

**CHAMISA GREENS SUBDIVISION HOMEOWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE
DESIGN GUIDELINES REVISED AND APPROVED 02-26-2025
GENERAL PROVISIONS**

A. PURPOSE

Deed Restrictions and Design Guidelines protect neighbors and the value of homes in the Chamisa Greens Subdivision. All property owners and tenants are subject to both the Deed Restrictions and to these Design Guidelines and have agreed to comply with them. In turn, they rely on their neighbor's promises that they too will comply. Most problems can be resolved and unnecessary complications avoided by a thorough understanding of the Deed Restrictions and of these Design Guidelines. Compliance by all homeowners will permit Chamisa Greens Subdivision homeowners to enjoy their home in a pleasing environment and an attractive community with sustained property values.

B. BASIS

These guidelines are intended to augment the Chamisa Greens Subdivision Homeowners' Association (Association) Deed Restrictions, officially titled "Declaration of Covenants, Conditions and Restrictions" (CC&R's), and do not replace or override them. All are based on the specific rules established by the appropriate governing documents. These guidelines may be amended by addition, deletion, or alteration at any time the Architectural Control Committee (ACC), or as the Board of Directors (Board) deems appropriate. The Chamisa Greens Subdivision is intended to be a cohesive development composed of homes of the highest quality and elegant appearance. Toward this end, it is intended the ACC have the greatest degree of discretion possible in reviewing, approving or disapproving plans.

C. NEED FOR APPROVAL

Any exterior addition, change or alteration which is visible from a street, common area, or an adjacent property must have prior approval from the ACC. Shrubs and other live landscaping items are subject to approval. Please refer to Section BB "*Landscaping*" of the Design Guidelines and the list of recommended landscape species. The ACC has the legal authority to require any homeowner to remove or alter any modification which has not received prior approval or is not built according to approved plans. An ACC application is not required for maintenance or repairs so long as no changes, such as color or material, which alters the original appearance of the item being repaired. Repairs and maintenance are subject to provisions set forth in Section F. "*Quality of Repairs,*" of the Design Guidelines.

D. APPROVAL PHILOSOPHY

The approval process is intended to minimize hardships or undue delays, while preventing additions or modifications to property that would be costly to correct if done improperly or in violation of the CC&R's or Architectural Guidelines. The ACC's goal in the review process is not

to tell the owner that changes cannot be made to the property, but rather to assist in making changes in a way which conforms to the character of the neighborhood.

E. PRECEDENTS

While the ACC will make every reasonable attempt to be fair and equitable, the ACC and the Board will not necessarily be bound by past decisions of developer, builder, prior ACC's, or prior Boards. The ACC reserves the right to disapprove applications for improvements that require a variance from the established CC&R's if it believes that such changes are not in the best interest of the future of the Chamisa Greens Subdivision community, even if a precedent was set by a decision of the developer, builder, prior ACC's, or prior Boards.

In spite of their best efforts, the ACC and/or the Board will, from time to time, make a decision that, in retrospect, is not in the best interests of the community. The ACC and the Board reserve the right to recognize such a situation, document it in the minutes of a meeting and no longer permit its use as a precedent. The same right applies if the ACC and/or the Board make an inadvertent error in allowing a change or addition.

F. QUALITY OF REPAIRS

From time to time, homeowners will be required to make repairs to portions of their property that may be damaged or deteriorated. This includes such items as curbs, sidewalks, porches, fences, walls, balconies, roofs, etc. Repairs are required to be of equal or better quality than original construction and of the same type. While there is no specific requirement of the owner to apply to the ACC for such a one-for-one repair, the quality of such work may come under the scope of the ACC's responsibilities if the repair is done in such a way as, in the ACC's opinion, to detract from the appearance of the neighborhood.

G. EMERGENCY AND DISASTER REACTION

Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs or structures (those that are present for no longer than six months during reconstruction) will be acceptable under such conditions. Reconstruction in the form that existed before the disaster will be acceptable without approval by the ACC.

Approval for changes to the former structure will be made with all haste possible so as to have no adverse impact on the owner. The Board and the ACC will take whatever action is reasonable to expedite its responsibilities. The intent will be to re-establish the neighborhood to its former quality as quickly as possible.

It is recognized that an owner has the right to take temporary protective action in the event of certain weather conditions, such as flood or tornado warnings. No prior approval for such temporary action is required. However, all such installations must be completely removed and the property restored to its original condition within seven (7) days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a weather-related threat.

H. EASEMENT ENCROACHMENTS

It is not the responsibility of either the ACC or the Board to police encroachment into utility easement areas. If possible, the ACC will advise the owner of a possible encroachment and recommend that the owner seek approval or waiver from the appropriate utility. However, the ACC will not be liable for any expense incurred by an owner as a result of action by a utility if such encroachment occurs, even if the ACC approved the change or addition without comment.

I. CONSTRUCTION MATERIALS

All materials used during the initial construction of homes within the Chamisa Greens Subdivision are approved by the ACC. Any alternate materials or colors must be specifically approved by the ACC prior to use in any exterior construction.

J. SUBDIVISION PERIMETER WALLS

The subdivision perimeter walls which have been constructed by the Developer to the Master Planned Property design standard, may not be raised, lowered, or otherwise modified in any way. The Chamisa Greens Subdivision Homeowners Association (Association) shall be responsible for repair and maintenance of the perimeter walls unless damage is caused by negligence of an owner, tenant, or guest.

K. MAINTENANCE

All improvements on a Lot must be maintained in a state of good repair and shall not be allowed to deteriorate. Repairs shall include, but are not limited to, the following:

- 1. All painted surfaces must be clean and smooth with no bare areas or peeling paint, and all surfaces must be free of mildew.**
- 2. All rotted and damaged wood must be replaced and any damaged stucco repaired.**
- 3. Gutters must be kept in good repair and are not allowed to have missing pieces, large dents sags, rust, or hanging parts.**
- 4. Roofs must be maintained in good repair with no missing or curling shingles or broken or missing tiles.**
- 5. All glass surfaces must be whole.**
- 6. Walls and gates must be kept in good repair. This includes, but is not limited to, broken blocks, obvious lean of the wall structure, bent or broken gates, or peeling paint.**
- 7. Garage doors must be undamaged and in good repair.**
- 8. Sidewalks, driveways, and curbs must be clean and undamaged. Seams must be kept free of weeds.**

- 9. Lawns must be kept mowed, edged, and weed free; graveled areas and flower beds must be kept free of weeds; and shrubs and trees must be kept trimmed.**
- 10. There must be no storage of toys, equipment, clutter, and/or debris in public view.**
- 11. Perimeter walls maintained by the Association must not be exposed to damage by adjacent plantings or land use.**
- 12. Raised beds for composting or planting, composting boxes and flower boxes must not be in contact with the perimeter wall.**
- 13. No structure of any kind may be attached to the perimeter wall.**
- 14. House numbers must be easily readable from the street.**

L. YARD MAINTENANCE

All lots shall be kept in a healthful and attractive condition, all weeds removed, and grass regularly mown and edged. Dead plants, trees, and bushes shall be promptly removed from the property. There must be no storage of toys, equipment, clutter, and/or debris in public view.

NOTE: The CC&R's give the Association the right and responsibility to have unkempt property maintained and to place a lien against the home for expenses.

M. PAINTING

The intent of these guidelines is for a homeowner to be able to select and apply paint colors that replicate the original homebuilder/developer paint application. If a homeowner wants to select and apply a different color to the exterior of the home, ACC approval must be sought, and all paint guidelines shall apply. Paint applications must include a complete description of all colors used on the exterior of the residence. Additionally, the application must be accompanied by paint color samples for the new paint colors proposed on the application. Paint applications will not be approved until paint color samples are provided.

Colors selected from the original color schemes of the home do not require approval. Any other colors used on the exterior of residence, or any accessory structures must be specifically approved by the ACC.

N. ROOFING

Re-roofing with the same material and color does not require approval from the ACC. Any change in material or color requires specific approval from the ACC.

O. YARD WALLS/FENCES

Wooden, chain link and other types of fences are not permitted, nor are walls exceeding six feet in height. In order to preserve the overall architectural continuity, replacement, repair, and alterations of walls should be of the same design as the original wall in that area. Regardless of design, ACC approval is required for all alterations of existing walls or new walls. Special situations with non-standard walls should be noted in the ACC application. Applications must include a plot plan that clearly defines the project. As stated in Section J. "*Perimeter Walls*", no perimeter wall may be altered in any way. Blocks must be six (6-inch) Coral colored blocks. Walls may not exceed twelve (12) courses from the high side of the wall (Wall height will vary from side of the wall to the other due to elevation differences from lot to lot).

Homeowners are required to collaborate with their neighbors when planning any wall projects. The purpose of the six-foot height rule is to encourage all wall elevations to be consistent and uniform throughout the entire subdivision.

Any yard wall that separates two properties is jointly owned by both parties. Both parties must consent to any modification of the wall. All fences and walls shall be subject to the prior written approval of the ACC and shall comply with all laws and applicable Supplemental Declaration. All fences and walls located anywhere on a Lot must comply with site distance requirements established by the Association or City of Rio Rancho ordinances or other applicable laws. No fence or wall shall be erected, placed, or altered on any Lot nearer to the street than the minimum building setback line unless the same be a retaining wall of masonry construction which does not rise above the finished elevation of the earth embankment retained, reinforced, or stabilized, except that this restriction shall not apply to fences or walls which been approved by the ACC.

P. YARD ORNAMENTS, FIXTURES, AND FURNITURE

All lawn ornaments, installed outside of the fenced portion of the property, whether temporary or permanent, will conform to the general restrictions of the CC&R's. This includes the prohibition of certain materials (such as plastic), and the limits to reasonably subdued earth-tone colors compatible with the neighborhood. All such items must be kept to the same quality of repair as is required of the home and land. Any and all items kept for prolonged periods anywhere outside of the house are covered by the CC&R's. It does not matter whether they are permanently installed by being cemented or otherwise fixed, into the ground or maintained on top of the ground or on porches.

Ornaments include, but are not limited to, such items as planters, decorations, statues, bird baths, lawn ornaments and other decorative items. Furniture includes chairs, benches, lounges, tables, etc. Fixtures include swings, lighting fixtures not described elsewhere in this document,

barbecue grills, cookers, smokers, etc. Such items are encouraged to promote individuality. However, the following guidelines apply:

1. ITEMS ON FRONT PORCHES

Items kept on porches such as furniture and planters must meet the general restrictions (CC&R's) but will not require written permission unless a specific complaint is received. For purposes of Architectural Control, an owner may keep for prolonged periods items of furniture, ornaments, or planters in the front porch of his/her home without the written permission or consent of the ACC. The ACC or Board will only make a judgment if a specific complaint is received.

2. ITEMS IN ENCLOSED YARDS

The intent of the committee is to permit the greatest possible flexibility for the use of improvements in enclosed yards. In general, items lower than the height of the wall or fence, of a temporary (48-hours or less) or of mobile nature, and kept within the confines of the fenced yard will not require written approval. It will not matter whether the item(s) is visible from the street or an adjoining property as in the case of items behind wrought iron fences.

3. FRONT YARD ITEMS

Those items kept permanently, or for prolonged periods, outside of the fenced area of the property will receive the greatest attention, the greatest visibility, and will require written approval. For purposes of consistency, the term "prolonged periods" will mean more than 48-hours. All of the following paragraphs, unless otherwise specified, refer to items outside the fenced area and not to those on porches or within the fenced areas.

a. MATERIAL COMPOSITION

The same general guidelines apply to these items as they apply to other structures. Certain materials are generally unacceptable. Such materials include plastic, fiberglass, unpainted aluminum, or steel, etc. Acceptable materials are wood (either unpainted or painted to blend into the natural background), brick, stone or cement/concrete, pottery, clay, tile, or wrought iron. Exceptions can be made at the discretion of the ACC or the Board.

b. APPEARANCE.

In order for an improvement or change to qualify for acceptance, it must blend with the composition and tone of the surrounding area. The ACC and the Board will exercise their best judgment to determine this compatibility.

c. SPECIFIC ACCEPTABLE ITEMS.

The following items are generally acceptable for being maintained in the unfenced portion of a Lot, but still require specific approval from the ACC:

- 1) Most lighting fixtures that do not exceed eight feet in height.**
- 2) “Park” benches and gliders made of any combination of natural wood, wrought iron, brick, stone, or concrete.**
- 3) Planters made of any combination of natural wood, wrought iron, brick, stone, clay, pottery, or concrete.**
- 4) Ornaments, such as statues, sculptures, bird baths, fountains, etc. that are of a size proportional to the surrounding landscape and are composed of natural wood, wrought iron, brick, stone, clay, pottery, or concrete. The test for permissibility for the class of items will be the extent to which it blends into the overall landscape of the surrounding properties. As a general rule, the number of front yard ornaments should not exceed six, no more than one of which is over one foot tall.**
- 5) Holiday decorations (see Section R, “*Holiday Decorations*” below).**

d. SPECIFIC UNACCEPTABLE ITEMS.

- 1) Any item that can be considered playground equipment or children’s toys, such as swings, slides, see-saws, etc.**
- 2) Brightly painted items, the color of which makes them sufficiently conspicuous so as not to be compatible with the surrounding properties.**
- 3) Any item greater than eight feet tall.**

Q. EXTERIOR LIGHTING

In general, the addition of exterior lighting is both acceptable and desirable. This includes ground level lighting, stand-alone lamp posts and lighting mounted on a house or approved structure. Such lighting fixtures must be compatible with the general tone and design of the neighborhood. High intensity lighting is inappropriate for residential neighborhoods. In all cases, stand-alone lighting fixtures must adhere to the eight-foot maximum height rule. Flood and area lighting shall be positioned or shielded so as to not affect neighboring properties. An exception to this may be made when owners of neighboring properties deem the lighting to be beneficial to their property and agree in writing to its installation. Generally, only white, or

yellow lighting shall be approved. The ACC has the right to approve the location, number, size, and design of all proposed exterior lighting.

R. HOLIDAY DECORATIONS

Holiday decorations are both permitted and encouraged and will not require approval by the ACC. However, such decorations may be installed no sooner than 30 days prior to the holiday and must be removed within 30 days after the holiday for which they are intended. Furthermore, the ACC does reserve the right to require the removal of decorations that either generate complaints or are deemed offensive. This right will be used sparingly.

S. BASKETBALL GOALS AND HOOPS

Basketball backboards must be in a rear yard patio not visible from any street, only portable basketball hoops may be located on the driveway facing the driveway and lying down on the driveway when not in use.

T. BACK YARD STRUCTURES

1. SHADE STRUCTURES

Shade structures are permissible with the prior approval of the ACC and in compliance with local building codes. Roofing materials will be of the same color, texture, and weight as that utilized on the residence. Wood surfaces may be left natural, stained, or painted to match the residence. Shade structures in excess of 120 square feet require a building permit from the City of Rio Rancho.

a. FREE-STANDING STRUCTURES

Free-standing structures such as sun shelters, cabanas, gazebos, and arbors may not exceed the ten (10) feet in height limitation measured from ground level.

b. ATTACHED STRUCTURES

A patio cover or shade cover which is a.) firmly and substantially affixed to the main existing residence, and b.) is adjacent to and abutting the main residential dwelling, may be considered a part of the existing structure. As such, it may exceed the height of ten feet (10'). Any cover NOT abutting and firmly and substantially affixed to the main residential dwelling is considered to be free-standing.

2. DETACHED STRUCTURES/OUTBUILDINGS

No detached accessory buildings, including, but not limited to, detached garages other than provided herein) and storage buildings, will be erected, placed, or constructed upon any Lot without the prior consent of the ACC. Every outbuilding, inclusive of such structures as a storage building or greenhouse, will be compatible with the dwelling to which it is appurtenant in terms of its design and material composition. Exterior paint and roofing materials of such outbuildings shall be consistent with the existing paint and roofing materials of the dwelling.

3. PLAY STRUCTURES/RECREATIONAL EQUIPMENT

Outdoor athletic and recreational facilities such as playscapes, swing sets and sport courts of a permanent nature will not be placed on any Lot within the Property or the subdivision between the street right-of-way and the front of a home unless approved by the ACC pursuant to Article XI of the CC&R's. Notwithstanding the foregoing, portable basketball goals may be temporarily placed adjacent to the driveway but within the Lot, subject to Board-adopted rules and regulations.

U. WINDOWS AND TREATMENTS

No aluminum foil, reflective film or similar treatment will be placed on windows or glass doors. Temporary window treatments must be removed within forty-five (45) days from close of escrow.

1. GLASS BLOCK WINDOWS

Glass block windows are allowed in the main residential dwelling with specific approval.

2. SECURITY/STORM SHUTTERS

Security and Storm shutters are generally allowed on the exterior of the house with specific approval. All shutters shall be required to be painted so as to blend with the coloring of the home and the design of the community.

3. STORM DOORS

Security and/or storm doors will be allowed on the exterior of a home provided that they meet one of the following options:

1) Metal frame with glass or screen insert. Color and style must match or compliment the architecture and color of the residence.

2) Security/storm door combination utilizing wrought iron. Color and style must match or compliment the architecture and color of the residence.

V. ANTENNA AND SATELLITE DISHES

Except as may otherwise be permitted by the ACC, subject to any provisions of any guidelines or standards adopted by the ACC, no exterior radio antenna, television antennae, or other antennae, satellite dish, or audio or visual reception device of any type shall be placed, erected, or maintained on any Lot except inside a Dwelling unit or placed in a location where it will not be visible to a person driving on the public streets, provided, however, that any such devices may be erected or installed by the Declarant during its sales or construction upon the Lots; and provided further, however, that the requirements of this Section shall not apply to those “antennae” (including certain satellite dishes) which are specifically covered by the Telecommunications Act of 1996 and/or applicable regulations, as amended from time to time. As to “antennae” (including certain satellite dishes) which are specifically covered by the Telecommunications Act of 1996 and/or applicable regulations, as amended, the Association shall be empowered to adopt rules and regulations governing the types of “antennae” (including certain satellite dishes) that are permissible hereunder and, to the extent permitted by the Telecommunications Act of 1996 and/or applicable regulations as amended, establishing reasonable, nondiscriminatory restrictors or requirements relating to appearance, safety, location and maintenance. Notwithstanding the above, a satellite dish antennae eighteen inches (18”) in diameter or smaller may be installed (a) on the rear of the Dwelling of a Lot or on the enclosed garaged located on a Lot, and (b) at an elevation no higher than thirty-six inches (36”) above the eaves of the roof. The satellite dish antennae should be in the least conspicuous location on the roof when viewed from the street in front of the Dwelling from where an acceptable quality signal can be received, or in the rear yard of the Lot with landscape screening and with approval of the Architectural Control Committee.

PLEASE REFER TO THE SATELLITE DISH AND ANTENNA POLICY ADOPTED 08-09-2006 attached to these Design Guidelines.

W. WOODPILES

Stacked/stored firewood must be stored behind the fence and not visible from any street.

X. WINDMILLS/WEATHERVANES/TOWERS

Windmills, weathervanes, and towers of any type are not allowed.

Y. SIGNS, FLAGS, FLAGPOLES AND STATUES

No sign or emblem of any kind may be kept or placed upon any Lot or mounted, painted or attached to any Unit, wall or other improvement upon such Lot as to be visible from public view, or mounted on any vehicle or trailer parked or driven in the Property or the subdivision

or carried by any person or by any other means displayed within the Property or the subdivision except the following:

(a) FOR SALE OR FOR RENT SIGNS

“For Sale” and “For Rent” signs may not be posted on any Lot except unless approved in writing by the Architectural Control Committee.

(b) DECLARANT’S SIGNS.

Signs or billboards may be erected by the Declarant.

(c) POLITICAL SIGNS.

Political signs may be erected upon a Lot by the Owner of such Lot advocating the election of one or more political candidates or the sponsorship of a political party, issue, or proposal provided that such signs will not be erected more than 45-days in advance of the election to which they pertain, and are removed with 2-days after the election.

(d) SCHOOL AND BUSINESS LOGOS

Emblems or bumper stickers advertising a resident’s school or business mounted upon vehicles parked or driven in the subdivision.

(e) Such signs as may be required by legal proceedings, or prohibition of which is precluded by law.

(f) Such signs as may be required for traffic control and regulation of Common Areas.

(g) Such signs as may be approved by Declarant, street, and directional signs.

(h) Security monitoring signs – security monitoring window emblems – maximum of one per window.

(i) AMERICAN FLAGS AND FLAGPOLES

Within the front yard area but set back at least 15-feet from the front property lines, homeowners may display a standard-sized American Flag from a wall mounted standard or from a residentially scaled flagpole, not to exceed 18-feet in height. Proper flag etiquette must be observed (flag not torn or faded, right side up, lighted at night, etc.)

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(j) Except as stated in this Section regarding American flags and Builder signs, as used by the Declarant, no advertising flagpoles, standards, flags, banners, balloons, billboards, flashing lights or lighted panel signs are allowed to be placed anywhere within the subdivision or in the public right-of-ways or landscape areas immediately adjacent to the Subdivision.

(k) STATUES

Statues, lawn ornaments and yard decorations of any size or type must be placed in a location that is not visible from Neighboring Properties, unless a waiver is granted by the ACC.

Z. SWIMMING POOLS

Backyard pools require ACC approval. As with all property improvements, the homeowner is solely responsible for easements, property encroachments, spoils disposal, and drainage issues. At a minimum, applications should show property and easement lines along with an outline of the new pool.

DRAINAGE OF SWIMMING POOLS AS PER THE POLICY OF THE CITY OF RIO RANCHO.

FIRST, YOUR POOL WILL NEED TO BE DECHLORINATED PRIOR TO DISCHARGING. This can be done by letting your pool sit in the sun for 10 days without adding chlorine chemicals or emptying. If you require a quicker dechlorination process, you are able to buy dechlorination chemicals through pool and spa vendors, and then test the water. The sun works well, it just takes a few days.

After the pool is dechlorinated, please slowly discharge the water to the wastewater cleanout at your home. The wastewater cleanout can be located in the front or back of your property so you will need to locate this prior to discharge. PLEASE NOTE: the key is to release the water at a flow rate that will not create fugitive water which is water that will start going onto adjacent properties or right of ways, to prevent flooding, and avoid overwhelming the storm sewers or wastewater treatment plant. For homes that are on higher ground whose water drainage may directly flow into other properties, the homeowner will need to adjust the flow rate accordingly and may need to drain the pool in separate segments, over time, instead of all at once.

If pools are not discharged correctly, you may be subject to a wastewater fine by the City of Rio Rancho. Please call the City of Rio Rancho Environmental Programs Manager at 505-896-8737 with any questions or concerns.

AA. SOLAR EQUIPMENT

Installation of any type of solar equipment requires specific approval of the ACC.

BB. LANDSCAPING

Immediately upon completion of construction of the home thereon, all front yards and side yard areas in front of the side return walls shall be landscaped to comply with the following minimum standards:

NOTE: Due to the overall landscaping theme of the subdivision that includes landscaping features that run across Lot lines, the initial landscaping plan for individual Lots may not be altered in a manner that would detract from this theme. Grass areas may not be removed or altered in favor of xeriscaping, and xeric landscaping may not be removed or altered in favor of grass.

1. The landscape area includes the entirety of the area located in front of the side yard wall returns that is not covered by concrete lead walks and drive pads. It also includes that portion of the public street right-of-way that lies between the back of the curb and the front edge of the sidewalk, which the homeowner is required to maintain.

2. Not more than 75% of the landscape area of each of the front, side (if a corner Lot), and back yards may be covered only with gravel or crushed rock. Plantings from the approved plant list, or as approved by the ACC, must comprise at least 25% of these areas.

3. When gravel ground cover is used adjacent to drive pads, sidewalks, or the curb, the ground must be lowered at least 3" below the top surface of the concrete for a distance of at least 30" back from the edge of the pavement so that the top surface of the gravel ground cover will be at least 1" below the top surface of the adjacent pavement.

4. Light-weight volcanic rock or colored scoria that can be easily blown, washed, or kicked out of place may not be placed within forty-eight inches (48") from the edge of any drive pads, sidewalks, or the curb. Only minimum 3/4" diameter aggregate may be used in these areas.

5. The use of larger cobbles and aggregate of contrasting subdued earth tone colors is encouraged.

6. The use of red-colored aggregate should be limited to accents only; white, green, blue, or other bright-colored aggregates are not permitted.

7. Tree bark or wood chips are not permitted for use as ground cover, except they may be used in limited amounts as a mulching material in planting beds or tree rings.

8. At least 25% of the landscape area must be covered with a living ground cover and/or committed to planting beds, xeric gardens, or ornamental landscape features. Landscape boulders, mounting and vertical elements less than 3-feet high are encouraged.

9. A minimum of two deciduous and one evergreen tree is required for each Lot. Species selected from the approved plant list are recommended.

10. A minimum of twelve five-gallon plants or shrubs is required for each Lot. Species selected from the approved plant list are recommended.

11. If sod is used (minimum of 150-square feet), a minimum of nine five-gallon plants or shrubs is required. Species selected from the approved plant list are recommended.

12. The required plant minimums listed herein must be maintained by all Lot owners, required plants that die must be replaced as soon as weather conditions and growing seasons allow.

13. The use of non-living objects such as driftwood, petrified wood, animal skulls, wagon wheels, and any other similar items, for landscape accent materials is generally discouraged, and will only be allowed with specific approval of the ACC.

14. RECOMMENDED LANDSCAPE SPECIES

The goal of the landscape requirements for individual Lots contained herein is to help enhance and maintain property values within the Chamisa Greens Subdivision by creating a plant density and plant pallet throughout the neighborhood that will be complimentary to the Association-maintained common areas and streetscape landscaping. The approved plant species contained in the following list have been selected by the Landscape Architect for their colors, form, drought tolerance, availability, and hardiness.

DECIDUOUS TREES

Maple (Autumn Blaze)	(Acer)
Desert Willow	(Chilopsis linearis)
Smoketree	(Cotinus coggygria)
Ash (Modesto)	(Fraxinus Velut)
Ash (Raywood)	(Fraxinus Oxy)
Ash (Arizona)	(Fraxinus Velutina)
Honey locust (Shade master)	(Gleditsia Tri)
Plum (Purple Leaf)	(Prunus Cer)
Pear Aristocrat Flowering	(Pyrus Cal)
Prairie Flameleaf Sumac	(Rhus lanceolata)
Chaste Tree	(Vitex agnus-castus)

DECIDUOUS SHRUBS

Hummingbird Trumpet	(Anisacanthus thurberi)
Bird of Paradise	(Caesalpinia gilliesii)
Fernbush	(Chamaebatiaria millefolium)
Chamisa	(Chrysothamous nauseosus)

Summer Broom
Dunebroom
Mariola
Broom Dalea
Threeleaf Sumac
“Austria Copper” Rose
Cherry Sage

(Genista tinctoria)
(Parryella filifolia)
(Parthenium incanum)
(Psorothanmus scoparia)
(Rhus trilobata)
(Rosa foetida)
(Salvia greggii)

VINES

Trumpet Vine
Clematis
Western Virginsbower
Golden Laterns

(Campsis radicans)
(Clematis hybrids)
(Clematis ligusticifolia)
(Clematis tangutica)

EVERGREEN TREES

Curleaf Mountain Mahogany
One-seed Juniper
Shrub Live Oak
Soaptree Yucca
Desert Hackberry
Emory Oak

(Cercocarpus ledifolius)
(Juniperus monosperma)
(Quercus turbinelia)
(Yucca elata)
(Celtispallida)
(Quercus emoryii)

GROUND COVERS

Fringed Sage
Dwarf Coyotebrush ‘Twin Peaks’
Creeping Broom
Verbena
Rocky Mountain Zinnia

(Artemisia frigida)
(Baccaris pilularis)
(Cytisus decumbens)
(Verbena peruviana)
(Zinnia grandiflora)

GRASSES

Western Wheatgrass
Sideoats Grama
Blue Grama
Buffalograss
Sand Lovegrass

(Agropyron smithii)
(Boutelous curtispindula)
(Boutelous gracilis)
(Buchloe dactyloides)
(Eragrostis trichodes)

Blue Avena

Galleta

Indian Ricegrass

Little Bluestem

Sand Dropseed

Giant Sacation

(Helictotrichop sempervirens)

(Hiliria jamesii)

(Oryzopsis hymenoides)

(Schizachyrium)

(Sporobolus cryptandrus)

(Sporobolus wrightii)

HERBACEOUS PERENNIALS AND ANNUALS

Sand Verbena

Giant Hyssop

Hollyhock

Mat Daisy

Prairie Sage

Wormwood

Desert Marigold

Chocolate Flower

Golden Aster

California Poppy

Guara

Perky Sue

Bush Morningglory

Gayfether

Tall Gayfeather

Scarlet Flax

Blue Flax

Blackfoot Daisy

Four O'Clock

Giant Four O'Clock

Mexican Primrose

White Evening Primrose

Evening Primrose

Yellow Evening Primrose

Pale Evening Primrose

Mexican Evening Primrose

Bush Penstemon

Scarlet Penstemon

Palmer Penstemon

Prairieclover

Russian Sage

Paperflower

Autumn or Cherry Sage

Silver Groundsel

(Abronia sp.)

(Agastache cana)

(Alcea rose)

(Anacyclus depressus)

(Artemisa ludoviciana)

(Artemisia x 'Powis Castle')

(Baileya multiradiata)

(Berlandiera lyrata)

(Chrysopsis villosa)

(Eschscholzia californica)

(Gaura lindheimeri)

(Hymenoxys argentea)

(Ipomoea leptophylla)

(Liatris punctata)

(liatris scariosa)

(Linum graniflorum 'Rubrum')

Linum perenne)

(Melampodium leucanthum)

(Mirabilis jalapa)

(Mirabilis multiflora)

(Oenothera berlandiera)

(Oenothera caespitosa)

(Oenothera hookeri)

(Oenothera missourensis)

(Oenothera pallida)

(Oenothera speciosa)

(Penstemon ambiguous)

(Penstemon barbatus)

(Penstemon palmeri)

(Petalostemon purpureum)

(Perovskia atriplicifolia)

(Psilostrophe tagetina)

(Salvia greggii)

(Senecio longiflora)

Scarlet Globemallow
Fern Verbena
Purple Verbena
Western Vervain
Hummingbird Plant
Desert Zinnia

(Sphaeralcea coccinea)
(Verbena bipinnatifida)
(Verbena rigida)
(Verbena wrightii)
(Zauschneria californica)
(Zinnia grandiflora)

EVERGREEN SHRUBS

Century Plant
(Pointleaf Mansanita)
Big Sage
Fourwing Saltbrush
Desert Bloom
Algerita
Mountain Mahogany
Cliffrose
Scotch Broom
Sotol
Mormon Tea
Turpentine Bush
Spanish Bloom
Red Yucca
Creeping Oregon Grape
Beargrass
Beargrass
Dagger Spine Cholla
Cholla
Prickly Pear
Antelope Bitterbrush
Desert Sage
Lavender Cotton
Spanish Broom
Arizona Redwood
Datil
Soapweed

(Agave parryi)
(Artemisia filifolia)
(Artemisia tridentata)
(Atriplex canescens)
(Baccharis salicina)
(Berberis haematocarpa)
(Cercocarpus montanus)
(Cowania Mexicana)
(Cytisus scoparius)
(Dasylirion wheeleri)
(Ephedra viridis)
(Ericameria laricifolia)
(Genista hispanica)
(Hesperaloe parviflora)
(Mahonia repens)
(Nolina macrocarpa)
(Nolina texana)
(Opuntia clavate)
(Opuntia imbricata)
(Opuntia phaeacantha)
Purshia tridentata)
Salvia dorrii)
(Santolina chamaccyparissus)
(Spartium junceum)
(Vauquelinia californica)
(Yucca baccata)
(Yucca glauca)

CC. OTHER DEED RESTRICTION PROVISIONS

These Design Guidelines are not intended to expand upon all provisions of the deed restrictions, officially titled “Declaration of Covenants, Conditions and Restrictions” (CC&R’s). Owners should ensure they are familiar with both the deed restrictions and with

these Design Guidelines to ensure continued worry-free enjoyment of the community by all concerned.

DD. EXCEPTIONS

Exceptions to these Design Guidelines and/or the Deed Restrictions will be made in exceptional and unusual cases to accommodate Federal, State, and Local laws. An example would be to permit a structure that does not conform to be built for the special needs of a disabled resident. In all such cases, the owner will be granted the variance on a temporary basis for only that period during which the exceptional or unusual case exists.

A formal document will be drafted and signed by the Board and the homeowner as to the specifics of the variance. The document will make it clear that when the exceptional or unusual case no longer exists, the temporary variance will no longer be in effect. Exceptions will not be made for reasons of economic convenience or hardship, to accommodate recreational activities or for reasons of individual taste, appearance, or beautification.

VEHICLE GATE ACCESS INSTRUCTIONS

The vehicle access gate was installed to control access to Chamisa Greens Subdivision Community, thus reducing traffic, slowing the traffic as it enters the Subdivision and providing a deterrent to individuals who have no legitimate business in the Community. The gate does not provide security or guarantee safety; therefore, homeowners should take the same care in protecting their property as is reasonable and prudent.

Remotes may be ordered from the Association through the current management company, at their cost of \$40 each (price subject to change). Lost remotes and/or changes in occupants should be reported to the current management company immediately.

If you sell your home, your remotes should be transferred to the new homeowners at closing just as you would the keys to your home and garage door openers. The new homeowners must contact the current management company and provide the homeowner's name and main telephone number so that the management company can reprogram the call box at the entrance with the correct information for the homeowner's visitors. If the homeowner's main telephone number changes for any reason, the homeowner must notify the management company as soon as possible.

The Chamisa Greens Board of Directors determine the gate hours of operation.

The Rio Rancho Police Department and the Rio Rancho Fire Department have access to the Chamisa Greens Subdivision Community, however, in an emergency, it is recommended in order to save valuable time that the homeowner have someone at the gate to assist in locating the emergency as possible.

Any gate operating problems should be reported to the current management company at their main office telephone number regardless of the time of day or night.

INSTRUCTIONS TO ENTER

Gate Remotes will operate within fifty feet (50') of the gate. Aim the gate remote at the gate and press the button. Remember to allow the gate to open completely and proceed through the gate promptly. Please do not tailgate through the gate as this could result in damage or injury.

The entry gate is equipped with an automatic timer to close, therefore, please get through the gate quickly once it has fully opened.

INSTRUCTIONS TO EXIT

The exit gate will automatically open when you drive your vehicle over the “exit loop” which is buried under the roadway. Simply approach the gate slowly, wait for the gate to open completely and proceed through promptly.

The exit gate is equipped with an automatic timer to close, therefore, please get through the gate quickly once it has fully opened.

DOORKING TELEPHONE ENTRY SYSTEM

The Doorking Telephone System uses your main telephone number to communicate with homeowner's visitors to allow access to the Subdivision. The visitor simply scrolls the homeowner listing to find the homeowner they are visiting and presses the call button. The system dials the homeowner's telephone number as programmed in the system's memory, and your telephone will ring. The system keeps your main telephone number confidential; it is not displayed on the directory, only the homeowner's name is displayed.

When the homeowners answer their telephone, they will be talking directly with their visitor at the gate. Homeowners should speak clearly and strongly, as the visitor is hearing the homeowner's voice through a speaker located on the entry pedestal. Homeowners depress the number nine (9) on their telephone to open the gate or depress the asterisk (*) to hang up without granting entry. The connection lasts for a limited time. The system will automatically disconnect the call 10-seconds after a short tone is heard, signaling its termination.

When a visitor is allowed access, the gate system will open the gate for a preset period of time. Visitor will see a displayed message “ACCESS GRANTED-PLEASE ENTER NOW”. The

system will emit short tones for 3-seconds, which the homeowner will hear, and then the system will hang up.

If the homeowner is on the telephone when a visitor tries to call, the visitor will receive a busy signal unless the homeowner has call-waiting. If the homeowner has call-waiting homeowners can simply switch over to the call from their visitor and allow or deny entry, as outlined above.

In the event of a power failure, the gates are equipped with a battery backup system. The gates will automatically open when power is interrupted, and automatically close when power is resumed.

IMPORTANT WARNINGS

The entry and exit gates are constructed of heavy steel and move automatically by use of electric motors.

Do not stop vehicles in such a manner that the gate can make contact with the vehicle.

Do not affix any body parts (hands, arms, legs, etc.) to gates or gate operators.

Children should never be allowed to play on or around gates or gate operators. Any damage to the gate by a homeowner or homeowners' children will be the financial responsibility of that homeowner.

Do not stand or hang on gates or gate operators at any time.

Gates and gate operators are for vehicle use only. Damage and/or injury can occur if misused.

SATELLITE DISH AND ANTENNA POLICY

Satellite dishes or antennas may be erected or installed on any lot provided the satellite dish or antenna complies with the guidelines as adopted by the Board of Directors of Chamisa Greens Homeowners Association and in accordance with FCC requirements. If the installation is not in compliance, the Board has the right to require the owner to relocate the satellite dish or antenna to an alternate, more aesthetically pleasing location provided the new location has comparable reception. The relocation will be done solely at the Owner's expense.

The following guidelines cover three types of antennas: direct broadcast satellite (DBS) antennas, multipoint distribution service service (MDS) antennas (often called wireless cable, including MMDS, LMDS and IFTS antennas) one meter or 39" in diameter or less, and television broadcast antennas of any size:

1. Satellite dish or antenna may be installed on the roof or under the eaves of your home. Please make every effort to install your dish in the least conspicuous location where an acceptable quality signal can be received.
2. All wiring must be secured to the house and or roof and, if necessary, painted to match area in which it is secured.