

**RESOLUTION OF THE BOARD OF DIRECTORS  
TUBAC VALLEY PROPERTY OWNERS' ASSOCIATION  
ADOPTING ARCHITECTURAL REVIEW FEE SCHEDULE**

Resolution No. 04012026

**RECITALS**

- A. The Declaration of Establishment of Conditions and Restrictions for Tubac Valley Country Club Estates was recorded on August 12, 1960, in the office of the County Recorder of Santa Cruz County, Arizona, in Book 4 of Arts at Page 446 (the "Declaration" or "CC&Rs").
- B. Section 2, Paragraph 1 of the Declaration provides that the Tubac Valley Country Club, Inc., or its successors, shall appoint a Supervising Architect who shall be a registered architect, and that the Supervising Architect shall review all drawings, specifications, and color schemes submitted, approve or disapprove same on the basis of compliance with the Declaration, and "perform such other duties as are specifically set forth in this Declaration." The decisions of the Supervising Architect are stated to be final.
- C. The Association owns and maintains the private roads in the community. Due to the impact of certain construction equipment and materials, the Association needs to protect the private roads from damage during construction. State statute authorizes the Association to adopt guidelines that include construction deposits pursuant to A.R.S. § 33-1817(B).
- D. The Declaration provides for a fee for submittal of plans, but that fee has not been updated since 1960 to reflect inflation and the cost of professional architectural services. The Board has determined that this fee should be brought in line with current values.
- E. Article IV, Section 4 of the Articles of Incorporation dated August 5, 1960 provides that one of the purposes of the Association is to orchestrate the provision of services as may provide mutual benefits to the property and property owners, and Article VII provides that the Board may charge individual owners that receive those services.
- F. Section 800 of the Restated and Amended Bylaws of the Tubac Valley Property Owners Association, dated February 10, 2017 (the "Bylaws"), provides that the Board of Directors shall have the powers and duties necessary or appropriate for the administration of the affairs of the Association, and that all powers of the Association, except those specifically granted to members by law, the Articles of Incorporation, or the Bylaws, shall be vested in the Directors. This residuary power expressly authorizes the Board to adopt rules and fee

schedules for the administration of the Association's affairs, including those related to architectural review and enforcement.

- G. Section 1001 of the Bylaws provides that the Board shall appoint an Architectural Committee consistent with Section 2.2 of the Declaration, with such powers as enumerated in the Declaration and in Section 501(c) of the Bylaws. Section 1007 of the Bylaws further provides that each committee may adopt rules for its own government not inconsistent with the Bylaws or with rules adopted by the Board of Directors.
- H. The Board has determined that it is in the best interests of the Association and its members to adopt a fee schedule that fairly allocates the costs of architectural review and enforcement services to the lot owners who require such services.

## **RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Tubac Valley Property Owners' Association as follows:

The following schedule of fees has been established in conjunction with the outlined scope of the proposed category of work.

All checks should be made payable to:

Tubac Valley Property Owners Association  
c/o Stellar Property Management  
PO Box 18108  
Tucson, AZ 85731

Please provide Property Owner Name, Lot #, Street Address, and Project Category.

### **Plan Design Review Fee Schedule---Non-Refundable**

1. New home construction or detached casita - \$2,000. Note: Does not include landscape plan outside buildable area (see below).
2. Existing home modification or structural addition to existing home - \$750 minimum to \$1500 maximum for larger projects requiring a permit. Such as attached garage, perimeter walls with or without gates, and additional structures.
3. Landscape plan outside of buildable area - \$500. Note: for new homes this fee is to be submitted when the landscape plan is ready for review after major construction is completed per the approved construction schedule and it is time to begin the landscaping phase.
4. Driveway renew or refurbish - \$500. Hardscape material review with special attention to matching drainage swale profile, uninterrupted surface drainage pathway, attention to runoff from driveway to street, and approved driveway to pavement transition interface.

5. Small projects - \$150 to \$350. For example, residence color change (full or partial areas, including window frames and garage doors), courtyard and garden walls to be built to maximum of 4 feet in height (not lot perimeter walls or rear area wall enclosures), and other proposed exterior changes requiring compliance or aesthetic review by the Supervising Architect. The amount of the fee is to be determined by the ArchComm in consultation with the Supervising Architect prior to the plan being reviewed for approval.
6. Solar Installation - \$500. Submittal of Solar Installation plans for approval review by the Supervising Architect prior to start of project. Proposed location of system and screening if necessary to block visibility from street and visibility to the surrounding neighbors to be considered.
7. Other Projects and Maintenance – NO Charge. Landscaping inside garden walls, natural growth maintenance outside garden walls (weeding, dead or overgrown material, fire mitigation, other minor removal) - No charge.

### **Construction Compliance Deposit Schedule---Refundable**

1. New home construction or detached casita - \$10,000.
2. Existing home modification or structural addition to existing home - \$2000 minimum or as determined by the SA and Architectural Committee based on the scope of the project and impact on the neighbors and community.
3. Landscape plan outside of buildable area - \$ 1000 Depending on scope of work and size of machines required.
4. Driveway renew or refurbish - \$ 1000 Depending on scope of work and size of machines required.
5. Small projects – No Construction Compliance Deposit Required.
6. Solar Installation - \$1000. A refundable deposit of \$1000. The deposit will be returned to the homeowner upon installation completed in accordance with approved plans. Any solar installation done prior to approval will result in the immediate forfeiture of the deposit and may result in a requirement of further remedial action.

These fees are payable on submission of plans for review by the Supervising Architect following the onsite predesign meeting for New Home construction or for a Detached Casita.

For all other project categories where no onsite meeting is necessary, fees are payable on submission of plans for review.

**Plan review will not commence without receipt of the plan review fee.**

See the **Construction Guidelines for Homeowners and Builders** for a summary of the approval process and schedule requirements at the TVPOA website.

Payment of the Construction Compliance Deposit must be paid at the same time as the project plans are submitted for Supervising Architect review for approval of project.

*The Construction Compliance Deposit shall be placed and maintained in a bank account with the following conditions:*

- a) The bank account earns no interest for any monies deposited.*
- b) If the construction project is abandoned, the Board of Directors of the Association may determine the appropriate use of any deposit monies.*
- c) At the completion of the construction project for which the deposit applies, an assessment of any extra review charges or additional services provided by the Supervising Architect will be determined. Also, an assessment of the condition of the construction site and surrounding properties, and the before and after condition of the roads, driveways, and other improvements that may or may not have been affected by the construction project, will be determined.*

The Construction Compliance Deposit is to ensure that all construction, either new or any modifications, changes, and additions to an existing residence, complies with all of the applicable provisions and standards of the Declaration of C&R's and the Construction Guidelines.

Failure to comply with these standards and procedures may result in the forfeiture of any portion or all of the Deposit to the Association.

**Using Construction Compliance Deposit (Refundable) for Restoration or Repair of Other Property Damaged.**

Damage to and scaring of other property will not be permitted. This includes, but is not limited to, other Lots, Common Areas, open space, the TVPOA private roads in particular, driveways, and/or other improvements.

If any such damage occurs, it must be repaired and/or restored promptly at the expense of the Owner of the Lot upon which the person causing the damage is working.

Upon completion of construction, each Owner and Builder shall clean his construction site and repair all property which was damaged, including but not limited to restoration of vegetation where necessary and also repair of streets, driveways, pathways, drains, culverts, ditches, swales, signs, lighting, and fencing as approved or required by the TVPOA, Supervising Architect, Architectural Committee and/or Road Committee.

Soil and rocks deposited into the street from an owner's property shall be removed by that owner as expeditiously as possible to prevent damage to the street surface.

It is recommended that photographic evidence be taken to document the before-construction conditions so that these can be compared to the after-construction conditions if issues arise. Particular points of emphasis should be road and pavement conditions, entry and exit areas of the project, and any common or surrounding areas.

## **MISCELLANEOUS PROVISIONS**

### **Enforcement Cost Recovery.**

Nothing in this Resolution shall limit the Association's right under Section 9, Paragraph 6 of the Declaration to recover all costs incurred in enforcing the provisions, restrictions, conditions, and covenants of the Declaration, including reasonable attorney's fees, from the owner of the lot or lots in breach. The fees established in this Resolution are minimum charges for the Supervising Architect's services and do not constitute a cap on the Association's right to recover the actual costs of review or enforcement where such costs exceed the scheduled fees.

### **Periodic Fee Adjustment.**

The Board may periodically adjust the fees established in this Resolution to reflect changes in the Supervising Architect's charges, or other factors affecting the cost of architectural review. Such adjustments shall be made by Board resolution and shall take effect upon written notice to the membership.

**ADOPTED** by the Board of Directors of Tubac Valley Property Owners' Association at a duly noticed meeting held on April 21, 2026, at which a quorum was present.

Authentisign  
*Torry Johnson*  
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President, Board of Directors  
Tubac Valley Property Owners' Association

Authentisign  
*Karen Sykes*  
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Secretary, Board of Directors  
Tubac Valley Property Owners' Association

Date: 05/13/26  
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