

**CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
THE MANORS AT MIREHAVEN COMMUNITY ASSOCIATION, INC.
c/o AAM, LLC
7850 Jefferson NE, Suite 130
Albuquerque, NM 87109
505-856-1212**

The undersigned, constituting a majority of the members of the Board of Directors of The Manors at Mirehaven Community Association, Inc., a New Mexico nonprofit corporation, hereby take the following actions in writing and with a meeting:

RESOLVED that the Board of Directors hereby adopts the attached Design Guidelines dated October 1, 2014.

IN WITNESS WHEREOF, the undersigned have executed this consent as of the ^{2RD} day of OCTOBER.



Garret Price, President



Peter Steen, Vice President



Robert Korman, Secretary/Treasurer

**THE MANORS AT MIREHAVEN COMMUNITY ASSOCIATION
DESIGN GUIDELINES**

GENERAL PROVISIONS

A. PURPOSE

Deed Restrictions and Design Guidelines protect neighbors and the value of homes in our neighborhood. 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 neighbors will permit The Manors at Mirehaven homeowners to enjoy their homes in a pleasing environment and an attractive community with sustained property values.

B. BASIS

These guidelines are intended to augment The Manors at Mirehaven Community Association Deed Restrictions, officially titled "Declaration of Covenants, Conditions and Restrictions for The Manors at Mirehaven" (CC&Rs), 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 by the Design Review Committee (DRC), or as the Board of Directors deems appropriate. The subdivision is intended to be a cohesive development composed of homes of the highest quality and elegant appearance. Toward this end, it is intended that the DRC has 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 DRC. Shrubs and other live landscaping items are subject to approval. Please refer to section DD of this document and the list of recommended landscape species. The DRC 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. A DRC application is not required for maintenance or repairs so long as no change, such as color or material, alters the original appearance of the item being repaired. Repairs and maintenance are subject to provisions set forth in section G, "*Quality of Repairs*". All assessments assessed to the homeowners account must be current or the submittal will be deemed disapproved.

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&Rs or Design Guidelines. The DRC'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 Committee will make every reasonable attempt to be fair and equitable, the Committee and the Board will not necessarily be bound by past decisions of developer, builder, prior DRC's, or prior Boards. The Committee reserves the right to disapprove applications for improvement that require a variance from the established Covenants if it believes that such changes are not in the best interest of the future of the community, even if a precedent was set by a decision of the developer, builder, prior DRC's, or prior Boards.

In spite of their best efforts, the Committee 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 DRC 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 Committee and/or the Board make an inadvertent error in allowing a change or addition.

F. VARIANCES FOR DEVELOPER

The Committee has allowed variances to these Design Guidelines in the Developer's creation and maintenance of its models, management offices, sales offices, visitors' center, construction offices customer service offices or sales office and/or model home parking areas. While many of these variances are temporary in nature, there may be items such as landscaping, wall, gate or other variances, particularly in relation to the model homes, which may be permanent. The DRC and the Board is not bound to grant the same variances to other residents in the community.

G. 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 for the owner to apply to the DRC for such a one-for-one repair, the quality of such work may come under the scope of the Committee's responsibilities if the repair is done in such a way as, in the DRC's opinion, to detract from the appearance of the neighborhood.

H. 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 a condition. Reconstruction in the form that existed before the disaster will be acceptable without approval by the Committee.

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 Committee 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.

I. EASEMENT ENCROACHMENTS/MUNICIPAL ZONING REQUIREMENTS

It is not the responsibility of either the Committee or the Board to police encroachment into utility easement areas. If possible, the Committee will advise the owner of a possible encroachment and recommend that the owner seek approval or waiver from the appropriate utility. However, the Committee 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 Committee approved the change or addition without comment.

It is also not the responsibility of either the Committee or the Board to ensure compliance with municipal ordinance or zoning requirements. If possible, the Committee will advise the owner of a possible zoning or ordinance violation, and recommend that the owner remedy the situation. However, the Committee will not be liable for any expense incurred by an owner as a result of such violation, even if the Committee approved the change or addition without comment.

J. SETBACK REQUIREMENTS

No structure, or any portion thereof, including porches, steps, balconies, awnings, pools, patios, and courtyards shall be placed, constructed, installed or maintained within twenty (20) feet of the front property line, five (5) feet of any side property line, or within five (5) feet of the rear property line, except driveways and free standing structures such as arbors or similar structures that are less than ten (10) feet in height measured from natural grade. All structures that exceed the height of the surrounding property wall must be located at least five (5) feet from all neighboring property boundary walls, and at least ten (10) feet from all common area boundary walls or ten (10) feet from a wall that borders a street.

K. CONSTRUCTION MATERIALS

All materials used during the initial construction of homes within the subdivision are approvable by the DRC. Any alternate materials or colors must be specifically approved by the DRC prior to use in any exterior construction. Selections from the following exterior color groups used in the initial construction do not require approval from the DRC unless a material or color from one color group is proposed for use on a home with a different color group.

L. SUBDIVISION PERIMETER WALLS

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

M. MAINTENENCE

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. Oil stains in driveways must be removed immediately. 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 trees must be kept trimmed 8 feet above ground level. Trees and shrubs must never encroach on sidewalks or neighboring properties.
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 without the benefit of a moisture barrier being applied to the wall that it is constructed adjacent to.
13. No structure of any kind may be attached to the perimeter wall.
14. House numbers must be easily readable from the street.

N. YARD MAINTENENCE

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&Rs give the Association the right and responsibility to have unkempt property maintained and to place a lien against the home for expenses.

O. 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, DRC 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. When selecting colors to paint the home, please observe the colors used on homes adjacent to the lot as the committee will not approve the same color scheme if it has been used on any of the adjacent homes.

Color Group 1 Body color SW 6116 Tatami Tan Secondary Body Color SW 6116 Tatami Tan Shutter/Accents and Front Door SW 7580 Carnelian Trim Color SW 7580 Carnelian Stone Veneer El Dorado Cliffstone - Cambria Roof Tiles Boral Mission S Roof - La Terra Blend Garage Door Color SW 7580 Carnelian	Color Group 2 Body color SW 6081 Down Home Secondary Body Color SW 7535 Sandy Ridge Shutter/Accents/Front Door SW 6279 Black Swan Trim Color SW 6083 Sable Stone Veneer El Dorado Cliffstone - Lantana Roof Tiles Boral Mission S Roof - Cascara Brown Garage Door Color SW 6279 Black Swan
Color Group 3 Body Color SW 7540 Artisan Tan Secondary Body Color SW 6109 Hopsack Shutter/Accents/Front Door SW 7749 Laurel woods Trim Color SW 6103 Tea Chest Stone Veneer El Dorado Cliffstone – Montecito Roof Tiles Boral Mission S Roof-Gulfstream Garage Door SW 7749 Laurel Woods	Color Group 4 Body Color SW 7710 Brandywine Secondary Body Color SW 7718 Oak Creek Shutter/Accents/Front Door SW 7615 Sea Serpent Trim Color SW 7719 Fresco Cream Stone Veneer El Dorado Cliffstone - Cambria Roof Tiles Boral Mission S Roof - Desert Driftwood Garage Door SW 7615 Sea Serpent
Color Group 5 Body Color SW 7725 Yearling Secondary Body Color SW 6068 Brivity Brown Shutter/Accents/Front Door SW 7510 Chateau Brown	Color Group 6 Body Color SW 6106 Kilim Beige Secondary Body Color SW 7539 Cork Wedge Shutter/Accents/Front Door SW6055 Fiery Brown

Trim Color	SW 7713 Tawny Tan	Trim Color	SW 6110 Steady Brown
Stone Veneer	El Dorado Cliffstone - Lantana	Stone Veneer	El Dorado Cliffstone - Cambria
Roof Tile	Boral Mission S Roof - Apple Bark	Roof Tile	Boral Mission S Roof - La Terra Blend
Garage Door	SW 7510 Chateau Brown	Garage Door	SW 6055 Fiery Brown
Color Group 7		Color Group 8	
Body Color	SW 7715 Pottery Urn	Body Color	SW 7689 Row House Tan
Secondary Body Color	SW 7714 Oak Barrel	Secondary Body Color	SW 7695 Mesa Tan
Shutter/Accents/Front Door	SW 6111 Coconut Husk	Shutter/Accents/Front Door	SW 7625 Mount Elna
Trim Color	SW 7536 Bittersweet Stern	Trim Color	SW 7743 Mountain Road
Stone Veneer	El Dorado Cliffstone - Mesquite	Stone Veneer	El Dorado Cliffstone – Montecito
Tile Roof	Boral Mission S Roof - Salerno Clay	Tile Roof	Boral Mission S Roof - Salerno Clay
Garage Door	SW 6111 Coconut Husk	Garage Door	SW 7625 Mount Elna
Color Group 9		Color Group 10	
Body Color	SW 6073 Perfect Greige	Body Color	SW 7528 Windsor Greige
Secondary Body Color	SW 6067 Mocha	Secondary Body Color	SW 7549 Studio Taupe
Shutter/Accent/Front Door	SW 6039 Poised Taupe	Shutter/Accent/Front Door	SW 7545 Pier
Trim Color	SW 6082 Cobble Brown	Trim Color	SW 6105 Divine White
Stone Color	El Dorado Cliffstone – Mesquite	Stone Color	El Dorado Cliffstone – Monticeto
Tile Roof	Boral Mission S Roof - Salerno Clay	Tile Roof	Boral Mission S Roof - Salerno Clay
Garage Door	SW 6039 Poised Taupe	Garage Door	SW 7545 Pier

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 DRC.

P. ROOFING

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

Q. 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, DRC approval

is required for all alterations of existing walls or new walls. Special situations with non-standard walls should be noted on the DRC 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 8" and match existing colored blocks. Walls may not exceed nine (9) courses from the high side of the wall (Wall height will vary from one 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 Design Review Committee, and shall comply with all laws and applicable Supplemental Declarations. All fences and walls located anywhere on a Lot must comply with site distance requirements established by Subdivision or City of Albuquerque ordinances or other applicable laws.

R. 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&Rs. 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 in 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&Rs. 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, barbecues, 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&Rs) 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 on the front porch of his/her home without the written permission or consent of the DRC. The review committee or Board will only make a judgment if a specific complaint is received. Decorative ornamentation may not exceed three feet in height. They may be located no more than three feet from the body of the home and are limited to three total (including the front yard area) in number.

2. Items in Enclosed Yards

The intent of the committee is to permit the greatest possible flexibility for use of improvements in enclosed yards. In general, items lower than the height of the wall or fence will not require written approval.

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 within the fenced areas.

a. Material Composition

The same general guidelines apply to these items as 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 and wrought iron. Exceptions can be made at the discretion of the DRC 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 DRC 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 DRC:

1. Most lighting fixtures that do not exceed six 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 this 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 three.
5. Holiday decorations (see Section R. Holiday Decorations below).

d. Specific Unacceptable Items

The following items will not be considered acceptable for unfenced areas:

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 six feet tall.

S. 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 and comply with applicable night sky ordinances. High intensity lighting is inappropriate for residential neighborhoods. In all cases, stand-alone lighting fixtures must adhere to the six 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 DRC has the right to approve the location, number, size and design of all proposed exterior lighting.

T. HOLIDAY DECORATIONS

Holiday decorations are both permitted and encouraged and will not require approval by the DRC. 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 DRC does reserve the right to require the removal of decorations that either generate complaints or are deemed offensive. This right will be used sparingly.

U. BASKETBALL GOALS AND HOOPS

Portable basketball goals or backboards may be kept or used on a Lot so long as they are stored within five feet (5') of the garage when not in use. Permanent basketball goals or backboards attached to a free standing pole may be constructed, installed or maintained on a lot, provided the location, design, material and color of the pole and the basketball goal or backboard are approved by the Design Review Committee and they are used in accordance with the Association Rules which may govern the hours of use. Lighting of basketball goals or backboards must be submitted and approved by the Design Review Committee prior to installation. Lighting will only be permitted on basketball goals in the backyard of the home. Basketball goals must be clear plexi glass or painted to match the body color of the home. Nets must be nylon and kept in good repair at all times. No chain nets will be allowed.

Basketball keys may not be painted on the driveways.

V. BACK YARD STRUCTURES

1. Shade Structures

Shade structures are permissible with the prior approval of the DRC and in compliance with local building codes. Roofing material 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 Albuquerque. All materials used to construct the structure must be kept in good repair at all times.

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 natural grade. All structures that exceed the height of the surrounding property wall must be located at least five (5) feet from all neighboring property boundary walls, at least ten (10) feet from all common area boundary walls and at least ten (10) feet from a wall that borders a street.

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 (10) feet. Any cover NOT abutting or 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 DRC. 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, trampolines with safety nets, 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. Play structures that will be visible above the fence line in the rear yard of the home may not exceed twelve (12) feet in height. Any canopy/awning attached to the play structure must be a natural earth tone or one solid primary color (blue, green, red, or yellow). The play equipment must be located at least five (5) feet from all

neighboring property boundary walls, at least ten (10) feet from all common area boundary walls and at least ten (10) feet from a wall that borders a street.

W. WINDOWS AND TREATMENTS

No aluminum foil, reflective film or similar treatment will be placed on windows or glass doors. Permanent window coverings must be installed within sixty (60) days of becoming an owner of a lot.

1. Glass Block Windows

Glass block windows are allowed on 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 are generally allowed on the exterior of a home provided that they meet one of the following options:

- a) Metal frame with glass or screen insert. Color and style must match or compliment the architecture and color of the residence.
- b) Security/storm door combination utilizing wrought iron. Color and style must match or compliment the architecture and color of the residence

X. ANTENNA AND SATELLITE DISHES

Except as may otherwise be permitted by the DRC, subject to any provisions of any guidelines or standards adopted by the DRC, 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 restrictions 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 in one of the following locations listed in order of preferred locations:

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the backyard of the Lot;
3. On the roof, but below the roofline;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
5. On the roof above the roofline;
6. An unscreened location in the side yard;
7. A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.

If no location is available where the device will not be visible from neighboring properties, all appurtenances (cables, hardware) must be painted to match the structure to which it is attached so that it is less obtrusive. Multiple devices (2 or more) installed on a lot must be submitted to the Committee prior to installation.

Y. WOODPILES

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

Z. WINDMILLS/WEATHER VANES/TOWERS

Windmills, weather vanes and towers of any type are not allowed.

AA. 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 so 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:

1. For Sale Signs. "For Sale" signs may not be posted on any Lot unless approved in writing by the Design Review Committee.
2. Declarant's Signs. Signs or billboards may be erected by the Declarant.
3. 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 within 2 days after the election.

4. School and Business Logos. Emblems or bumper stickers advertising a resident's school or business mounted upon vehicles parked or driven within the property.
5. Such signs as may be required by legal proceedings, or prohibition of which is precluded by law.
6. Such signs as may be required for traffic control and regulation of Common Areas.
7. Street and directional signs as may be approved by Declarant.
8. Security Monitoring Sign. Security monitoring window emblems are allowed so long as no more than one per window is used.
9. Flags and Flagpoles. The following rules shall apply to flags in this community. Note that this shall include display of the official flag of the United States, State of New Mexico, Armed Forces (such as U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps, and U.S. Coast Guard), POW/MIA Flags, and a New Mexico Indian National Flag:
 - a) These flags may be displayed from sunrise to sunset.
 - b) These flags should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
 - c) No other flag or pennant should be placed above or, if on the same level, to the right of the American flag.
 - d) If the American flag is displayed from a vertical flagpole or a flagpole/staff projecting horizontally or at an angle from a windowsill or front of a home, the union of the flag (blue, where the stars are located) should be placed at the peak of the flagpole/staff unless the flag is at half staff.
 - e) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
 - f) The flag should never touch anything beneath it (the ground, a floor, water, or merchandise).
 - g) The flag should never be fastened, displayed, used or stored in such a manner as to permit it to be easily torn down, soiled, or damaged in any way.
 - h) The flag, when it is in such condition that it is no longer a fitting emblem for display, must be removed and replaced with a new flag.
 - i) No flags may be displayed in the common areas of the community.

Flags shall be displayed subject to the following:

- a) The pole is no higher than the top of the home and any lighting complies with the lighting requirements in the Declaration and these Guidelines. Flag poles must be submitted to the DRC for approval.
- b) The flag is no more than twenty-four (24) square feet in size.
- c) Wall mounted flag poles shall be a maximum of five (5) feet long with attaching brackets painted to match the attachment area. Such wall mounted flag poles do not require approval.

- d) Only one permanent, removable, wall mounted or freestanding pole will be permitted per residence or lot.
10. Except as stated in this Section regarding specific 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.
11. Statues. Statues, lawn ornaments and yard decorations of any size or type must be placed in a location that is not visible from Neighboring Property, unless approved by the DRC.
12. "For Rent Signs" For Rent and For Lease signs are strictly prohibited.

BB. SWIMMING POOLS

Backyard pools require DRC 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. In no event shall a party or perimeter wall be removed for access during pool construction, unless specific permission is granted. The homeowner or the contractor will be required to post a \$1000.00 construction deposit or bond to the association to be held for damages in the event the wall and surrounding area is not properly restored. In the absence of a grant of permission and a deposit, access must be gained through the front return wall of the home.

CC. SOLAR EQUIPMENT

Roof mounted solar equipment (excluding the solar panels) must match the roof material. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline. Visibility must be minimized from public view, and may be required to be screened from neighboring property in a manner approved by the Committee. All hardware associated with the solar panels and their installation must be painted to match the surface to which they are mounted.

DD. LANDSCAPING

Landscaping in the front yard and side yard areas in front of side return walls must be installed within ninety (90) days of close of escrow. The back yard landscaping must be complete within two hundred and seventy (270) days of becoming an owner. The following minimum requirements shall apply when designing the landscaping.

1. Front Yard Landscaping Guidelines: Plants may not be replaced with different plants unless approved by the committee and the requested plant is on the recommended landscape species list. If homeowner desires to add turf/grass to front yard, approval must be obtained from the committee.

- a) The front yard 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.
- b) 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 DRC, must comprise at least 25% of these areas.
- c). 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.
- d) Light weight volcanic rock or colored scoria that can be easily blown, washed or kicked out of place may not be placed within 48" from the edge of any drive pads, sidewalks or the curb. Only minimum ¾" diameter aggregate may be used in these areas.
- e) The use of larger cobbles and aggregates of contrasting subdued earth tone colors is encouraged.
- f) The use of red colored aggregate should be limited to accents only; white, green, blue or other bright colored aggregates are not permitted.
- g) 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.
- h) 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, mounding and vertical elements less than 3 feet high are encouraged. Boulders must be buried 1/3 below grade. Mounding must be covered in ground cover (granite or turf).
- i) A minimum of two (2) fifteen gallon trees selected from the approved plant list are required at all times.
- j) A minimum of ten (10) five (5)-gallon flowers or shrubs are required for each lot. Species selected from the approved plant list are required at all times.
- k) 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.
- l) The use of non-living objects such as driftwood, petrified wood, animal skulls, wagon wheels and other similar items, for landscape accent materials is generally discouraged and will only be allowed with specific approval of the DRC.

2. Rear Yard Landscaping Guidelines

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, mounding and vertical elements less than 3 feet high are encouraged. Boulders must be buried 1/3 below grade. Mounding must be covered in ground cover (granite or turf).

- a). A minimum of one (1) tree is required for each lot. Species selected from the approved plant list are recommended. Tree must be planted so that mature crown will be contained within confines of party walls.
- b) A minimum of two (2) five (5)-gallon plants or shrubs are required for each lot. Species selected from the approved plant list are recommended.
- c) If sod is used, it must be planted a minimum of three feet from all walls and structures to prevent moisture overspray and subsequent damage due to irrigation.
- d) 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.

3. Recommended Landscape Species

The goal of the landscape requirements for individual lots contained herein is to help enhance and maintain property values within The Manors at Mirehaven 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.

Evergreen Trees:

- **Desert Live Oak**
- **Bosnian Pine**
- **Oneseed Juniper**
- **Curlleaf Mountain Mahogany**
- **Soaptree Yucca**
- **Desert Hackberry**
- **Austrian Pine**
- **Pinon Pine**
- **Rocky Mountain Juniper**

Ornamental Trees:

- **Desert Willow**
- **New Mexico Privet**
- **Chaste Tree**
- **Mexican Elder**
- **Smoketree**
- **Crepe Myrtle**
- **Redbud**
- **Thornless Hawthorne**

- **Purple Plum**
- **Service Berry**

Shade Trees:

- **Thornless Honeylocust**
- **Lacebark Elm**
- **Chinese Pistache**
- **Flowering Pear**
- **Red Oak**
- **Raywood Ash**
- **Arizona Ash**
- **White Ash**
- **Green Ash**

Deciduous Shrubs:

- **Sand Hummingbird Trumpet**
- **Bird of Paradise**
- **Fernbush**
- **Chamisa**
- **Summer Broom**
- **Dunebroom**
- **Mariola**
- **Broom Dalea**
- **Threeleaf Sumac**
- **Austria Copper Rose**
- **Cherry Sage**
- **Lilac**
- **Rose Of Sharon**
- **Forsythia**
- **Shpeherdia Ribes**
- **Knock Out Rose**
- **Flowering Carpet Rose**
- **Bluemist Spirea**
- **Red Barberry**
- **Apache Plume**
- **Potentilla**
- **Redtwid Dogwood**
- **Butterfly Bush**

Evergreen Shrubs:

- **Century Plant**
- **Pointleaf Manzanita**
- **Threadleaf or Sand Sage**
- **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**
- **Dagger Spine Cholla**
- **Cholla**
- **Prickly Pear**
- **Antelope Bitterbush**
- **Desert Sage**
- **Spanish Broom**
- **Arizona Rosewood**
- **Datil**
- **Soapweed**
- **Lavender Cotton**
- **Raphiolepis**
- **Boxwood**
- **Grey Cotoneaster**
- **Cotoneaster Dammeri**
- **Cotoneaster Parneyii**
- **Eleagnus**
- **Euonymus Manhattan**
- **Euonymus Greenspire**
- **Euonymus Microphylla**
- **Photinia**
- **Nandina**
- **Mugho Pine**

- **Buffalo Juniper**
- **Mahonia**

Vines:

- **Trumpet Vine**
- **Clematis**
- **Western Virginsbower**
- **Golden Lanterns**
- **Boston Ivy**
- **English Ivy**
- **Wisteria**
- **Climbing Rose**
- **Honeysuckle**
- **Trumpet Vine**

Ground Covers:

- **Fringed Sage**
- **Dwarf Coyotebush**
- **Creeping Broom**
- **Verbena**
- **Rocky Mountain Zinnia**
- **Blue rug Juniper**
- **Buffalo Juniper**
- **Artemisia Powis Castle**
- **Gro Low Sumac**
- **Euonymus Coloradus**

Grasses:

- **Western Wheatgrass**
- **Sideoats Grama**
- **Blue Grama**
- **Buffalograss**
- **Sand Lovegrass**
- **Blue Avena**
- **Galleta**
- **Indian Ricegrass**
- **Sand Dropseed**
- **Giant Sacation**

- **Feather Reed Grass**
- **Deer Grass**
- **Maiden Grass**
- **Regal Mist**

Annuals/Perennials:

- **Red Valerian**
- **Catmint**
- **Perennial Salvia**
- **Sand Verbena**
- **Giant Hopseed**
- **Hollyhock**
- **Mat Daisy**
- **Prairie Sage**
- **Wormwood**
- **Desert Marigold**
- **Chocolate Flower**
- **Golden Aster**
- **California Poppy**
- **Guara**
- **Perky Sue**
- **Bush Morningglory**
- **Gayfeather**
- **Tall Gayfeather**
- **Scarlet flax**
- **Blue flax**
- **Blackfoot daisy**
- **Four O'Clock**
- **Giant Four O'Clock**
- **Mexican Primrose**
- **White 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**
- **Scarlet Globemallo**
- **Fern Verbena**
- **Purple Verbena**
- **Western Vervain**
- **Hummingbird Plant**
- **Desert Zinnia**
- **Rocky Mountain Penstemon**
- **Pineleaf Penstemon**
- **Germander**
- **Iceplant**
- **Sedum**
- **Red Hot Poker**
- **Daylilly**
- **Dwarf Plumbago**
- **Yarrow**
- **Veronica**
- **Gallardia**
- **Coreopsis**
- **Dianthus**
- **Coral Bell**
-

Desert Accent:

- **Brownspered Prickly Pear**
- **Soapweed**
- **Banana Yucca**
- **Red Yucca**
- **Mountain Yucca**
- **Yucca spp.**
- **Beargrass Yucca**
- **Agava**
- **Yucca Baccata**

EE. DRIVEWAY EXTENSIONS AND ADDITIONAL SIDEWALKS

Driveway extensions will be considered if the following conditions are met:

- a) Submittals must include a plot plan with the following noted thereon: 1) the location and dimensions of the proposed extension, 2) the existing driveway dimensions, and 3) the total linear feet of lot frontage.
- b) Storage of vehicles on the driveway extension will not be allowed (temporary parking of vehicles on the driveway extension is allowed).
- c) Painting of paved surfaces is prohibited; however, masonry staining may be considered but must be submitted for review.

Additional sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met:

- a) The additional sidewalk is three feet (3') or less in width, is one foot (1') or more from the property line, and is one foot (1') or more from the home.
- b) The area between the home and the sidewalk addition must have groundcover installed per the landscaping guidelines or to match the existing front yard ground cover (i.e., decomposed granite).

The Committee reserves the right to review and request changes to the addition per these requirements.

Additional sidewalks of any other size or in any other location must be submitted for approval.

FF. GATES

All requests for additional gates or gates other than those which were offered by the original developer/builder of the home must be submitted for Committee approval. Placement of gate(s) must be approved by the Committee. Double gates may be installed to allow wider access to rear yards, but may require the addition of permanent screening (fine mesh or like material) attached to the gate to prevent visibility into the rear yard. All gates should be of the same material, design and color as the originally installed single gates, unless approved by the Committee.

GG. GUTTERS AND DOWNSPOUTS

Gutters and downspouts will be considered for approval if the finish matches the color of the home. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times. Downspouts are to be directed so that they do not drain on to neighboring property or common areas.

HH. TRASH CONTAINERS AND COLLECTION

No garbage or trash may be placed on any lot or parcel except in covered containers meeting the City specifications, and these must be stored out of sight except when being made available for pick-up. Trash cans may be placed out for pick-up no earlier than 6:00pm the day before collection and must be removed from view no later than 8:00pm the day of collection. Rubbish, debris and garbage shall not be allowed to accumulate on any lot.

Each owner shall be responsible for removal of rubbish, debris and garbage not only from his lot or parcel, but also from all public right-of-ways either fronting or alongside his lot or parcel, excluding (a) public roadway improvements, and (b) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association. No outdoor incinerators shall be kept or maintained on any lot.

II. OTHER DEED RESTRICTION PROVISIONS

These guidelines are not intended to expand upon all provisions of the deed restrictions, officially titled "Declaration of Covenants, Conditions and Restrictions for The Manors at Mirehaven" (CC&Rs). Owners should ensure they are familiar with both the deed restrictions and with these Guidelines to ensure continued worry-free enjoyment of the community by all concerned.

JJ. EXCEPTIONS

Exceptions to these 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 handicapped 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 resident 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 recreation activities or for reasons of individual taste, appearance, or beautification.

DESIGN REVIEW COMMITTEE SUBMITTAL FORM

Please fax or mail to:

**The Manors at Mirehaven Community Association
c/o AAM, LLC
7850 Jefferson NE Suite 130 Albuquerque, NM 87109
Phone: 505-856-1212 Fax: 505-856-7467**

- I AM PLEASE CHECK APPROPRIATE BOX BELOW:
SUBMITTING PRIOR IN THE COMMUNITY
- I AM CURRENTLY LIVING THIS COMMUNITY
- MY ASSESSMENTS ARE CURRENT TO IN LIVING

Submittal Type: i.e., landscaping changes to be made to my property and changes to the exterior of my home _____

Type of Material to be used - (attach samples / pictures / brochures): _____
Name: _____ Date: _____

Community: _____ Lot #: _____

Property Address: _____ Phone #: _____
Current Mailing Address: _____

Color to be used – (attach samples / pictures / brochures): _____

**APPLICANT MUST INCLUDE A PLOT PLAN INDICATING LOCATION OF SUBMITTAL AND INCLUDE APPLICABLE MEASUREMENTS AND DIMENSIONS.
INCOMPLETE SUBMITTALS WILL BE DENIED**

Homeowner agrees to comply with all applicable city and state laws, and to obtain all necessary permits. Approval by the Design Review Committee shall not be deemed a warranty or Representation as to the quality of such construction, installation, additional, alteration, repair, change or other work, or that work conforms to any applicable building codes or other federal, state or local law, statute, ordinance, rule or regulation.

Design Review Committee requests will be reviewed within 45 days. Requests will be approved, denied or returned for additional information.

Homeowner Signature _____ Date _____

Homeowner E-mail address: _____

"Office Use Only"

The Above Described Architectural Change Has Been

APPROVED _____ subject to the following condition(s): _____

DISAPPROVED _____

SIGNATURE _____ DATE _____