

Villas West Governing Documents

Rules and Regulations

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The Green Valley Villas West Condominium Association ("Association"), through its Board of Directors, adopts the following Rules and Regulations pursuant to its authority under Article 6, Section 6.2 of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Green Valley Villas West ("CC&R's").

These Rules and Regulations govern the use of the Condominium by owners, their tenants and their guests and set forth the procedures and guidelines related to improvements and alterations of the Condominium property. These Rules and Regulations are supplemental to and shall have the same force and effect as the CC&R's. As to any matters not covered by these Rules and Regulations, please refer to the CC&R's.

RULE NO. 1 - ARCHITECTURAL MODIFICATIONS

A. Gates; Doors; Rails; Fences. Owners may install the following items subject to Board approval:

1. Wrought iron security doors
2. Wrought iron gates
3. Wrought iron handrails
4. Wrought iron fences on back porches
5. Wooden gates

All above items must be painted black with the exception of wooden gates which must be painted brown.

- B. Solar Screens. Solar screens may be installed on windows with the prior written approval of the Board. Solar screens must be brown or black; exterior rolling shades installed in any patio shall be brown and placed as close as possible to a supporting beam.
- C. Skylights. Curb mount or tubular frame skylights may be installed with the prior written approval of the Board and in accordance with VWAS 09.¹
- D. Windows. Replacement windows may be installed with the prior written approval of the Board and in accordance with VWAS 10.
- E. Solar Panels. A solar panel for the hot water heater may be installed on the roof of the villa with the prior written approval of the Board and in accordance with VWAS 11.

¹ "VWAS" refers to the Villas West Maintenance Specifications which may be obtained from the Association's management office.

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F. Flags. The following flags may be installed in conformance with VWAS 8:

- American flag
- An official or replica of a flag of the United States army, navy, air force, marine corps or coast guard;
- POW/MIA flag;
- Arizona state flag;
- Arizona Indian nations flag;
- Gadsen Flag.

G. Vents. Vents for clothes dryers may be installed through the rear exterior wall of a villa or shed with the prior written approval of the Board and in conformance with VWAS 12.

H. Electrical Appliances; Wiring.

No electrical wiring may be changed or added in the walls or ceilings of a villa without the prior written approval of the Board. All electrical installations shall be performed by a qualified workman or licensed electrician. Each owner is responsible for obtaining any necessary permits and inspections from Pima County Development Services for all electrical work performed.

Electric hot water heaters, electric clothes dryers and electric stoves shall not be installed until a new underground power line is connected from the transformer to the owner's villa at his/her expense. Tucson Electric Power must approve any new line installation.

I. Antennas; Cable; Satellite Dishes.

No television or radio antenna shall be installed in such a manner that it penetrates the walls, roofs or windows of the buildings without the prior written approval of the Board.

Existing television antennas are furnished and maintained by the Association. Cable service is available at the owner's expense. All wire necessary for cable installation shall be underground and entry into the unit shall be made through the wall of the villas.

A satellite dish may be installed on the front patio or rear porch in accordance with VWAS 06. If a resident is unable to obtain an acceptable signal on the front patio or rear porch, a satellite dish may be placed on the roof of the building with the prior written approval of the Board and in accordance with VWAS 06.

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J. Sheds; Porches.

No shed or porch may be built or installed without the prior written approval of the Board and in accordance with VWAS 01. Replacement of existing sheds and porches may be installed with the prior written approval of the Board and in accordance with VWAS 02. Back porches shall be painted with approved outdoor concrete paint of tan or Villas West brown only (Keystone brown, sold locally). Tan or brown colored tile with nonslip surface may be installed. No replacement of or new installation of carpeting on back porches is permitted.

RULE NO. 2 - GOLF CARTS

Golf carts shall not be parked anywhere on the Condominium except in an owner's designated parking space (as long as the cart and vehicle fit within the space) or on pavers adjacent to a unit which have been installed with the prior written approval of the Association.

RULE NO. 3 - LANDSCAPING

A. It is the homeowner's responsibility to trim all patio trees and bushes so that no portion thereof is in contact with any structure.

B. Association Grounds/landscaping staff is solely responsible for the maintenance and installation of landscaping in the common elements as directed by the Board. Residents are responsible for all landscaping within their individual patios and may not make any changes to the landscaping in the common elements without the prior written approval of the Board.

RULE NO. 4 - PAINTING

The Association is responsible for painting the exterior of the villas. In order to ensure that the villas maintain a uniform appearance, the following structures shall be painted by the Association at the sole expense of the villa owner:

Sheds and porches: \$45.00

Arizona rooms: \$50.00

Sheds and porches with lattice: \$60.00

RULE NO. 5 - PATIOS AND PORCHES

Residents shall keep sidewalks, patios, porches, carports and the common elements behind their villas clean and free of debris and trash. No patio, porch or carport may be used for storage.

No item shall be placed on any patio that is visible from any portion of the common elements or another villa except the following items which shall be maintained in good condition: patio furniture, standard umbrellas (no larger than 8' in diameter), swings, enclosed storage units (no larger

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than 36" in height), potted live plants, brown or tan sun shades, ceiling fans, holiday/seasonal lighting, bird feeders, and hanging decorations and/or wall ornaments (no larger than 24" x 36").

No latticework or other type of visual barrier shall be installed on any patio or wall. Any latticework installed prior to July 2004 shall be removed prior to any villa sale or transfer of ownership.

RULE NO. 6 - SUPPLEMENTAL SIDEWALKS

Supplemental sidewalks may be installed with the prior written approval of the Board and in conformance with VWAS 07. Any owner who installs a supplemental sidewalk shall be responsible for maintaining the sidewalk in good condition at his/her sole expense unless such sidewalk has been approved by the Board as a reasonable modification pursuant to the Fair Housing Act.

RULE NO. 7 - VEHICLES AND PARKING

A. Oversized and Recreational Vehicles and Equipment. No commercial vehicle (other than those exempted by law), pick-up truck of one-ton gross weight or more, vehicle exceeding two-hundred and thirty-five (235) inches in length or eighty-four (84) inches in height, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle (except golf carts), boat, boat trailer or other similar equipment or vehicle may be parked, kept, maintained, constructed, reconstructed or repaired on any portion of the Condominium except temporarily (no more than five (5) days) for the purpose of loading and unloading.

B. Repairs; Inoperable Vehicles; Leaking Vehicles. Except for emergency repairs or repair of flat tires, no automobile, motorcycle, motorbike or other motor vehicle shall be constructed, reconstructed, serviced or repaired on any portion of the Condominium, and no inoperable or unregistered vehicle may be stored or parked on any portion of the Condominium. The owner of any vehicle observed to be leaking fluid that causes or may cause damage to the parking area common elements shall be notified by the Association, in writing, and required to have the vehicle removed or repaired within ten (10) days of receipt of such notice and to provide of such repair to the Association. The cost to repair any damage to the common elements caused by a leaking vehicle shall be the sole responsibility of the vehicle's owner.

C. Parking. Residents shall use only the parking space legally deeded to the villa in which they reside. Residents with more than one vehicle may park a second vehicle on the west side of Paseo Tierra marked "Villas West Parking Only." Golf carts shall be parked in accordance with Rule No. 2.

D. Towing. Vehicles parked in violation of the CC&R's and these Rules and Regulations may be towed by the Association at the sole expense of the vehicle's owner.

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- E. Use of Sidewalks. Golf carts, bicycles, and service vehicles may be driven on the sidewalks for ingress and egress to units only.
- F. Mopeds, Motorcycles and Bicycles. Mopeds, motorcycles and bicycles may not be parked on the common elements. No such vehicle shall be parked on the sidewalk at any time except for emergency or minor repairs.

RULE NO. 9 - COMMON FACILITIES

- A. Pools are available for the exclusive use of Villas West residents and their guests and may only be used during the hours of 8:00AM and 10:00PM. Children under 18 years of age must be accompanied by an adult and may only use the pools as follows:

November 1 through April 30: Between the hours of 11:00AM and 1:00PM; Between the hours of 4:00PM - 5:00PM.

May 1 through October 31: Between the hours of 11:00AM and 1:00PM; Between the hours of 5:00PM and 7:00PM.

- B. All residents and their guests must comply with the guidelines posted at each pool.
- C. Laundry facilities may only be used between the hours of 8:00AM and 10:00PM.

RULE NO. 10 - WATER SERVICE

If a unit is to remain vacant for more than 7 days, owners should request that the water to the unit be shut-off. All requests for water shut-off and turn-on must be made to management in writing. Management must be notified at least 3 working days prior to the resident's return in order to have the water restored. Owners shall be responsible for notifying their management/rental agents of this rule. Water will be turned off or on only during the hours of 8:00AM and 3:00PM Monday through Friday.

RULE NO. 11 - MAILBOXES

All mailboxes must be painted white or black, shall not be moved from their original locations (on the building or wall between units A and B and on the building or wall between units C and D), shall be within arm's reach of one another, and have clear access for mail delivery from center common walk thru B and C patios.

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RULE NO. 12 - CONTACT INFORMATION

In order for the Association to notify residents of maintenance affecting the common elements or their villas and/or for notification purposes in the event of an emergency (concerning the resident's life, safety, health or property), each owner shall provide the Association with the following information and ensure that such information is kept current:

- A. If the villa is owner-occupied: the name, address and telephone number of at least one (1) non-resident whom the Association may notify in the event of an emergency.
- B. If the villa is occupied by a tenant or other non-owner: the name and telephone number of each resident.

ENFORCEMENT POLICY

These Rules and Regulations and the CC&R's shall be enforced as follows:

A. FIRST NOTICE OF VIOLATION.

The Association shall provide the owner with a First Notice informing the owner of the violation(s) of the CC&R's and /or Rules and Regulations and requesting that the violation(s) be corrected by a date certain.

The owner is responsible for notifying the Association that the violation has been corrected.

B. SECOND NOTICE OF VIOLATION.

Should an owner fail to correct the violation(s) by the date set forth in the First Notice, the Association shall provide the owner with a Second Notice of Violation which shall include the following information:

- A description of the alleged violation(s) and the provision(s) of the CC&R's and/or Rules and Regulations that has (have) been allegedly violated;
- The date of the alleged violation or the date that it was observed;
- The name of the person or persons who observed the alleged violation;
- The action required to restore the property to a conforming condition and the date by which such corrective action must be taken;

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- That the owner may respond to the Notice by providing a written response to the Association via certified mail within ten (10) business days of the date of the Notice.

If the Association is considering imposing fines against the owner for the violation, the Notice shall provide the owner with a date for a hearing before the Board of Directors which is no less than ten (10) days from the date of the Notice.

The owner is responsible for notifying the Association that the violation has been corrected.

C. HEARING. At a violation hearing before the Board, an owner (or his/her designated representative) shall be permitted to present evidence and/or witnesses on his/her behalf. If an owner wishes to present personal, health or financial information for consideration at the hearing, the owner may make a written request to the Association that the hearing be held in executive session.

D. NOTICE OF ACTION. At the conclusion of the hearing, whether or not the owner is present, the Association shall determine whether to impose fines against the owner and if so, the amount of such fines. The owner shall be notified in writing of the Board's decision within fifteen (15) days of the violation hearing.

E. FINES. In accordance with Arizona law, the Board may impose reasonable fines against an owner. The Association reserves the right to waive fines if the owner is making a good faith attempt to correct the violation(s). Any fine which remains unpaid fifteen (15) or more days after the due date shall be delinquent and subject to a late fee of \$15.00 or ten percent (10%) of the unpaid fine, whichever is greater. Payment of a fine does not constitute a variance for the violation; all violations must be corrected regardless of the fines imposed. Collection of delinquent fines may be enforced by seeking a personal judgment against the owner and upon obtaining a judgment, recording a lien against the Owner's property.

F. TENANTS AND GUESTS. Owners are responsible for violations of the CC&R's and/or Rules and Regulations by their tenants and guests.

G. LEGAL ACTION. The procedures set forth in this Rule are intended to serve as a guideline for the Association's Board of Directors in enforcement matters. Nothing contained herein shall be interpreted as prohibiting the Association from referring an enforcement matter to its legal counsel and/or instituting other action against an owner at any time after a violation is observed if the Board of Directors, in its sole discretion, determines that the nature of the violation warrants such action.

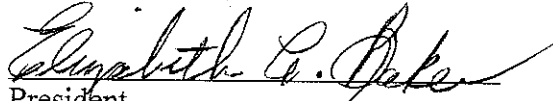
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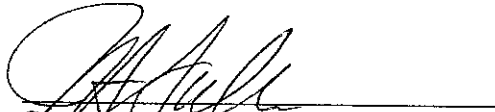
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THESE RULES AND REGULATIONS WERE DULY ADOPTED by the Board of Directors for Green Valley Villas West at a meeting held this 19 day of July, 2011.

By:
Its:


President

By:
Its:


Secretary

F. ANN RODRIGUEZ, RECORDER
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BOARD RESOLUTION
INSURANCE DEDUCTIBLES AND NON-COVERED LOSSES
GREEN VALLEY VILLAS WEST CONDOMINIUM ASSOCIATION

WHEREAS, the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Green Valley Villas West recorded in Docket 13783 at page 697 in the official records of Pima County, Arizona ("Declaration") and Arizona Revised Statutes §33-1201, *et seq.* govern the real property known as Villas West which is legally described as follows:

LOTS 480 through 840 and LOTS 842 through 1153 and COMMON AREA A through C of HAVEN GREEN VALLEY WEST according to the plat recorded in Book 27 of Maps and Plats at page 75 in the official records of Pima County, Arizona ("Property");

WHEREAS, Green Valley Villas West Condominium Association, an Arizona nonprofit corporation, is the governing body for the Property. All owners of Units within the Property are members of the Association.

WHEREAS, pursuant to the Declaration, Section 8.1, the Association maintains insurance for the entire Property, including all Units exclusive of improvements and betterments installed by Unit owners;

WHEREAS, pursuant to the Declaration, Section 8.3, members may obtain any additional or other insurance for their Units;

WHEREAS, pursuant to the Declaration, Section 5.2, members are responsible for maintaining, repairing and replacing, at their own expense, all portions of their Units and the Limited Common elements allocated to their Units;

WHEREAS, pursuant to Arizona Revised Statute §33-1255(E), any common expense or portion of a common expense benefitting fewer than all of the Units shall be assessed exclusively against the Units benefitted;

NOW, THEREFORE, the Board of Directors hereby adopts the following resolution governing payment of the Association's insurance deductible and repair responsibility for non-covered losses:

1. When damage occurs only to one Unit, the Unit owner shall be responsible for paying the full amount of the Association's insurance deductible applicable to any claim made for such damage ("Deductible").
2. Except as set forth in Paragraph 4, when damage occurs to more than one Unit, each affected Unit owner shall be responsible for a share of the Deductible that is proportionate to the cost of reconstruction and repair to his/her respective Unit as determined by the Board of Directors.
3. Except as set forth in Paragraph 4, if damage occurs to both Common Elements and Units, the Association shall be responsible for a share of the Deductible that is proportionate to the cost of reconstruction and repair to the Common Elements and each affected Unit owner shall be responsible for a share of the Deductible that is proportionate to the cost of reconstruction and repair to his/her respective Unit as determined by the Board of Directors.
4. If damage is caused to the Common Elements or Units by the action or inaction of a Unit owner, his family, guests, tenants, invitees, or other occupants, such owner shall be responsible for the full cost of the Deductible.
5. Each Unit owner may obtain, at his/her own expense, insurance coverage to cover the deductible applicable to the Association's insurance policy.
6. If damage is caused to any Unit(s) which is not covered by the Association's insurance policy, or the cost of repair of such damage is less than the Association's insurance deductible, the owner(s) of the damaged Unit(s) shall be solely responsible for the cost of such repairs except as set forth in Paragraph 7.
7. If damage is caused to any Unit(s) which is not covered by the Association's insurance policy, or the cost of repair of such damage is less than the Association's insurance deductible, and the damage was the result of the intentional act or negligence of an owner, his family, guest, tenant, invitee, or other occupant, then such owner shall be responsible for the full cost of repairs and such amounts (together with interest, costs and attorneys' fees incurred in collecting same) shall be part of the assessment lien against his/her Unit.


THIS POLICY WAS ADOPTED AT AN OPEN MEETING OF THE BOARD OF DIRECTORS on the 18 day of October, 2011.

GREEN VALLEY VILLAS WEST CONDOMINIUM ASSOCIATION, an Arizona nonprofit corporation

By:


President

By:


Secretary