

necessary or desirable on Properties, or for reasonable accommodation of a Guest or other transient invitee of the Resident. The Board may promulgate supplementary rules to govern its issuance of such permits.

**Section 10. Lights and Exterior Lighting.** Inasmuch as there is no street lighting in the subdivision, Residents shall utilize, and maintain in working condition, dusk-to-dawn automatic light switches for the post lights on the street side of their Lots. This requirement to provide nighttime lighting is to assure added safety and security for all residents of this subdivision. All other exterior lights must be located and maintained so as not to be directed toward or interfere with surrounding Properties.

**Section 11. Tennis Courts and Guest Houses.** Tennis courts and guest houses may be permitted on Lots 199 through 213, but only with the prior approval of the Architecture Committee.

**Section 12. Common Areas.**

**A. Drainage Ways.** Within drainage-ways, no structure, planting or other material shall be placed or permitted to remain which may change the direction of flow or which may obstruct or retard the flow of water.

**B. Management.** With regard to Common Areas, they shall be managed in compliance with the Pima County Zoning Ordinances.

**Section 13. Failure to Comply.** The failure of an Owner to comply with the requirements of the Articles of this Declaration or Rules and Regulations may result in additional assessments in accordance with Article VII, Assessments.

**Section 14. Protest of Notification.** Any Owner so notified of an offending condition may, within thirty (30) days after receipt of such notification, request, in writing, a hearing before the Board of Directors to protest the finding of an offending condition. The Board's determination regarding the existence and need for remedy of an offending condition shall be final.

**Section 15. Grading or Excavating.** No grading or excavating shall be done on any Lot without prior approval by the Landscape Committee. Any material surplusage, i.e., spillover, shall not be pushed or dropped down the slope but shall be removed from the site at the Owner's expense.

**Section 16. Solicitation.** No solicitation of any form is permitted on the Properties except by persons receiving prior approval by the Board of Directors.

**ARTICLE XIII**  
**GENERAL PROVISIONS**

**Section 1. Enforcement.**

**A. Arbitration.** In the event of any dispute, claim, or disagreement arising from or relating to qualitative or subjective provisions of this Declaration, the parties thereto shall use their best efforts to settle such issue through negotiation with one another in good faith and, recognizing their mutual interests, attempt to reach a