

WINDY WALK ESTATES HOMEOWNERS ASSOCIATION

CONSTRUCTION RULES & REGULATIONS (Revised June 2012)

The Windy Walk Estates Homeowners Association's Board of Directors (hereinafter, WWHOA) has prepared this document to address the problems that continue to arise during the construction process. While these guidelines address certain issues it is the Contractor's obligation to also review and understand the rules of construction activity as set out by the City of Scottsdale and the Troon Village Association. It is the contractor's responsibility to inform all subcontractors and workers of the construction rules and regulations **and provide names and numbers for all Subs to the gate.** In addition the contractor will be held responsible for the conduct of all subcontractors and workers and be responsible for all damage to adjacent property, roadways and easement areas. Any variance from the architectural standards must be approved by the WWHOA. Both the contractor and homeowner have five days from receipt to review this document and return it signed to Cornerstone Properties, Inc., Box 62073, Phoenix, AZ 85082. **Failure to comply may result in a closure of construction access to the site.**

Construction Hours: Monday thru Friday **7:00 am to 5:00 pm (Oct-Apr)** and **6:30 am to 5 pm (May-Sep)**; Saturday access (**8 am- 4 pm**) through the Happy Valley is permitted for normal service vehicles, pool and landscaping personnel and utility repairs; light construction for interior quiet work and minor masonry jobs; no cement trucks, excavating vehicles, nor large material deliveries; and no work performed that causes noise nor many vehicles. Under unusual circumstances, Cornerstone Properties or the President of your HOA may grant access for construction items on a particular Saturday. There is no construction allowed on Sundays or nationally recognized holidays (New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving, & Christmas). All construction entry & exit is through the 115th Street gate unless otherwise published. **Access violations** will not be tolerated. Access tags will be issued at the gate and the tags must be visible at all times. During breaks or non-working periods, workers must remain at the building site. Driving or walking elsewhere in the community is prohibited. Access to or trespassing on the golf course is not permitted.

Dumpsters: A dumpster must be provided for each site, including remodel sites. Dumpsters (recommended with covers) must be placed on the site and closed at all times, and when full, emptied immediately. It is the contractor's responsibility for clean up and pick up of all trash, debris, and materials every day. The construction site and surrounding properties are to be policed at the end of each work day.

Materials and Equipment: All materials and equipment must be placed or stored on the construction site. Under no circumstances may equipment, materials or construction debris (including dirt) be placed on the road and anywhere other than the construction site. This includes trailers, mixers and equipment. Vacant lots are not acceptable alternatives. No construction sheds, trailers or similar facilities are permitted. Blasting is not allowed anywhere on the property.

Washouts: All washouts must be done on the construction site or outside of the Windy Walk Troon Mountain gates in an appropriate area. Any water draining off the lot that stains or discolors the road or curb is the contractor's responsibility and must be immediately cleaned up. Washouts include cement trucks, drywall equipment, painting and any other applicable phase of construction.

Parking: All construction vehicles and personal vehicles must be parked on one side in the same direction as roadway traffic or on the site, and there is no parking or access to the site from Windy Walk Drive. In the event construction is occurring on opposite sides of the street, the contractors are expected to work with each other to eliminate problems for vehicles transiting the area. Under no circumstances may construction vehicles or personal vehicles be left on site or on the street overnight, nor will any street be blocked with vehicles or materials or other objects which could stop or delay access by fire trucks, ambulances, garbage trucks or residents.

Radios/Tape Players: Under no circumstances are radios or tape players to be used at such a volume as to be heard from outside the property line, or at such a volume that allows workers to hear it over the noise of the construction equipment.

Port-a-Johns: These must be placed on site and maintained so as to not allow odor to be noticeable off the property. When placing the unit on site the contractor is to take into consideration the surrounding homes to be sure it is not next to the driveway of a completed home, unit is level, access door does not face the street, and is set back far enough from the street so that it does not obstruct motorist's line of sight. Color of the unit must be "muted", beige or earth-tones, (no bright colors) and may not display advertising or phone numbers.

ENFORCEMENT and FINES: The Board of Directors has put into place a fine policy for any violations. Violation fines start at \$200 each and escalate for multiple occurrences of the same violation or for not correcting the problem(s) within 48 hours of notice. At any time after the 48 hours expire, the Board may direct the security services for the Windy Walk Troon Mountain Cost Share Group to deny construction access to the site. Upon successful correction of the violation(s) and payment of all fines, construction access will be granted. It is the Board's prerogative to change and adjust the implementation process and the level of penalties. By signing below the contractor and homeowner acknowledge receipt and agree to abide by these rules and those of the City of Scottsdale and those of the Troon Village Association, and are willing to supervise all subcontractors and workers.

Appeals process: In the event you disagree with the determination of the violation and fine, you may appeal this decision to the Board of Directors of the Homeowners Association where the violation occurred, and that Board's determination shall be final and the violation, fines, and/or access denial shall be enforced.

Security Patrol: The community is patrolled every day for enforcement of these rules and the security personnel have the authority to assess the fines and to direct that violators leave the property. Please return this signed form to the Windy Walk Estates Homeowners Association's property management company: **CORNERSTONE PROPERTIES, INC.**' 4523 E. Broadway Rd.; Phoenix, AZ 85040, or P.O. Box 62073; Phoenix, AZ 85082; 602-433-0331 Fax 602-244-9214 or drop off at the main gate.

ACKNOWLEDGEMENTS

We have read and understand these Construction Rules & Regulations and agree to adhere to these conditions and will be responsible for all fees that may be applicable. We are aware that we are responsible for all fines that may be assessed for failure to comply and that workers may be denied access to the community if violations continue to occur and/or have not been corrected.

PLEASE COMPLETE THE ATTACHED INFORMATION FORM

_____		_____	_____	_____
Please print name and company		Community	Lot #	Starting Date
_____		_____		_____
Signature	Date	Lot owner signature		Date

