

THUNDER MOUNTAIN RANCH PROPERTY OWNERS ASSOCIATION

MAINTENANCE AND LANDSCAPING POLICY

ADOPTED: November 23, 2019

EFFECTIVE DATE: November 23, 2019

In accordance with Section 7.H. Unit I and Unit I, Amended, Common Area, of the Amended and Restated All Inclusive Declaration of Covenants, Conditions and Restrictions, and Section 7.H. Unit II, and Unit II, Phase 2, Parcel Areas Outside Building Envelopes of the Amended and Restated All Inclusive Declaration of Covenants, Conditions and Restrictions, the following maintenance and landscaping rules apply to all parcels, including existing homes and new construction:

1. All Common Area in Unit I and Unit I Amended and Parcel Areas outside of building envelopes in Unit II, and Unit II, Phase 2, shall be left in their natural state and not subject to a disturbance. No addition, removal or trimming of trees or shrubs shall be done without the prior approval of the Architectural Review Committee.
2. As determined by the Architectural Review Committee, maintenance of the Unit I and Unit I, Amended Common Area may be done by the Association for aesthetic and fire prevention purposes only. An Owner who wants to perform minor trimming, maintenance or improvements on Common Area, must submit a request to the Architectural Review Committee subject to #4 below.
3. As determined by the Architectural Review Committee, maintenance of the Unit II, and Unit II, Phase 2, Parcel Areas Outside of Building Envelopes is the responsibility of and shall be done by the Owner of the Parcel for aesthetic and fire prevention purposes only. An Owner who wants to perform maintenance or improvements on Areas Outside Building Envelopes, must submit a request to the Architectural Review Committee subject to #4 below.
4. A request submitted to the Architectural Review Committee by an Owner to perform minor trimming work, including, but not limited to, maintenance, improvements or landscaping within the Common Area, or Parcel Areas Outside of Building Envelopes ("Areas"), shall be subject to the following: 1) the work may only be performed in the Areas immediately adjoining the Owner's building envelope; 2) any costs associated with the work or service shall be borne solely by the Owner; and 3) there shall not be any extension of the Owner's courtyards, patios, landscaping, ground cover or other improvements, or placements of any kind within the Areas. The only exception that may be allowed across the Areas will be for landscaping or improvements that are desirable to adjoin to pre-existing roadway landscaping established by the Association, or where the Owner is requesting to landscape native Areas that adjoin the Owner's building envelope and an established roadway. Any landscaping or improvements established on Areas by an Owner shall also be maintained by the Owner at the Owner's expense.
5. In the event that native vegetation or vegetation planted and irrigated by the Association in Unit I and Unit I Amended Common Area that is adjacent to an Owner's driveway, or on the corner of any roadway, that in any way inhibits the clear view of oncoming traffic, Owner may submit a request to the Architectural Review Committee for its trimming or removal by the Association.

6. In the event that vegetation planted and irrigated by the Association in Unit II and Unit II, Phase 2 that is adjacent to an Owner's driveway, that in any way inhibits the clear view of oncoming traffic, Owner may submit a request to the Architectural Review Committee for its trimming or removal by the Association. In the event that any native vegetation in Unit II and Unit II, Phase 2 that is adjacent to an Owner's driveway, or is on the corner of any roadway, that in any way inhibits the clear view of oncoming traffic, Owner may submit a request to the Architectural Review Committee for its trimming or removal by the Owner whose property it's on, at that Owner's expense.
7. Thunder Mountain Ranch Property Owners Association shall be responsible for maintenance and landscaping in Thunder Mountain Ranch. Those maintenance and landscaping responsibilities include cleaning and raking all pocket parks in Unit I, Unit I Amended and Unit II and the Rawhide Drive Ramada, checking all irrigation lines and replacing emitters when necessary along the main roads, weed control on areas irrigated and planted by the Association as well as all sidewalks, pet waste removal along the sidewalks in Unit I, Unit I amended and Unit II, litter and trash picked up and removed along the sidewalks in Unit I, Unit I Amended and Unit II, trimming vegetation along irrigation lines and sidewalks as necessary for safety and plant care in Unit I, Unit I Amended and Unit II and other landscape responsibilities as determined by the Association.
8. The Association has no responsibility for and shall not provide landscaping duties on Common Area along the frontage of those parcels that have landscaped the Common Area to the street in Unit I and Unit I, Amended.
9. Maintenance of swales and arroyos in Unit I and Unit I, Amended on Common Area, that have not been landscaped by an Owner, shall be the responsibility of the Association with the exception of erosion of a building envelope. Maintenance of swales and arroyos may be requested by an Owner but final determination of maintenance shall be made by the Architectural Review Committee. Owner may provide maintenance of swales and arroyos at his/her own expense with the approval of the Architectural Review Committee.
10. Maintenance of swales and arroyos on the entire parcel in Unit II may be determined by the Association, for any reason, and shall be the responsibility of Owner to complete at their cost. An Owner who wants to perform maintenance on arroyos and swales on their parcel, at their cost, must submit a request to the Architectural Review Committee.
11. Per City Code, the City of Sedona is responsible for maintenance and cleaning all swales along the major roads of Thunder Mountain Ranch. This maintenance consists of the City removing the rocks and cleaning out and/or deepening the swale. The Association is responsible for putting the rocks back and replacing any vegetation that was removed or damaged, at its discretion. The City is also responsible for cleaning out any large drainage culverts under all City streets in Thunder Mountain Ranch.