

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Meeting Room Rental Rates, 1 of 1

Originated 9/12/90  
Reviewed 9/12/90  
Revised 4/1/97

To pay \$50 to the renter/owner for every meeting held in its building

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Irrigation Billing, 1 of 1

Originated 11/09/89  
Reviewed 11/09/89  
Revised 4/1/97  
Revised 1/12/99

- Statements will reflect the month prior.
- Statements will be computed at the first of the month and mailed no later than the 4<sup>th</sup> day of the month.
- The statement is due and payable upon receipt by property owner.
- A service charge of \$5.00 per month will accrue on all unpaid balances until the balance is paid in full.
- The total balance due must be paid within 30 days from the billing.
- If the total balance due is not paid within the 30 days the water privileges for that property owner will be discontinued. Only by receipt of the total balance due will water privileges be reinstated.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Transfer Fees/Title Companies

Originated 7/14/98  
Revised 7/14/99

A transfer fee will be charged in the amount of \$100.00 for each Homeowners Statement prepared and mailed to Title Companies to cover the cost of mailing, copying and completion of the Statement of Accounts for association members.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Research Fees/ Title Companies

Originated 7/14/99

A research fee will be charged in the amount of \$50.00 per hour, minimum of two hours, for each request for research work done for title companies to cover administrative costs for Clearwater Farms Unit II POA.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Selling or Providing Water to Property Owners  
Not in Good Standing with Homeowner Association

Originated 4/11/00

No member in good standing shall sell or provide water to a member who is not in good standing with the Property Owners Association. An immediate revocation of water privileges is the penalty for such an offense.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Election Tie, 1 of 1

Originated 11/9/89  
Reviewed 11/9/89

In the event of a tie when electing positions for the Board of Directors, the following guidelines will be used:

- the tie will be broken by a vote of the membership present at the meeting.
- the present membership will vote by written ballot, on a basis of 1 vote per property owner.
- no other nominations will be taken, however, write-in candidates on the ballots and proxies are acceptable.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Qualification to be elected as President  
of the Board of Directors, 1 of 1

Originated 1/9/01  
Reviewed 2/13/01

An elected Board Member must first serve one year on the Board of Directors, before he/she can be nominated as President of the association.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Travel Allowance, 1 of 1

Originated 11/9/89  
Reviewed 11/9/89  
Revised 4/1/97  
Revised 3/11/98  
Revised 10/11/2022

Travel allowance will be paid to Board Members, or helpers designated by the Board, who are doing Association work as of July, 1986. An approved .55 per mile or the current federal mileage guideline will be paid at the time the job has been completed and mileage receipt turned in.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Irrigation Charges due to unnecessary calls

Originated: 5/13/03

A charge of \$25.00 will be assessed to property owners for unnecessary calls, due to not following the irrigation guidelines.

**RULES & REGULATIONS**

Source: Board of Directors  
Subject: Irrigation Deposit, 1 of 1

Originated 6/22/89  
Reviewed 7/10/90  
Revised 4/1/97  
Revised 6/25/98  
Revised 5/27/05

A deposit in the amount of \$55 shall be required by each irrigator. This money will be deposited into the "Irrigation Account", account number 30373721 at Bank One. It will be used as funds to cover the cost of irrigation in advance of billing, to the MWD.

A deposit is required from each property owner to point of delivery. In other words, if a property owner owns more than one parcel of land but delivery is considered to one point, only 1 deposit will be required. However, if property owner owns more than one parcel and irrigation scheduling brings water to two or more points of delivery, property owner will be required to pay a deposit to each delivery point.

The deposit amount will be fully refundable to the property owner at such time it is requested by phone or in writing. Normal circumstances would be selling, moving, no longer wish to irrigate. Once the deposit has been refunded, no water will be delivered until a deposit is again made.

No property owner will be eligible to receive water without the deposit recorded in our records.

#### **RULES & REGULATIONS**

Source: Board of Directors  
Subject: Irrigation Ordering Information, 1 of 1

Originated 2/15/92  
Reviewed 2/15/92  
Revised 4/1/97

To Order Irrigation:

Order forms are located in the box below the irrigation board. Deposit the form in the slot provided in the irrigation board. If for some reason you need to change the information AFTER you have deposited it in the box, fill out another form and make a notation that is as clear as possible explaining the change.

#### **RULES & REGULATIONS**

Source: Board of Directors  
Subject: Returned Checks, 1 of 1

Originated 10/14/95  
Reviewed 11/18/88  
Revised 11/13/07

Any person who writes a check that is returned to the POA for insufficient funds, or any other reason, will be charged \$35. To cover bank charges and bookkeeping.

#### **RULES & REGULATIONS**

Source: Board of Directors  
Subject: Dues Billing, 1 of 1

Originated 10/26/88  
Reviewed 10/26/89  
Revised 4/1/97

Billing of dues shall be completed no later than **January 15** of each year. The amount of annual dues shall be determined by the Board of Directors. Total amount will be due upon receipt of statement with second notices mailed to unpaid accounts on March 1<sup>st</sup>. Second notices will read: This is your **final notice**, to avoid service charges and lien recordings your check must be postmarked no later than April 15<sup>th</sup>.

**For delinquent accounts:** For those accounts not paid in full by April 16<sup>th</sup>, a lien will be filed with the Maricopa County Recorder for the amount due, plus a service charge of at least three times the filing fee.

Dues statements shall NOT be sent bulk mail, but 1<sup>st</sup> class postage only.

## **RULES & REGULATIONS**

Source: Board of Directors  
Subject: Eligibility for Irrigation, 1 of 1

Originated 11/17/88  
Reviewed 11/18/89  
Revised 6/21/89

- Property Owner must have a deposit in the amount of \$55 on account with CWF II POA
- Property Owner must have all required payments into the MWD, such as assessments
- Property Owner must have an Authorization Form, or any other required forms on file with the MWD
- Property Owner must be a “Member in Good Standing” with the POA
- Property Owner must have his land prepared to receive water, such as leveling, berms, port extensions, etc.

## **RULES & REGULATIONS**

Source: Board of Directors  
Subject: ACC Procedures

Originated 12/12/90  
Reviewed 12/12/90  
Revised 4/1/97

1. Drive the Unit periodically look for beginnings of new residences, outbuildings or fences.
  - If you suspect that plans have not been submitted for inspection send an “Unsubmitted Plans Letter.”
  - Make every effort to follow-up.
2. When plans are submitted, follow the “Check List”. The ACC Guidelines may assist you in looking for violations.
  - Mail the appropriate letter, “Approved” or Disapproved”.
3. File the completed check list in the ACC Binder.
  - Filing the check list is the only record the Board has should any future problems or questions arise.
4. Return initialed plans to property owner, along with copy of ACC Guidelines and any other important information deemed necessary by the members of the committee
5. The ACC Binder must be returned at the end of your term. This way it can continue to be used for many years, and all the files will be on hand for the present Committee.





# Architectural Control Committee Rules

**To: All Property Owners, Clearwater Farms Unit II**

**Date: February 10, 1986**  
**Amended: April 18, 1997**  
**Amended: January 7, 2003**  
**Amended: February 9, 2016**

**From: Clearwater Farms Unit II POA Architectural Control Committee**

*Dear Property Owner: The purpose of the Architectural Control Committee (ACC) is to review plans for residences, barns, accessory or outbuildings, and fences prior to the start of construction. The ACC is representative of the property owners in general and it is the designated duty of the ACC to monitor all construction to ensure guidelines are strictly adhered to. Further responsibilities for the ACC shall be to monitor for unorthodox, offensive, unmaintained, and otherwise unappealing structures. This helps maintain property values for Clearwater Farms property owners. The following are general guidelines that will be used by the ACC when reviewing construction plans, specifications, and plot plans.*

**Notice: Failure to submit plans for approval or failure to abide by Architectural Control Committee rules may result in the loss of good standing in the Association and the loss of eligibility to receive irrigation water.**

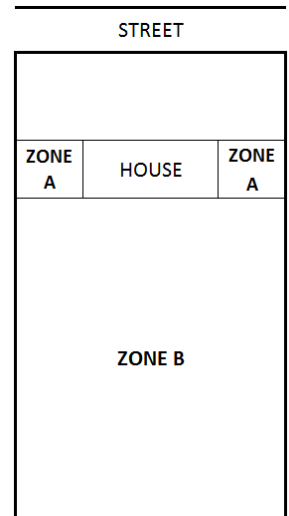
- **ONE SINGLE FAMILY RESIDENCE PER LOT OF RECORD**
  - **SET-BACKS**
    - Front - forty (40) feet
    - Rear - forty (40) feet
    - Side – thirty (30) feet
- **ACCESSORY DWELLING UNIT (ADU)/GUEST HOUSE**
  - Only one ADU/Guest house shall be permitted where at least one, but no more than one, single family residence exists on the property.
  - An ADU/guest house may not be rented or leased separate from the primary structure.
  - An ADU/guest house shall not have a separate address or mailbox from the principal dwelling.
  - Set-backs for ADU/Guest house shall be the same as the primary dwelling.
  - An ADU/guest house shall be integral to the primary dwelling (must be attached to) and shall not exceed 35% of its area.
- **MINIMUM SQUARE FOOTAGE:** All primary residences shall be a minimum of 1,200 square feet. Carports, garages, externally entered storage rooms, open entryways, areas not permanently roofed, open air atriums, or any other areas not deemed actual livable space, shall not be included in this 1,200 square feet.
- **MAXIMUM HEIGHT:** No residence or ADU/guest house shall be constructed with a height of more than thirty (30) feet or more than two (2) stories.

- **SET-BACKS for Outbuildings, Accessory Buildings, Sheds, Covered Stalls, Etc.**

- Front - forty (40) feet
- \*Rear - forty (40) feet
- \*\*Side Zone A – fifteen (15) feet
- \*\*Side Zone B – three (3) feet

\* Due to variances in the rear configuration of properties, a property owner may make a proposal for a variance on rear set-backs for some small structures.

\*\*The Architectural Control Committee reserves the right to stipulate more stringent set-backs with regards to especially tall or large structures and the effect on the adjoining properties and the irrigation system.



- **CONSTRUCTION REQUIREMENTS:** All residences and ADU/guest houses shall be constructed or built, and finished on premises. This is to eliminate all terminology relating to, or inferring to mobile homes, i.e. modular, pre-constructed, pre-fabricated, move-ons, or any other wording intended to deceive this intention.
- **EXTERIOR FINISH GUIDELINES, INCLUDING ALL ACCESSORY OR OUTBUILDINGS:** All exterior construction materials shall be roofed, painted, varnished, stained, stucco coated, or otherwise finished in a pleasing and acceptable manner within forty-five (45) days of basic exterior completion, or within forty-five (45) days of final inspection, whichever comes first.
- **FENCING REQUIREMENTS:** All fences must be constructed of new material, and must be maintained appropriately. Barbed wire or any close resemblance shall not be acceptable. All other fencing shall be maintained per original recommended installation guidelines. There is an easement of 3 ½ feet on both sides of irrigation ditches and underground irrigation pipes. If a fence is installed closer than 3 ½ feet to the irrigation system, the homeowner will bear the expense of removing and reinstalling the fence, if necessary, to facilitate the repair of the irrigation system.
- **COMPLETED CONSTRUCTION:** If not otherwise mentioned in these guidelines, the appearance of all exterior items must be acceptable, esthetically appealing, and basically an attractive addition to the neighborhood, as defined by the ACC.
- **IRRIGATION DITCH CULVERTS FOR DRIVEWAYS:** The culvert must be a minimum of eighteen (18) inches in diameter and installed with concrete abutments on each end.
- **RETRIEVING ELECTRICAL SERVICE OR ANY OTHER UTILITY FROM ACROSS THE ROAD:** It is the responsibility of the property owner to contact Arizona Public Service and any other utility company to determine the process for acquiring utilities. If trenching under the irrigation system or across a street, all trenches must be refilled and compacted to original condition and in a timely manner so as not to inconvenience the community. The road and irrigation system must be returned to the same or better condition than before construction began, and is the full responsibility of the property owner.

*Please retain these guidelines in your Clearwater Farms file for future reference. If you have construction plans to submit for approval, contact the ACC Chairman or the Clearwater Farms office at 623-217-8087.*