

**SIERRA MONTANA
HOMEOWNERS
ASSOCIATION**

**Supplemental
Association Rules
&
Design Guidelines
For
THE MISSIONS**

September 1, 2009

SIERRA MONTANA
THE MISSIONS
HOMEOWNERS ASSOCIATION
SUPPLEMENTAL ASSOCIATION RULES & DESIGN GUIDELINES
FOR THE MISSIONS

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INTRODUCTION

OVERVIEW OF GUIDELINES

Due to the nature of the community documents, it is important to converge all of the pertinent information regarding architectural submittals into one document: Association Rules and Design Guidelines ("Rules"). These Rules for Sierra Montana Homeowners Associations, as allowed in the Declaration of Covenants, Conditions and Restrictions (CC&R's) for Sierra Montana Homeowners Association and all resolutions to date, will provide you with all the latest information relevant to improvements which will require approval from the Architectural Committee, per Article V, Section .22 of the CC&R's.

The Rules, as set forth in this document, shall interpret and implement procedure for the Architectural Committee's review and standards, including, but not limited to, architectural design, placement of buildings, landscaping, color schemes, intended to enhance property values and high standards, including, but not limited to, architectural design, placement of buildings, landscaping, color schemes, exterior finish and material, signage, and wall design. These documents are intended to enhance property values and high standards of development that exist within Sierra Montana Homeowners Association. Unless specifically identified as not requiring submittal for approval within this document, prior approval from the Architectural Committee is required. The Rules are established to assist residents in conforming to the standards established, and amended from time to time, by the Board of Directors. **FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE ARCHITECTURAL COMMITTEE SHOULD THE ARCHITECTURAL COMMITTEE REQUIRE SUBMISSION FOR APPROVAL.** Each application will be reviewed on a case-by case basis.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR INSTALLATION, ALL PLANS MUST BE SUBMITTED, IF REQUIRED, TO THE ARCHITECTURAL COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE ARCHITECTURAL COMMITTEE. FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED).

In the event of conflict between these Design Guidelines, the Declaration, any other Declaration of Covenants or Restrictions, and any governmental ordinance, building code or regulation, the more restrictive standard shall prevail.

THESE SUPPLEMENTAL RULES AND DESIGN REVIEW GUIDELINES ARE EXCLUSIVE TO THE MISSIONS / PARCEL 7 OF SIERRA MONTANA. THIS PARCEL IS ALSO SUBJECT TO SIERRA MONTANA'S RULES AND DESIGN REVIEW GUIDELINES. DUE TO THE NATURE OF THIS PARCEL THESE SUPPLEMENTED DOCUMENT WERE CREATED.

THESE RULES MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.

DEFINITIONS

COMMON AREAS

“Common Area(s)” include any section/tract of land owned by the Association. This includes, but is not limited to, the Parcel Parks, grass areas, retention areas, drainage areas and paths. The Missions / Parcel 7 “Common Area(s)” include all property beyond the footprint of the individual house.

MODIFICATIONS

No exterior construction, alteration, addition, or renovation to any structure or improvements on a Lot; no modifications to patios, and no landscaping, hardscape, walls or fences will be allowed on any Lot, without application to, and written approval by, the Reviewer. Each Owner is responsible for removing or otherwise correcting, at their expense, non-complying and/or unapproved improvements.

RULES

ANIMALS

The Association will defer violation of this nature to the City of Surprise and Maricopa County whom are better equipped and trained to resolve normal animal issues.

Please review the ANIMAL section of the Sierra Montana Rules and Design Review Guidelines for details.

Please be considerate and follow the ANIMAL rules, City Codes and Maricopa County Ordinances that require pet owners to keep their pet on a leash when outside, pet owners are to pick up and properly dispose of pet’s waste and nuisance barking / noise. The homes in The Missions are very close to each other. If you can/should here your dog barking, others can also.

FLUIDS FROM VEHICLES

No vehicles shall be parked in open spaces that leak any oil or fluids. All fluids that leak from a vehicle, excluding water, are extremely damaging to the asphalt parking areas and street. This damage greatly shortens the life of the asphalt and requires repairs sooner that anticipated in your Reserve Study.

These premature non budgeted repairs could cause financial hardship to the Members of The Missions / Parcel 7.

ITEMS IN THE COMMON AREAS

Homeowners are reminded that bicycles, toy, play equipment, household items, furniture are not permitted to be left unattended in the Common Areas. Items left on a sidewalk or roadway pose a danger to many. Any item left unattended in the Common Area is considered to be abandoned and may be discarded as necessary in addition to placing the owner in a non-compliance status.

TRASH IN COMMON AREAS

Homeowners are prohibited from placing trash or debris in the Common Area. Please place your trash in your trash container, which is to be removed promptly after the City has emptied it and kept stored out of public sight. Further details regarding this Rule may be found in your CC&R's and governing documents.

PARKING RULES

The streets in The Missions are private and owned by the Association. The Association has adopted the following Parking Rules:

1. No Parking in Fire Lanes. In addition to violating this Community rule a violator would be subject to Arizona Law and City Code. Arizona Law and the City of Surprise have laws and ordinances that prohibit the stopping, standing or parking of any vehicle in a fire lane. Due to the make up of the Missions / Parcel 7, the fire lanes are very important for fire equipment to access a home/structure and rendering emergency services.
2. Vehicles are permitted to park in garages and marked spaces only. Any and all vehicles not prohibited in the following is permitted to be parked in marked parking spaces and within the enclosed residential dwelling garage providing there are no violations with the remaining PARKING RULES.
3. No Parking of Boats, Trailers, RV's, Motor Homes or Commercial vehicles in open spaces. No truck (other than a family vehicle), mobile home or motor home, boat, jet ski, wave runner, recreational vehicle, all-terrain vehicle, off-road vehicle, trailer, camper, camper shell, tent trailer, snowmobile, bus, or any other vehicle classed by manufacture rating as exceeding one

(1) ton or any vehicle designed for commercial purpose or other similar equipment or vehicle (hereinafter "Commercial Vehicles") may be parked, maintained, constructed, reconstructed or repaired on or in any portion of the Common Area, lots, streets or parking spaces, except for :

- a. The temporary parking of any commercial vehicle in a marked parking space for loading and unloading of any period of not more than eight (8) hours and between the hours of 8:00 AM to 6:00 PM.;
 - b. Temporary construction trailers or facilities maintained during, and used exclusively in connection with, the construction of any improvement approved by the Architectural Review Committee of Board of Directors and
 - c. Commercial vehicles parked completely within enclosed residential dwelling garages.
4. Vehicles parked in open spaces must have current registration and be operational. Any vehicle parked outside of the enclosed residential garage shall have current vehicle registration. Vehicles that do not display current registration or vehicles appearing inoperable will be considered abandoned and towed without warning and at the owner' expense.
 5. Vehicles parked in open spaces must not leak any oil or fluids. All fluids that leak from a vehicle, excluding water, are extremely damaging to the asphalt parking areas and street. This damage greatly shortens the life of the asphalt and requires repairs sooner than anticipated in your Reserve Study. These premature non budgeted repairs could cause financial hardship to the Members of The Missions / Parcel 7.
 6. No vehicle shall remain in the same open marked parking space for more than three (3) consecutive days. The open marked parking spaces are intended to be used for overflow and guest parking. These spaces are not intended for the storage of a vehicle.
 7. No vehicle shall be repaired or rebuilt in open spaces. Except for emergency repairs of any vehicle, no vehicle shall be repaired, constructed, reconstructed or repaired in any portion of The Missions / Parcel 7 except within the enclosed garage of a residential garage.

VIOLATORS MAY BE TOWED WITHOUT NOTIFICATION OR WARNING AT THE OWNER'S EXPENSE. The Board of Directors shall have the right to have any vehicle or other item of equipment parked, maintained, kept, reconstructed, repaired or leaking any fluid in violation of this section towed away or immobilized at the sole expense of the owner of the vehicle or equipment. Any expense incurred by the Association, including , without limitation, attorneys' and court fees and costs, in connection with the towing or immobilization of any vehicle or equipment shall be paid to the Association upon demand by the owner of the vehicle or equipment. Each Homeowner shall indemnify, defend and hold the Association harmless from any claim and expense by or from any resident, lessee, guest or invitee of his/her home relating to the immobilization or towing of any vehicle parked in violation of this section.

DESIGN GUIDELINES

Due to the nature of this Parcel, many decorative items that are permitted in the other sections of the Community are not permitted in The Missions. These are named in this document in either the RULES or DESIGN GUIDELINE sections. There are several modifications that a Homeowner may complete to his/her home that are not specifically mentioned in this document, but are listed in the Sierra Montana Homeowners Association Rules & Design Guidelines.

Items that are permitted, as well as any modification to the exterior of the home from the builder's plan and construction, require Architectural Review Committee approval. This complete submittal procedure is outlined in the Sierra Montana Community Rules and Design Review Guidelines as well as details for the Appeal Procedures and related information.

The following items are specific to the make up of The Missions:

CLOTHES DRYING

Outside clotheslines or other outside facilities for drying or airing clothes shall not be erected, placed or utilized on the patio or in the Common Area. Clothing articles are also prohibited from being draped across fencing, gates or patio furniture.

ITEMS STORED ON A PATIO

Nothing may be kept on any patio, except for outdoor furniture, designed and intended by the manufacture for the use of; all such furniture and plants placed or maintained on any porch, balcony, or patio must at all times be in good condition and repair and kept in an orderly and uncluttered fashion. Barbeques are not considered patio furniture and may be allowed on a patio providing a City Ordinance does not exist prohibiting its placement and use. If permitted by City Code, the Association recommends moving any outdoor cooking device at least ten (10) feet away from any structure before operating. Also be aware that using a grill under a covered patio is extremely dangerous and may cause damage to your home and others. It may also void your Homeowners insurance in the event of a fire caused by its use.

No outdoor fire pits, fire bowls or open flame device of any kind shall be placed or operated or stored on a patio. Wind chimes are prohibited.

RESOLUTION

SIERRA MONTANA HOMEOWNERS ASSOCIATION

SUPPLEMENTAL

**ASSOCIATION RULES
&
DESIGN GUIDELINES**

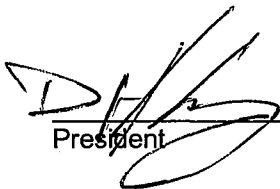
For

THE MISSIONS

In the open session of Sierra Montana Homeowners Association a majority of the Board of Directors adopted the attached Association Rules & Design Guidelines on July 27, 2009.

THEREFORE, it is resolved that this Association Rules & Design Guidelines shall be effective as of September 1, 2009.


IN WITNESS WHEREOF, the undersigned have verified the approval of this Resolution and Association Rules & Design Guidelines on this 27 day of July, 2009.



President

07/27/09

Date



Secretary

07/27/09

Date