of a village architectural committee, all new construction and site improvements will be submitted to the 3C MDC along with any applicable application fees, until such time as the village association creates an architectural committee composed entirely of village owners and the control of the village association is transitioned from the developer to a village association board of directors composed exclusively of village owners other than the developer. Copy of all approvals shall be provided to the 3C MDC within 30 days of the village architectural committee approval.

9. 3C REAL ESTATE AND CONSTRUCTION SIGNAGE

The member or member’s agent may place one real estate sign on the property. The size of the real estate sign shall not exceed eighteen (18) by twenty-four (24) inches with a rider of six (6) by twenty- four (24) inches. One construction sign not to exceed two (2) feet by four (4) feet in size and six (6) feet high may be placed on the property or at the entrance to a village. The sign shall be removed within ten (10) days of the sale or completion of the

construction. No signs shall be placed in the right of way on 3 Canyons Road in accordance with CCRs Section 4.2.3.

10. 3C CLUSTER MAIL BOXES

The member shall submit a completed MDC Checklist depicting the proposed location, size, style and color of a USPS-approved cluster mail box. The submission shall also include written approval from the Hereford Post Office regarding the mailbox type and location and (2) all property owners within 100 feet of the proposed mailbox location. Mailboxes shall not encroach upon the 3C Road easement or other rights of way

11. VIOLATIONS

Once a potential violation is reported, the MDC Chair is responsible for verifying and subsequently reporting member violations of the MD to the BOD and, where appropriate, recommending fines and other appropriate actions. Enforcement of village CC&Rs that are unique to the village is not the responsibility of the 3C MDC, and as such, shall be enforced by the respective village. Members shall be held responsible for all violations that occur on their property including actions performed by guests, tenants or contractors in accordance with CCRs Section 4.2. The MDC shall take the following actions upon notification or discovery of a potential violation. The MDC shall inquire to determine if a violation of the MD exists and shall attempt to contact the property owner to discuss and resolve the potential violation. The MDC Chair shall notify the 3C President or designated representative of the potential violation and obtain a legal opinion from the 3C Attorney as needed. If verified, the MDC Chair shall issue a notice of violation (NOV) to the member identifying the violation. For construction related violations, the member has thirty (30) days from the date of the NOV to either correct the violation, submit a detailed plan of the corrective action including a timetable for completion to the MDC Chair which may be approved or rejected or contest the violation and proposed remediation via a written appeal to the BOD. For non-construction violations, the member will have thirty (30) days from the date of the NOV letter to contest the violation via a written appeal to the BOD.

NOV letters may be sent via certified mail, or if available, via email. The NOV will identify as a minimum the provision(s) of the MD that covers the violation, date the violation was verified by a MDC member, the proposed remediation which may include a fine and/or return of the property to the condition before the NOV, a description of the process the owner may follow to contest the NOV, and notification of the member's option to petition for an administrative hearing on the matter in the state real estate department pursuant to Arizona Revised Statutes.

Members desiring to submit an appeal shall do so within 30 days of the date on the NOV using the 3 Canyons Ranch Master Homeowners' Appeal Form, which can be found on the 3C website. Members shall mail the completed & signed appeal form to Board of Directors, 3 Canyons Ranch Master HOA, P.O. Box 970, Hereford, AZ, 85615 OR email to the 3C President as reflected in the current 3C Contact List <https://www.threecanyonsranch.com/contact.php>. Upon receipt & verification, the 3C President shall add the member's appeal to the agenda of the next regularly schedule BOD meeting. Fines and/or remediation will not be assessed during the appeals process.

If the BOD upholds the violation and fine, the member will have ten (10) days from the date

of the letter to pay the fine and / or conduct the remediation. If the HOA does not receive payment from the member and / or if the remediation is not completed within the proscribed timeframe, it may be forwarded to the 3C attorney for legal action and the member will be responsible for any additional costs for attorney fees and/or litigation.

Fines are determined based upon the following guidelines:

\$200 for each non-construction violation.

\$500 for construction started before written MDC approval.

\$1000 for construction completed without written MDC approval.

\$500 for construction not completed within MDC approved timelines.

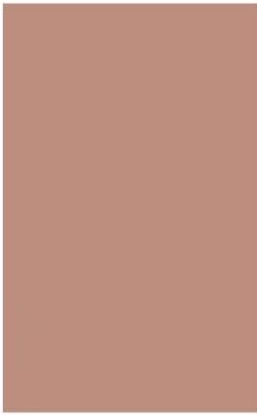
12. SUMMARY

These guidelines are a “living document,” and as such, may be revised periodically as circumstances warrant. Members are encouraged to check for the most current version on the 3C website <https://www.threecanyonsranch.com/guidelines.php>.

ATTACHMENT 1 (EXTERIOR COLOR CHART)

The below exterior color scheme samples reflect acceptable color shades for exterior buildings, structures, and walls. Note that the colors below are the darkest acceptable colors in that range. All lighter shades in each range and white are acceptable.

The paint colors below are listed with paint brands and paint codes.



Fireplace Glow
Behr #M190-5



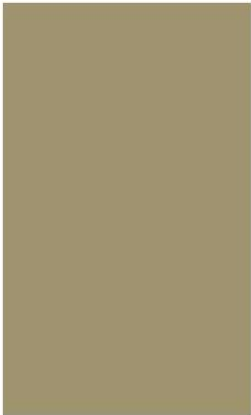
Cappuccino Froth
Behr #N210-2



Beehive
Behr #M270-5



Egg Cream
Behr #270-4



Keemun
Behr #M330-6



Red Curry
Behr #S170



Split Rail
Behr #N250-6



Station Gray
Sherwin Williams
#SW3273



Foothills
Sherwin Williams
#SW3441



Fired Brick
Sherwin Williams
#SW6335



Rusted Earth
Valspar #2002-7A



English Tea Party
Valspar #6004-2C



Falcon's Plume
Valspar #6002-2C



Italian Leather
Valspar #6005-2C



Sumatra Blend
Valspar #2008-9A



Birch Forest
PPG #1134-5

ATTACHMENT 2 (MDC APPLICATION PROCESS SIMPLIFIED)

