

# **SUNBURST FARMS EAST, INC.**

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Scottsdale, AZ 85254  
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## **Rules & Regulations Updated January 1, 2023**

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**KEY: Sunburst Farms East Inc. (SBFE)  
Non-Irrigated properties (NWT)  
Board of Directors (BOD)  
Contributors Contribute to Community Operational Expenses**

## **1. Base Dues and Water-Taker Dues.**

A Base Fee of a minimum of 30.58 per month will be assessed to every property owner in Section 2 of Sunburst Farms East, Incorporated (SBFE), subject to the Covenants, Conditions and Restrictions (CC&R's) for Section 2. For Sections 3, 4, and 7 there is no Base fee for *Non irrigated properties*. Property owners who chose not to receive irrigation service (NWT) in Section 3, 4 and 7 may contribute a monthly fee based on the minimum Base Due of \$30.58 per month to support the Corporations operational and infrastructure expenses. Contribution payments by NWT can be canceled at any time with written notice sent to the Board of Directors (BOD) via mail or email indicating their decision to terminate their monthly contribution payments. Monthly Contribution Statements will be sent to NWT who have voluntarily opted to pay a base month fee to cover operational expenses for the Corporation.

Property owners choosing to participate in receiving irrigation service from SBFE in Section 2, 3 4 and 7 will be billed monthly the current base due, plus the current monthly fee to deliver the irrigation service. All property owners in SBFE Sections 2, 3, 4 and 7 who receive irrigation service will be assessed their share of any special assessment that is required for expenses above the budget line, pump, wellsite, irrigation infrastructure, legal expenses and/or unusual expenses.

Dues are payable by the 1st of the month. Payments received after the 15<sup>th</sup> of the month are subject to a \$15.00 late fee and 10% Annual Interest Rate. A Past Due reminder will be sent out to the property owner. After the 2<sup>nd</sup> month of unpaid dues, the property owner's account will be placed on the Irrigation Service Suspended list. Property owners will remain on irrigation suspension until the entire account balance is paid in full. When the property account is paid in full the property will receive irrigation service the following scheduled irrigation cycle. Payments received via US Postal Service with a postmark on or before the 15th will be considered a timely payment. (Please notify the Secretary at [admin@sbfefhome.com](mailto:admin@sbfefhome.com) or call the Business office # 602-996-5796 of any special circumstances relating to payment opportunities). NOTE: *Contribution payments from NWT will not be subject to late or interest fees.*

The outside contractor who is hired to provide irrigation service to the community, is notified on the 16<sup>th</sup> or 17<sup>th</sup> of each month what property owner(s) accounts are delinquent and are to receive services for the next scheduled cycle. Once the property owner has paid the account in full the services will commence on the following irrigation cycle. If the property is to receive irrigation service that week, the property *will not* receive irrigation service until the next scheduled irrigation service cycle.

## **2. Billing.**

The property number located on your invoice is your account number. Please reference this number on correspondence to SBFE for proper credit to your account.

## **3. NSF Check Fee.**

SBFE will charge an account a \$25.00 returned check fee not paid by the bank for any reason.

## **4. Late and Interest Fee.**

Property owners who are charged a Late and Interest fee, may contact the BOD in writing via email or US Mail to provide the circumstance as to why their payment was late. The BOD at the next regular scheduled meeting of the BOD will review the details provided both from the property owner and the Treasurer who will present the account history to further provide information to the BOD, i.e., prior delinquency on account. The BOD will hold a vote whether to waive the Late and Interest fee. The BOD decision will be communicated to the property owner within 5 business days following the BOD meeting by the contracted Bookkeeper.

The Bookkeeper is to notify the BOD of any property account going delinquent more than two (2) months. The BOD will advise the Secretary or other Board member that is responsible for account management on the course of action to be taken. President and Secretary will determine what will be communicated to the property owner. Irrigated properties will be placed on irrigation suspension until the account balance is paid in full.

In the event of a financial hardship the BOD can take into consideration the course of action in offering a property owner a payment plan via a contractual Promissory Note. Direction will be given to the Secretary from the BOD on how to respond to the property owner and what the agreement will be, and timeframe given to bring the property account current.

Property owners need to contact the BOD or the Bookkeeper in writing either via email or US mail to request financial hardship payment plan to be prepared.

The BOD can offer a payment plan and use the established Promissory Note document.

Property owner with a delinquent account will only receive irrigation service if they have a signed and valid Promissory Note on file with the Treasurer and Bookkeeper. Property owners are bound to the requirements set forth in the Promissory Note. Lien to Collect process will proceed even if there is a Promissory Note on file.

No property owner will be extended a payment plan longer than 12 months.

## **5. Liens and Collections**

Properties in Section 2 are subject to Foreclosure for nonpayment of accounts or as otherwise allowed by Arizona Law. Property owners in Section 2, 3, 4 and 7 accounts that reach a balance of \$500.00 will be subject to collections to collect past due monies owed to SBFE. Any legal expenses incurred will be passed onto the property owner, in addition, to the past due balance owed. SBFE will send notice to the property owner in writing via US Mail and email and the 2nd and final notice will be sent Certified, Us Mail and email.

## **6. Sale of Your Property.**

SBFE will charge each property in Sections 2, 3 4 and 7 a Disclosure Fee in the minimum amount of \$400.00 plus an administrative fee in the minimum amount of \$75.00. SBFE is responsible for obtaining information and maintaining documents relating to the sale of the properties located within SBFE Section 2,3,4 and 7. Upon the close of escrow, the following will apply:

### **Disclosure Fee and Administrative Fee.**

The Corporation will charge a \$400.00 Disclosure fee (except within same family name or family trusts); note: documentation must be provided to the SBFE Secretary of the Title showing transfer to another family member, family trust or family-owned LLC. The \$75.00 administrative fee will be assessed at time of Disclosure and is due and payable at close of escrow or verification of property transfer. At time of Disclosure the property will be reviewed for violations and overgrown weed, grass, overhanging tree limbs and protruding shrub or other foliage into Bridle path and surrounding easements. Buildings or other structures that appear to be in violation per the CC&R's will also be noted. If the violation is related to overgrown weed, grass, overhanging tree limbs and protruding shrub or other foliage, trash, broken fence line and obstructions into Bridle path and surrounding easements and is not clear prior to close, the property will be assessed a fee not to exceed \$1,500.00 to clear the infraction(s) and will be added to the closing Statement.

A Rush fee in the amount of \$75.00 will be added to any requested to prepare closing documents for a property in less than 72 hours.

## **7. Irrigation.**

New property owner of a current property participating in irrigation service is required to pay in advance, two (2) months of current irrigation service dues will be collected upon close of escrow. The new property owner has the option to take irrigation by returning the current year Irrigation Service Election form within 14 days of property transfer.

Buyer will be provided with an Irrigation Service Election form with the closing documents and this form needs to be returned to SBFE within 14 days of property transfer.

It is the responsibility of the seller and/or buyer agent to inform the buyer that Sunburst Farms East has irrigation service available for those who choose to participate.

Any property that participated in the irrigation service before the sale of their property *must* ensure the escrow company informs the buyer to complete the Membership/Irrigation Service Election form to request or deny irrigation service or the new property owner will automatically be considered a participant for irrigation services and billed accordingly.

Property Owners requesting irrigation service after the close of escrow and SBFE did not receive the Membership/Irrigation Service Election form within 14 days of property transfer will need to make a formal request in writing to the BOD that they would like to participate in Irrigation Service and agree to pay a start-up fee of three (3) months of current Irrigation Service Dues in advance, in addition to the regular irrigation service dues.

Property owners must elect to participate in Irrigation Service by filling out a Membership/Irrigation Service Election form. Property owners who wish to postpone irrigation service for a period of time may do so, however, when the property owner requests to start irrigation service up after not receiving irrigation service, they will be charged 3 months irrigation service dues in advance, in addition to the monthly dues. This provision is set up to prevent property owners from opting in and out of irrigation service.

If a property owner declines irrigation service during a cycle(s) they will not be reimbursed any irrigation service dues.

If there is substantial rain and the irrigation cycle is placed on hold, SBFE BOD will determine if the cycle resumes, and the irrigation company will complete the properties remaining for that cycle or close the cycle and start with a new cycle on Cactus. There will be no credit added to a property owners account for irrigation services not received following substantial rain and the irrigation service to start on the next cycle.

In the event of Pump/Well or irrigation line repairs causing irrigation service to be delayed or canceled for a period of time there will be no refund of irrigation service dues.

Irrigation Service provider and the Irrigation Committee must always have access to valve, risers, and irrigation lines for all properties in SBFE. Property owners are responsible to keep grass & weeds mowed and away from valve covers so they are visible and accessible to irrigators. Irrigators do not jump or climb fences. All properties must have safe and clear access for irrigators to provide delivery of irrigation water. Irrigators will not unlock any gate to access property to provide irrigation service.

Properties that receive irrigation service must ensure that there is access to the gates and risers to allow the irrigation water to flow throughout the property and the area(s) to receive irrigation water must be clear of debris, leaves, sticks, manure, tall grass, and all other foliage. Gopher holes and berms must be maintained and repaired when irrigation water overflows from the property onto the street, Bridle paths or neighboring properties. Irrigators will not deliver irrigation service if the water that cannot be contained

on the property or property contains weeds & grass over 6 inches in height or has an abundance of leaves and other foliage on the ground hindering the flow of irrigation water.

No property will receive irrigation service after an irrigation line changeover has been made, or if the Irrigator has passed a property by two (2) or more properties.

The Irrigator will leave a Door Hanger notifying the property owner of any challenge on the property hindering the delivery of irrigation service or a potential repair is needed. A member of the Irrigation Committee will follow-up with the property owner prior to the next cycle to ensure repairs or action was taken for their property to maintain irrigation water. If the property has not been repaired, irrigation services will not be provided. Note: There will be no refund for missed irrigation service.

The Bookkeeper will notify The President, Secretary, and a member of the Irrigation Committee the 16<sup>th</sup> or 17<sup>th</sup> of each month as to which Properties are to be placed on the Irrigation Service Suspended list and not to receive irrigation services for that cycle.

Any irrigated property that has a past due account will be placed on the Irrigation Service Suspended list and the delivery of irrigation service will be suspended until such time as the account is current.

All payments are payable to Sunburst Farms East, Inc. and can be delivered to the Well-site mailbox, either by hand or by U.S. mail, or sent via electronic bill pay services provided by the Property Owners Banking Institution.

Under no circumstances should a payment be given to, or accepted by, a subcontractor or member of the BOD.

#### **8. Open and Closing of Irrigation Valves.**

The Corporation's contracted Irrigation Company or their appointed representatives are the only individuals permitted to open and close the valves on the properties located in SBFE. Property owners are **never** permitted to operate the valves on their property or any other property, under any circumstances. The SBFE answering service should be contacted if there is a need for any emergency opening or closing of the irrigation valve on a property.

#### **9. Moving of Irrigation Valves.**

In the event a property owner desires to move an irrigation valve and riser on their property, the property owner must contact SBFE BOD with a full outline of what the proposed scope of work and proposed relocation of the valve and riser. SBFE BOD will review the documents presented with the Irrigation company to determine and ensure that the existing irrigation system (lines, valves and risers, standpipes, pump, and motor) will not be compromised. It will be the sole financial responsibility of the property owner to pay for the installation, grade, and all related work to relocate the valve and riser.

All valve, riser, and line relocation must be performed by the contracted SBFE Irrigation Company. The SBFE BOD has the authority to deny relocation of a valve and riser on a property should it be determined that movement of the existing valve and risers will hinder or cause harm to the irrigation system. Property owner must have a signed letter with both the President, Secretary and all owners of the property noted in the letter disclosing the scope of work, costs, and responsibilities for relocating a valve and riser and the documentation will be filed under the property account and note in the historical irrigation records.

Any situation resulting in a repair from the original location of the valve and riser or the new install of the valve and riser where a repair is needed will be the sole responsibility of the property owner and any subsequent owner.

#### **10. Irrigation Schedule.**

Irrigation service schedule is *generally* every two (2) weeks from May through October and every three to four (3 to 4) weeks from November through April, depending on the rainfall during each cycle. If temperatures are in the 100 degree range and are consistent for 5 or more days, irrigation service could begin earlier than May.

The Corporation does not sell irrigation water. Any property owner who elects to participate in receiving irrigation services will be charged monthly dues for the irrigation service, regardless of the number of irrigation cycles received.

The Corporation is not required to provide irrigation service in any specific order, although generally irrigation starts on Cactus and moves North to Thunderbird.

The irrigation service schedule may be subject to change based on repairs, seasonal elements or other factors that interfere with the delivery of irrigation. The SBFE BOD will make every attempt to keep the irrigation service on schedule, but unexpected circumstance may arise that make it impossible to deliver irrigation service. Note: There is no refund for irrigation service not provided

The BOD has the responsibility to notify irrigation service participants in a timely manner of any changes to the irrigation schedule by posting the information at the Well-site bulletin board, e-mail or on a Board sponsored website.

Following heavy rain, irrigation service will be suspended until the Bridle Paths are dry enough to support vehicular transportation and not cause ruts, in addition, if there is substantial rainfall and properties are holding water following rainfall, a member of the BOD will contact the Irrigation company when and where to resume irrigation service following the delay.

Property owners will comply with the Corporations Storm Drain Management Policies. All properties must maintain irrigation water on their property during and after irrigation service. Any water run-off will be noted if due to damaged berms, in insufficient berms, gopher hole and other unforeseen issues. The Property owner must repair the infraction immediately. Gutter Guards are to be placed at the entrance of the Storm Drains by the Irrigation company for large amounts of run-off, Doorhangers (Incident Reports) completed and given to property owners and documentation filed with the SBFE Secretary. All data must be readily available should the City of Phoenix contact SBFE of an infraction relating to water Run-off

## **11. Welcome Packet.**

A Welcome Packet is provided to the Title company at the time of sale and includes:

Disclosure Statement

Welcome Letter

Property Statement

CC&R's

By-Laws of the Corporation

Rules and Regulations of the Corporation

Current P&L Report

Current Balance Sheet

Current Operational Budget

Director and Officers Insurance Certificate

General Liability Insurance Certificate

Membership/Irrigation Service Election Form

## **Notice of Receipt of all Forms**

The Notice of Receipt of all Forms, Membership/Irrigation Service Election Form, and the Disclosure Statement must be received by Sunburst Farms East within 14 days of property close, if not SBFE will send an invoice to the Escrow Company for \$75.00 for late return.

## **12. Corporation Guidelines.**

Board Meetings are open to all members who are in “good standing” of the Corporation, except where allowable by law.

Board Meeting Minutes and monthly Treasurers Report are available to all property owners on the Corporations website or by submitting a written request to the BOD.

Treasurer’s Report and Accounting (Transaction by Detail) report will be provided at monthly Board meetings or upon written request by an SBFE property owner/member(s).

Annual meeting of the members will be held no later than the third Tuesday in February.

BOD shall send out the following: Year-end financials, Annual Meeting Agenda, Absentee Ballots for any item presented in the December BOD meeting requiring a vote and the Community Newsletter.

Director’s terms approved as per Section 2 of the By-Laws. BOD will send out Board of Director Candidate and Volunteer Request forms annually or as needed to solicit the members who are in good standing when a vacancy is open on the Board of Directors or volunteers are needed to assist with a committee.

All SBFE Community documents will be warehoused at the Corporation’s storage building located at 13634 N. 52<sup>nd</sup> Street, Scottsdale, AZ 85254 in locked file cabinets and pertinent documents copied onto an external hard drive and maintained by the Secretary of the Association and Bookkeeper with both the Secretary and President securing keys to the file cabinets.

Keys and locks to SBFE Community files, pump and electrical boxes will be kept by both the President, Vice President, and the Secretary. Lock combination for main gate will be provided to all current BOD and Irrigation Company staff.

Irrigation Company Staff will not be provided the combination to the lock nor have access to SBFE Community Storage Building.

Irrigation Company will be provided the combination to the main gate lock to access the Well-site.

BOD and Irrigation Company will sign a Confidentiality Agreement annually relating to the operations of the Corporation and noting the lock combination is not to be provided to any individual and will be subject to termination in the event there is a violation.

Lock combinations are to be changed when there is a change in BOD or Irrigation Staff and “New” Confidentiality Agreements signed by all current BOD and Irrigation Staff.

At no time is the main gate to the Well-site to be left un-locked during irrigation services.

If a BOD needs any corporate files from the storage area, they need to request it in writing via email to the BOD. The Secretary must accompany the requesting BOD to obtain the files requested.

Board correspondence can be via email or U.S. Mail. No Board member will respond to a property owner or any other person giving an opinion on behalf of the Board, unless by majority vote, or other Board members who have authorized them to do so. No Board member is to use email communication for their own personal comments and opinions. All email communication is to be professional, informative and on point. Copies of the correspondence will be kept by the Secretary.

The Secretary will read any correspondence received at the monthly Board meeting and document content will be entered into the meeting minutes. The Secretary will send a response to the property owner on behalf of the Board members following the BOD meeting.

Fiscal calendar for the SBFE is January 1st through December 31st.

It is the individual property owner's responsibility to notify the BOD of changes to their current mailing, email address and phone numbers.

BOD will maintain an equipment list and/or supplies with minimum inventory at the Well-site, located at 13634 N. 52nd Street. BOD are to order supplies as needed to maintain the pump, irrigation supplies and bridle path, such as valve and risers, marking flags, gutter guards, and safety cones.

Incident reports are to be completed by the Irrigation Company daily to document any issues with an irrigated property or with an NWT property where the irrigation line may need to be addressed for service/repair or is causing potential irrigation service disruption, line or pump/well. Incident reports will be investigated by an Irrigation Committee member and communication is to be sent to all BODS to record the incident and take the appropriate action for repair, service, communication, and documentation. Irrigation Committee will work with the President to schedule needed repairs and/r service. Irrigation Committee Chair is to maintain files in a binder for reference and historical purposes.

Background Checks, Motor Vehicle License and Proof of Insurance is required by all Irrigation and Accounting staff hired.

BOD is to complete a Return of Records Statement annually and all new BOD that are voted onto the Board must complete one.

BOD is to complete a Conflict-of-Interest Statement annually and all new BOD that are voted onto the Board must complete one.

BOD will maintain a company credit card under Sunburst Farms East, Inc. through the Banking Institution where the Corporation performs financial business to purchase operational products, services, and repairs for the corporation. Two members of the BOD will be issued a credit card. One card will be maintained by the President and the other by another Board member voted on by the BOD.

All members of the Board will be involved in legal matters. The President, Vice President, Treasurer and Secretary will communicate with legal counsel on behalf of the Board and update the other Board members via Board email or a meeting called to discuss.

BOD is responsible to maintain the Arizona Department of Water Resources 5<sup>th</sup> Plan relating to irrigated properties and enact any procedure and/or policies necessary to maintain the integrity of the irrigation system and service. BOD will impose fines to property owners who fail to maintain their properties causing irrigation water runoff into the streets.

BOD will send a Membership/Irrigation Service Election form annually in the year-end mailer. The Secretary and Bookkeeper will update property owner Membership and Irrigation Service elections annually and maintain the information by property via Excel spreadsheets and accounting software.

Any assessments that are needed and not covered in the operational budget will be presented at a regular BOD meeting or a special meeting called for such action. The BOD will review the information and hold a vote to submit to the members via email and US Mail for a vote.

### **13. Statutory Agent for Corporation.**

The Statutory Agent for the Corporation will be the Corporation's Attorney of record. The BOD are responsible for updating the Agent when necessary.

State of Arizona Corporation Report will be completed annually by the Secretary. The Secretary will update the listing of the BOD and Officers and Director terms.



#### **14. Use of Volunteers.**

The use of volunteers or committees is at the discretion of the BOD and as allowed by corporations Insurance carrier, except for the irrigation system. No volunteers except for trained Irrigation Committee members are allowed to physically assist with any portion of the irrigation system.

The BOD can incorporate committees to assist the community from time to time which may include but is not limited to a Budget, Legal, and Welcoming committee, property review for Disclosures and Bridle Path maintenance.

The BOD can elect an Irrigation Committee to assist with the following:

- 1) Incident Report follow-up and documentation.
- 2) Irrigation emergencies and to oversee the Irrigation Company services
- 3) Research and obtain contractor quotations as needed for repairs and services.
- 4) Liaison between the BOD and contractors for repairs and service.
- 5) Attend and provide written and verbal communication at monthly BOD meetings.
- 6) Maintain historical irrigation service and repair documentation
- 7) Provide weekly updates to the Secretary by Sunday AM relating to irrigation service for the weekly email blast.
- 8) Complete a Confidentiality and Return of Records Form

#### **15. Telephone Communications.**

The Board Secretary will have the corporation phone service transferred to their personal cell phone. The Secretary is to manage phone inquiries. Return Calls and/or emails will be returned within 24 hours, accounting questions will be referred to the Treasurer and Bookkeeper and will be returned within 2 business days, and irrigation questions will be returned within 48 hours either by an Irrigation Committee Member or the Secretary.

Irrigation emergencies will be addressed as soon as possible by an SBFE BOD or representative(s) from the Irrigation Committee and communicated to the President and Secretary in the event notification needs to go out to the Community. Property specific irrigation related calls will be forwarded to the Irrigation Service Company.

#### **16. Property Owner Responsibilities**

Property owners who have **not** participated in irrigation service prior and would like to begin irrigation service, must complete a Membership/Irrigation Service Election form, and pay 3 months of irrigation service dues in advance, in addition to the monthly due to start irrigation service. The property will be reviewed by the Irrigation Service Company to ensure the valve and risers are operational and the berms are adequate to hold irrigation water.

Property owners that do not participate in Irrigation Service are **required** to allow access to their property to review, repair and service the irrigation line, valve and risers are their property.

Property owners are restricted to plant, build fencing, buildings or structures that obstruct the irrigation line, valve, and riser that run-in front, behind or on their side areas of their properties. Property owners who have planted (or there are existing) foliage, trees, fencing or structures near the irrigation lines, valves and risers will be responsible for any and all damage, repairs and removal of the foliage, trees, fencing or structure should it arise. All costs incurred will be subject to collections pursuant to Arizona Law.

Property owners are to contact the BOD to have their irrigation lines, valve and risers marked.

Property owners are required to contact AZ Blue Stake to have utility lines marked on their property before planting or building any structure on their property.

Property owners will be billed for all costs incurred for any damage to the irrigation line, Standpipes, valves, and risers by Contractors hired by the Property owner.

Property owners are responsible to ensure that utility companies, i.e., phone and cable have notified SBFE that they will be on-site to perform repairs. Property owners are responsible to communicate to the utility company it is prohibited to have an open trench, above ground wire and cable at any time on the Bridle Path or side easements.

Property owners are prohibited to have contractors, landscapers and invited guests park on the Bridle paths.

The Corporation follows the City of Phoenix Neighborhood Services Guidelines and Zoning. Properties that are deemed to have potential infractions or zoning issues will ensue the SBFE BOD to contact either entity and/or file a complaint.

SBFE properties are **zoned Single Family** and the City of Phoenix guidelines to operating a business from any property are located on Phoenix.gov. Individual property owners are responsible to follow the zoning guidelines.

BOD will uphold the CC&R's relating to Single Family zoning. No Casita, Guest House or any such sub structure not attached to the main home is in violation of City of Phoenix zoning if the property owner is renting, or leasing said structure for income. Airbnb, and any form of Vacation rentals that are a sub structure that is not attached to the main home is in violation of City of Phoenix zoning and the BOD will submit a complaint to the City of Phoenix.

Property owners that use their properties (main home) for Airbnb, Vacation rentals, are required to file and complete all the necessary documentation and pay the required fees with the City of Phoenix.

Property owners are required to notify SBFE BOD that their property (main home) is an Airbnb or Vacation rental and provide emergency contact information should there be a need to access the property relating to the irrigation lines that run through all properties located in SBFE. City of Phoenix requires that proper signage be visible on the property noting contact information and other. NOTE: Casitas, Guest houses, storage areas and properties used to store Recreational vehicles, Campers of any kind, Boats and trailers are not to be rented for income. SBFE properties are zoned Single Family. Properties in violation will be referred to the City of Phoenix to rectify the situation.

Property owners are responsible to ensure that individuals participating in their Airbnb or Vacation rental adhere to the community guidelines. Any damage to the Bridle Paths or irrigation system and costs incurred to repair either will be billed to the property owner.

Property owners who have tenants living in their homes are required to provide the Property Management company contact information and/or the tenant information so SBFE has this noted on the account files should an emergency or other important situation that arises relating to the irrigation system or Bridle path. Property owners are responsible to ensure that individuals that are their tenants adhere to the community guidelines. Any damage to the Bridle Paths or irrigations system and costs incurred will be billed to the property owner.

Property owners are to ensure that they are following the City of Phoenix guidelines for storage of RV's, vehicles and other on their property front, side, and back areas.

## **17. Bridle Paths/Easements.**

All property owners are to maintain their easement as shown on the plat map and may not obstruct the Bridle Path/Easements in any way.

The BOD has the authority to remove any obstruction for failure of the property owner to maintain their portion of the Bridle Path and side easements and bill the property owner for all costs associated with the removal.

If there is abuse of the Bridle Paths by a property owner, contractor hired by property owner or guests of a property owner causing damage to the Bridle Paths, i.e., rutting, all costs incurred will be billed to the property owner.

In the event of an emergency, SBFE BOD has the authority to close or restrict access on a Bridle Path to repair unsafe conditions or work on the irrigation system.

Bridle Paths/Easements are graded, and additional fill material brought in to fill ruts and holes by the corporation, however, it is the property owner's responsibility to keep their section of the Bridle Path easement and any side easement clear of any overhanging trees, overgrowth of shrubs, grass, or weeds along their property fence lines. Trees and shrubs need to be trimmed tight to the property fence line and must not be hanging lower than sixteen feet or protruding from the property fence line and no more than one foot from the property fence. Fence lines are to be maintained in a safe manner and not protruding or leaning into the Bridle Path. Properties with privacy screening on their back fence needs to be secured and not bellowing into the Bridle path or haphazardly hanging. Property owners are prohibited to plant, place rock, concrete or other materials on the Bridle Path easement or side easements.

Property owners that are members will receive (2) written requests sent via email if one is available or via US Mail to trim, remove overgrowth or overhanging vegetation or other debris from the back of their properties or side easements. Failure to correct the situation after the 2<sup>nd</sup> letter, will result in the property owner being charged for the removal of vegetation or other foliage/materials. SBFE will send a separate invoice for the collection of the removal along with copies of both letters sent to remove the infraction. Property owners who are not members will receive (2) written requests sent via email if one is available or via US Mail to trim, remove overgrowth or overhanging vegetation or other debris from the back of their properties or side easements. Failure to correct the situation after the 2<sup>nd</sup> letter, will result in the BOD processing a claim. All costs incurred will be subject to collections pursuant to Arizona Law.

No dumping of any kind allowed in the Bridle Path/Easements, Including the placement of rock or any other material along property lines.

Each entrance of the Bridle Paths displays the following: Private Property No Trespassing. Enter/Use Bridle Paths at your own risk – Use Caution, Speed Limit 5 mph., Do Not Use Bridle Paths When Wet, Vehicle Weight Limit 25,000 CVW, Parking Prohibited, No Dumping, Limited Liability of Equine Owners. Failure to abide by the restrictions posted by a property owner, hired contractors, or invited guests will be subject to collections under Arizona Law.

The Bridle Paths are for property owners' and their invited guest's ingress and egress.

No ATV of any kind or Dirt Bikes are to be used on the Bridle Paths.

Family members living in substructures on property are **not** to use the Bridle Paths to enter the property and use as ingress and egress to structure.

Bridle Paths are **not** to be used by property owners for commercial use.

Bridle Paths are **not** to be used for ingress and egress to properties where property owners are using their home as an Airbnb or Vacation Rentals.

#### **18. Mosquito Control Guidelines.**

Property owners will comply with Maricopa County Health Code. Everyone is responsible for eliminating and preventing mosquito breeding on their property.

Any property not in compliance with Maricopa County Health Code or having noticeable standing water over 48 hours after irrigation service will receive a Door Hanger left by the Irrigator Company to correct the problem. If the property owner has not informed the SBFE BOD before the next

irrigation cycle that the situation has been corrected and it has not been verified by a member of the Irrigation Committee, the property will be placed on the Irrigation Service Suspended list. The property owner must show verification that the situation was corrected prior to the next irrigation cycle to be taken off the Irrigation Service Suspended list, i.e., low spots on the property have been filled with dirt or other soil, tractor work has been performed to aerate the property.

Properties that are non-irrigated and have noticeable standing water over 48 hours following rainfall are required to comply with Maricopa County Health Code.

**19. Delinquency, Non-Compliance, Violations (CC&R'S, By-Laws, Rules & Regulations Documents).**

Any violation(s) of the CC&R's, By-Laws, and/or the Rules & Regulations Document, will cause the BOD to send out a notice informing property owners of the infraction and fees or other charges as applicable. Should the property owner fail to respond, the BOD will be required to engage legal service and fees for legal counsel will be billed to the Property owner.

SBFE Rules and Regulations are subject to revision by a majority vote of the BOD after posting on one or all the following: the Well-site Bulletin Board, email notification and/or notice on the corporation Website or SBFE BOD Agenda for monthly meetings. The R&R cannot conflict with the CC&R's or the By-Laws and are used to facilitate the day-to-day operations of the BOD and maintain the integrity of the community and property values.

**CERTIFICATION**

I, the undersigned Secretary of Sunburst Farms East Inc, do hereby certify that the foregoing Rules & Regulations of the community association have been duly adopted and approved by a majority vote of the Board of Directors on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and that this henceforth supersede any previous adopted document.

\_\_\_\_\_, SBFE Secretary  
Signature

\_\_\_\_\_  
Print Name