

MAIL-IN / ABSENTEE BALLOT
TONTO HILLS IMPROVEMENT ASSOCIATION
PROPOSED AMENDMENT TO THE TONTO HILLS DECLARATION OF RESTRICTIONS

The Association's Board of Directors ("Board") proposes to amend the Declaration of Restrictions ("DoR") for Tonto Hills Improvement Association ("Association") for the purpose of revising the hillside disturbance requirements in an effort to preserve and secure the hillside community by providing specific rules and restrictions governing construction on hillside properties.

In order for the proposed amendment to pass, the Association must obtain the affirmative vote of more than fifty percent (50%) of the property owners. Any Amendment adopted by the Association must be recorded with the Maricopa County Recorder's Office.

Please return this Mail-In/Absentee Ballot by mail to Tonto Hills Improvement Association, c/o Mulcahy Law Firm, P.C., 3001 E. Camelback Road, Suite 130, Phoenix, AZ 85016, or by email to association@mulcahylaw.net, on or before **April 15, 2018**. Once cast, this ballot shall be irrevocable.

Set forth below is the proposed language for the amendment. The proposed additions are in ALL CAPITAL LETTERS AND UNDERLINED any deletions are marked with a ~~strike through~~.

1. Amend Paragraph 1 of the DoR as follows:

~~No structure of any kind shall be commenced, placed or architecturally modified in Tonto Hills until the design, location, and the kind of materials to be used therein have been approved by a majority of the Architectural Control Committee of the Tonto Hills Improvement Association, defined below.~~

NO NATIVE LOT VEGETATION SHALL BE DISTURBED AND NO STRUCTURE OF ANY KIND SHALL BE COMMENCED, PLACED OR ARCHITECTURALLY MODIFIED IN TONTO HILLS UNTIL THE DESIGN PLAN, BUILDING SITE, AND ALL VISIBLE MATERIALS TO BE USED THEREIN ARE APPROVED BY A MAJORITY OF THE ARCHITECTURAL CONTROL COMMITTEE. NATURAL LANDSCAPE DISTURBANCE ON ALL RESIDENTIAL LOTS SHALL NOT EXCEED TWENTY-FIVE PERCENT (25%) OF THE TOTAL LOT AREA AND MUST BE LOCATED WITHIN THE REQUIRED LOT SETBACKS, AND ALL SUCH DISTURBANCES MUST BE REVEGETATED WITH HIGH SONORAN DESERT PLANT MATERIAL. ANY DISTURBANCE PRE-CONSTRUCTION WILL BE RE-PLANTED WITH HIGH SONORAN DESERT PLANT MATERIAL, AT THE LOT OWNER'S SOLE COST. IF CONSTRUCTION IS NOT COMMENCED WITHIN ONE-HUNDRED EIGHTY (180) DAYS AFTER APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE, SUCH APPROVAL MAY BE VOIDED.

Please vote by circling the position you support below:

I agree to amend Paragraph 1 of the DoR as set forth above.

YES

NO

Date: _____ Address: _____ Lot Number: _____

Name: _____ Signature: _____

(Note: Only one Record Owner of a Lot is required to sign the Mail-In/Absentee Ballot)