

**GREEN VALLEY VILLAGE COMMUNITY ASSOCIATION
AMERICA WEST LEGACY SUBDIVISION
ARCHITECTURAL POLICIES AND GUIDELINES 2019**

I. INTRODUCTION

These guidelines are in conjunction with, and as a supplement to, the Covenants, Conditions and Restrictions and Reservation of Easement for the Green Valley Village Community Association (the "Declaration"). They do not cover the entirety of the legal documents.

IT IS TO YOUR ADVANTAGE TO READ THE DECLARATION THOROUGHLY.

The Architectural Review Committee (the "ARC") does not seek to restrict individual creativity or personal preferences, but rather to assure the continuity in design which will preserve and improve the appearance of the Green Valley Village Community (the "Community") and the property values therein. The purpose of the Architectural Policies and Guidelines is to help ensure a sense of continuity within the Community. This helps to preserve land values over time, to provide a visually appealing living environment, to encourage creativity within a controlled framework, to ensure economic viability through proper planning and design controls, and to encourage an atmosphere conducive to positive social interaction among residents.

The ARC reviews all plans for exterior improvements and additions to residential lots and dwellings in the Community. These improvements include without limitation, additions, modifications and alterations to the residential dwellings including but not limited to all exterior features, fences, house painting, walls, roofs, room additions, patio covers, gazebos, pools and spas; planting of trees as well as certain other landscaping.

As stated in Article XII, Section 3.0(a) of the Declaration "approval of all supplementary declarations and/or plans for improvements shall be based upon the compatibility and consistency of the same with "Development/Architectural Guidelines" to be adopted by the Committee. Failure to submit plans to the ARC for approval and/or commencement of improvements without approval shall be deemed to be in violation of the Article XII, Section 3.0 (a) of the Declaration. Improvements that are completed that are not in accordance with the plans that have been approved shall be deemed to be improvements commenced without approval of the ARC and in violation of Article XII, Section 3.0 (a) of the Declaration and these Guidelines and shall be subject to Article IV, Section 2 of these Guidelines and any and all remedies available to the Association pursuant to the governing documents.

The ARC meets as often as required to respond to an Owner's request in a timely manner. Architectural Request Forms may be submitted using one of the following options below:

Online
<https://www.greenvaleylvillage.info/architectural-application>

Mailed
Green Valley Village HOA
C/o Assured Real Estate
PO Box 530778, Henderson, NV 89053
Phone: 702-868-0900 - Fax: 866-248-6564

Additional Architectural Request Submittal Forms can be obtained online or at management's office

Upon completion of the improvements, a representative of the ARC will inspect improvements for adherence to the approved plans.

The Management staff will be happy to assist with the submittal process and interpretation of the Declaration and these Guidelines.

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BEFORE THE COMMENCEMENT OF ANY CONSTRUCTION, PAINTING OR ALTERATION TO THE EXTERIOR OF A RESIDENCE LOCATED ON A LOT OR TO LANDSCAPING ON A LOT, THE OWNER MUST OBTAIN THE WRITTEN APPROVAL OF THE GREEN VALLEY VILLAGE COMMUNITY ASSOCIATION'S ARCHITECTURAL REVIEW COMMITTEE (ARC).

II. GENERAL CONDITIONS

1. **CONDITIONS NOT DEFINED:** Any condition or material not defined within these Guidelines shall become a matter for the consideration and determination of the ARC.
2. The ARC's approval of plans does not constitute acceptance of any technical or engineering specifications, or requirements of the City of Henderson and The Green Valley Village Community Association assumes no responsibility for such. The function of the Committee is to review submittal forms for conformity to the Master Plan for the community. All technical and engineering matters as well as applicable permits are the responsibility of the owner. APPROVALS OR VARANCES GRANTED BY THE CITY OF HENDERSON DO NOT SUPERSEDE THE DECLARATION OR THESE GUIDELINES.
3. Approval of plans is not authorization to proceed with improvements on any property other than the applicant's.
4. An oversight by the ARC Committee regarding the Declaration (CC&R's) or Policies & Guidelines does not constitute a waiver; therefore any violation must be corrected upon notice.
5. Access for equipment used in construction must be through your property. NO ACCESS THROUGH COMMON PROPERTY WILL BE ALLOWED. Building equipment and materials must be contained on the applicant's property whenever possible. If building equipment and materials must be placed on the streets, the materials and equipment must be placed in front of the applicant's home, and must not be equipment or building materials that are hazardous to pedestrians, vehicles, etc... Any debris, dirt, landscape rocks, etc., that are left on the street after the project has been completed must be removed and the street properly swept clean.
6. When construction requires use of adjoining property, the applicant must obtain written permission from the adjoining property owner and submit it with plan submittal.
7. All work must be performed in a manner consistent with the standards of the general dwelling construction and appearance of the Community. All work considered to be of an unsightly finished nature or of lesser quality than the prevailing community standards shall be reworked to an acceptable appearance at the owner's expense.
8. Improvements must be completed within 12 months after commencement in accordance with Article XII, Section 3.0 of the Declaration. Accordingly, any such improvements that have not been completed within such period of time are subject to reevaluation and reapproval by the ARC.

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III. PLAN REVIEW

1. Construction Requiring Review: All proposed layout and design of new improvements to any Lot, or additions to, remodeling of, or other improvements to already developed lots will require review and approval by the ARC. Construction includes but is not limited to buildings, landscaping, swimming pools and decks, grading, exterior lighting, house painting, fences or walls, recreation facilities and any other site development which physically or visually affects or impacts adjoining Lots or the Community in general.
2. Plan Requirements: All plans and specifications for site development and structures shall be submitted in accordance with the content and time limitations set forth below. All plans and specifications for development and improvements shall be prepared by licensed (if a license is required by federal, state, county or City regulations) or otherwise qualified land planners, architects, landscape architects, professional engineers, or other designers. Plans must be drawn to scale.
3. Application Response Time: After proper submission of all of said plans and documents in accordance with the provision herein, the ARC's approval or disapproval of preliminary plans and documents shall be given in writing to the applicant within forty-five (45) days after receiving a full and complete set of the plans in accordance with Article XII, Section 2.0 (c) of the Declaration. The ARC will not consider for action any submission which it deems incomplete.
4. Standards of Review: The ARC shall review the design of each submission for the design's commitment to overall community development. The ARC will evaluate the plans for a sense of residential scale and harmony and visual compatibility to the prestige of the community. Such review shall include, without limitations, architectural styles, size, materials, paint colors, window placement, the relationship of the building to the site and to neighboring residences, building locations, grading and drainage design, landscape design, streetscape image, proposed special site features and the impact to surrounding parcels.
5. Liability of Committee Representatives: Provided that the ARC representatives act in good faith and with due diligence, neither the ARC nor any ARC Representative shall be liable to any Owner or any other person for any damage, loss or prejudice suffered or claimed on account of the review of any plans, specifications or materials. The review and delivery of a form of approval or disapproval is not to be considered an opinion as to whether or not the plans are defective or suitable for any purpose, or whether the construction methods or performance of the work proposed therein is defective or suitable for any purpose, or whether the facts therein are correct or meet the City of Henderson Building Codes, or an opinion or determination as to any matter whatsoever except for the issue of whether the submittal is approved or disapproved by the Committee.

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6. Conflict in Documents: In the event of any conflict between the provisions of these Architectural Policies and Guidelines and the Declaration, the Declaration shall prevail.
7. Miscellaneous: All items submitted shall become the property of the Association
8. Changes to approved plans shall be re-submitted to the ARC for approval.

IV. ADMINISTRATION

1. Commencement of Work After Approval: After written approval of the submittal by the ARC, the construction, alteration or other work described therein shall be commenced and completed in accordance with rules set forth in the Declaration. The ARC Representatives have the right to enter the Lot or premises to inspect the project for compliance with the Standards at any time prior to occupancy, without advance notice to the Owner nor fear of trespass or liability. Subsequent to occupancy, the Committee Representatives have the right to enter the Lot during daytime hours with prior notification to the Lot Owner and/or resident.
2. Violations: Construction deemed by the Committee to be in violation of approved drawings and of the Standards shall be corrected as instructed by the ARC within fourteen days of written notice to the Owner of such violation. Failure to correct such unapproved or unauthorized construction within the fourteen day timeframe automatically gives the Association, and its authorized agents, the unrestricted right to enter the premises and take whatever action is necessary for the removal of the violation. The cost of such abatement or removal shall be a binding obligation on the Owner of the project. The right of the Association to remedy the violation shall be in addition to all other rights and remedies which the Association may have at law, in equity, or provided for in its governing documents.

V. ARCHITECTURAL AND MATERIAL STANDARDS

This section of the Guidelines delineates appropriate materials for use in modifications and specifies which modifications require prior submittal to the Committee.

1. LANDSCAPING (Refer to Article 8, Section 8.03)

Landscaping can be effectively used to accent entryways, define space and create "soft" privacy screens. Since landscaping is a design element, consideration should be given to the relationship to adjacent houses and surrounding area. If plantings are found detrimental to the community by the Board, homeowners may be required to abate the problem.

- A. All landscaping work, plantings and installation of permanent irrigation systems by an owner shall remain aesthetically consistent with the design and plan of the community and climatically and culturally appropriate to Southern Nevada.
- B. No owners shall further landscape or otherwise improve any property owned and maintained by the Green Valley Village Community Association.

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- C. Landscape mounds, decorative wood stumps and boulders require ARC approval. Decorative curbing of concrete, plastic or wood requires ARC approval.
- D. Front yard portions of the yard of a residence which are unimproved shall be landscaped by the owner on or before a date three (3) months from the original conveyance of residence from the Declarant. Rear and side yards shall be landscaped within six (6) months from the original conveyance of residence from the Declarant. Such improvements must be compatible with the aesthetic plan, design of the community and plant material must be climatically and culturally appropriate to Southern Nevada. All improvements need architectural approval including the following: all spas, pools, water elements, pet enclosures, any noise producing improvements (i.e., pumps, motors) and improvements which will change or alter either the grading or drainage such as it interferes with adjoining property whether that property be privately owned or community property.
- E. No grading, excavation, removing of any tree or existing landscape modification shall be commenced until the plans showing the nature, kind, shape, height, and location of the same shall have been approved by the ARC.
- F. All landscape plans must be submitted with the inclusion of all prospective plant listing of ground cover, vines, espaliers, shrubs and trees. Maintenance of property landscaping must be consistent with Article IX, Section 1(f) which states that each Owner shall keep all shrubs, trees, grass and plantings of every kind on his Lot, including set back areas and planted areas between adjacent sidewalks and the street curb, if any, neatly trimmed, properly cultivated and free from trash, weeds and other unsightly material.
- G. Decorative rock, artificial turf and gravel are permitted in front yards or those areas viewed from community property. The type of rock and/or color, and type of artificial turf is subject to architectural review.

2. PATIO SLABS, PATIO COVERS AND GAZEBOS

- A. DUE TO CONCERN WITH PROPER DRAINAGE, ARC REVIEW AND APPROVAL IS REQUIRED PRIOR TO POURING OF ANY CONCRETE.
- B. Property owner who is wanting to cement their driveway must adhere to the following items:
 - i. Driveway extension requires an 18 inch buffer between neighboring hard scape driveway OR
 - ii. A vertical barrier to be installed on the property line prior to install
- C. Setbacks must be clearly indicated on the site plan, meet all code requirements and approved by the board of directors.
- D. Complete submittal forms are required for prior approval of any patio cover or gazebo.
- E. Structures may be of wood or stucco construction with exception of vertical supports which may include other materials, as permitted by governing codes. All Natural wood surfaces must be finished.
- F. Roofing material must match the roof of the existing dwelling.
- G. Exposed surfaces shall match or harmonize with the existing colors and materials of the main dwelling.
- H. Exposed gutters and downspouts shall be painted to match adjacent roof and/or wall material.
- I. Posts, such as 4 inch x4 inch wood or metal pipe supports are prohibited. Minimum size for wood or stucco posts is 6 inch x6 inch.

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- a. Unacceptable construction materials for patio and awning structures shall be:
 - i. Metal structures
 - ii. Corrugated plastic and fiberglass
 - iii. Plastic webbing, reed or straw like materials
 - iv. Composition shingles
3. **POOLS, SPAS AND RELATED EQUIPMENT**
 - A. Submittal of complete construction plans showing placement of pool and equipments on property is required. Each will be considered on an individual basis.
 - B. Setbacks must be clearly indicated on the site plan, meet all code requirements and approved by the ARC.
4. **WALLS AND FENCES** (Refer to Article IX, Section 2.0)
 - A. Each owner of a lot bounded by a wall or fence constructed on an exterior boundary street or adjoining the golf course property shall be responsible for maintaining his portion of said wall or fence on good condition.
 - B. All other walls or fences which are constructed on an owner's lot must be maintained, repaired, restored and replaced at the owner's expense and are subject to the approval of the ARC.
5. **EXTERIOR COLOR**

A- All new and existing exterior paint colors must be approved in writing PRIOR to painting in accordance with the Declaration and these guidelines. Prior to painting any exterior portion of the property and/or dwelling with the intent to change the existing color, owners must complete an Architectural Request Form and select one of the approved color schemes described in the Association's Approved Color Palette List.

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A. COLOR PALETTE AND PLACEMENT REVIEW

The approved Color Palette and Placement for the Green Valley Village Community Association will be on file at the following locations:

- a) Dunn-Edwards Paints-Henderson, 9620 S. Eastern Ave, Bldg A, Las Vegas, NV 89123- Phone: 877-292-4574
- b) https://www.dunnedwards.com/colors/archive/color-ark_pro/green-valley-village-1/green-valley-village
- c) Managements office

B. Painting a home with the existing color must still have approval with the color sample(s), submitted to the ARC for verification that all colors are exactly the same color as previously approved and painted. Color samples must be submitted for approval.

C. Any homeowner who fails to get written approval of colors, prior to painting any part of the exterior of their home, and the colors do not meet the requirements of the Architectural Policies and Guidelines, will be required to repaint to bring their home into compliance at their sole expense.

6. OTHER STRUCTURES

- A. **GARAGE CONVERSIONS WILL NOT BE PERMITTED** — the purposes of garages are to store vehicles. Garages may not be converted into living space or incur any structural changes.
- B. **ROOM ADDITIONS, EAVES, BALCONIES AND CASITAS** or any exterior alterations to any building are major construction items which require prior approval of the ARC. They shall be constructed with materials that conform to type, quality, character and detailing established in the existing dwelling. Any addition to the existing dwelling must meet the minimum setback requirements.
- C. **STORAGE SHEDS AND UTILITY BUILDINGS** require prior approval. Permanent accessory structures built identical to the existing dwelling in material and finish can be visible to the street as long as they receive prior approval and meet the minimum set back requirements.

7 ADDITIONAL MODIFICATIONS

- A. **SCREEN DOOR** installations do not require prior approval. This exception does not apply to security bar doors, and storm doors, which require prior approval of the ARC. Any other door cover, other than a basic screen door, requires prior approval of the ARC.
- B. **SOLAR SCREENS, SOLAR SPACE HEATING, SOLAR WATER HEATING, ROLLADEN SHUTTERS, AND SKY LIGHT** installations require prior approval of the ARC.

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- C. PLAYGROUND EQUIPMENT: Manufactured metal swing sets and jungle gyms which cannot be seen above any surrounding fence do not require approval of the ARC.
- D. ALL OTHER TYPES OF PLAY EQUIPMENT, including but not limited to, large swing sets, gymnastic and climbing structures and playhouses need prior approval of the ARC. Specific attention will be placed on location and impacted neighbor notification. Play equipment may be installed at a minimum of five feet from any property wall.
- E. BASKETBALL BACKBOARDS require prior approval of the ARC.
- F. SKYLIGHTS AND SOLAR ENERGY EQUIPMENT: The installation of any system to accommodate solar energy equipment or skylights must have approval of the ARC.

AWNINGS require prior approval of the ARC. They must be of canvas or approved fabric and of solid accent colors complimenting the architecture. Awnings must be properly maintained to the satisfaction of the ARC and may not be kept when frayed, split, or torn or faded.

- I. AIR CONDITIONERS: Any exterior air conditioner, other than those installed by the builder, must be submitted to the ARC for approval prior to installation.
Roof Mounted air conditioning units are not permissible.
- J. WINDOW COVERING: Permanent window coverings must be installed within 90 days after close of escrow.
- K. SATELLITE DISHES: Pursuant to FCC regulations, satellite dishes up to 30 inches in diameter may be installed subject to the following restrictions and the pre-approval of the Architectural Review Committee (ARC). Satellite dishes greater than 30 inches in diameter are prohibited.

Satellite dishes must be installed away from street view unless it can be demonstrated to the ARC or the Board that such installation prevents reception of an acceptable quality signal or imposes an unreasonable cost or delay in the installation of the dish.

Suggested installation locations (in order of preference) are at the back of the home, the side of the home, near the back wall or on the side of the home closer to the street. If the satellite dish is installed at or near ground level on the side of the home, it is required that plants or shrubs be installed to screen the dish from view if such screening would not interfere with its operation. Similar screening is recommended but not required for backyard installations.

Satellite dishes may not be installed on the roof of the home or patio cover, on the front of the home, or on any structure not connected to the home. Satellite dishes

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must be painted to blend in with the home's color if mounted on the home or surrounding landscape if mounted on the ground unless such painting or landscaping voids the warranty or interferes with its operation.

It is the homeowner's responsibility to obtain assurance of compliance with all FCC and other laws and regulations applicable to such installations, and approval by the ARC or Board, shall not constitute such assurance.

VI Responsibility

A. The Owner of each Lot has the direct responsibility for the control of his/her contractors and the actions of said contractors. All liability for inappropriate and unlawful actions and activities in violation of these Architectural Guidelines and the Declaration caused by contractors shall rest with the Owner.

Dated this 14 day of November 2019