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Krupnik & Speas, LLC
3003 N. Central Avenue, Suite 2616
Phoenix, AZ 85012

**VENTURE OUT AT MESA, INC.
RULES
ANTENNA RESOLUTION AND POLICY**

I. Introduction

- A. Venture Out At Mesa, Inc. (the "Association") is governed by the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Venture Out At Mesa, Inc., an Arizona nonprofit corporation, recorded at Instrument No. 2011-0191987, records of Maricopa County, Arizona Recorder (the "Declaration").
- B. Section 3.4 of the Declaration provides, in relevant part: "it is mandatory that a Lot Owner obtain from the Architectural Inspector a permit authorizing the installation of ... Accessory Structures, exterior alterations ..., or other Lot improvements."
- C. The Association hereby adopts this Resolution and Policy to regulate the installation, use and maintenance of satellite dishes and antennas that are governed by rules established by the Federal Communications Commission.
- D. While this Resolution and Policy applies to all Owners, Renters, and Occupants within Venture Out, the Owner of a particular Lot is ultimately responsible for compliance with this Resolution and Policy.

II. Types of Antennas

- A. This Resolution applies only to the following types of antennas listed in the FCC Rule:
 1. Direct Broadcast Satellite ("DBS") antennas one meter in diameter or less, and designed to receive direct broadcast satellite service, including direct-to-home satellite service, or receive or transmit fixed wireless signals via satellite, may be installed, while DBS antennas larger than one meter are prohibited outside the Recreational Vehicle or Park Model ("Dwelling") without the written approval of the Architectural Inspector.
 2. Multi-point Distribution Service ("MDS") antennas one meter or less in diameter or diagonal measurement, designed to receive video programming services (wireless cable) or to receive or transmit fixed wireless signals other than via satellite, may be installed, while MDS antennas larger than one meter are prohibited outside the Dwelling without the written approval of the Architectural Inspector.

3. Antennas designed to receive local television broadcast signals (“TVBS”) may be installed. Masts higher than twelve feet (12’) above the roof line are prohibited outside the Dwelling without the written approval of the Architectural Inspector.
 4. Antennas designed to receive and/or transmit data services, including Internet access may be installed. Masts higher than twelve feet (12’) above the roof line are prohibited outside the Dwelling without the written approval of the Architectural Inspector.
 5. If the FCC expands the types of antennas that fall under the FCC Rule, this Resolution and Policy shall encompass those antennas as well.
- B. All other antennas, except the ones listed above, are prohibited outside the Dwelling without the written approval of the Architectural Inspector.

III. Location and Installation

If the antenna is one of the three types allowed to be installed without prior written approval from the Architectural Inspector, the antenna must still comply with the following regulations:

- A. No antenna may encroach upon the Common Elements or the property of another Owner.
- B. An antenna must be placed inside the Dwelling if an acceptable signal quality may be received from any place within the Dwelling. If not the Dwelling, then antenna must be placed in the back yard if an acceptable signal quality may be received from that location. If not the back yard, then the antenna must be placed in the patio side yard if an acceptable signal quality may be received from that location. If not the patio side yard, then the antenna must be placed on the back or the back-sloping portion of the roof of the Dwelling if an acceptable signal quality may be received from that location. If not the back or back-sloping portion of the roof, then the antenna may be placed on the front or the front-sloping portion of the roof of the Dwelling if an acceptable signal quality may be received from that location.
- C. The antenna must be shielded from view from the street and neighboring properties to the maximum extent possible as long as an acceptable signal quality may be received. If necessary to shield the antenna from view, the Architectural Inspector may require that the antenna be shielded by reasonably priced screening materials or landscaping that complies with the Association’s design requirements.
- D. Antennas, masts, and any visible wiring must be painted to match the color of the structure to which they are installed, provided the painting does not interfere with acceptable quality signal and does not void the manufacturer’s warranty.
- E. To the extent that it does not create an unreasonable expense, wiring for the antenna shall follow the edges of the structure to which it is installed, shall not be laid across roofing materials, but instead along the edge of the roof, and shall not be installed diagonally.

- F. The antenna must comply with all applicable city, county and state laws, regulations and codes. The Association must be provided with a copy of any applicable governmental permits.
- G. Installation must be pursuant to the manufacturer's instructions.
- H. In order to protect against personal injury and property damage, an antenna may not be placed in a location where it may come into contact with a power line.
- I. In order to protect against personal injury and property damage, all antennas must be properly grounded and secured.
- J. In order to protect against personal injury, antennas may not block or obstruct any driver's view of an intersection or street.
- K. If the antenna is attached to a mast, the following regulations apply:
 - 1. Mast height shall be no higher than absolutely necessary to receive acceptable signal quality.
 - 2. Masts that extend more than twelve feet above the roof line must be approved by the Architectural Inspector before installation and the application must include a detailed description of the method by which the mast is secured and an explanation regarding the necessity of such a mast.
 - 3. Masts must be installed and painted to match their surroundings.
 - 4. Masts must not encroach upon the Common Elements or another Owner's property.
 - 5. In order to protect against personal injury, masts installed upon a roof may not be installed nearer to the Lot line than the total height of the mast and antenna.
 - 6. In order to protect against personal injury and property damage, a mast may not be installed so that it would touch a power line if it fell.

IV. Maintenance

- A. The Owner is responsible for all costs associated with the installation and maintenance of an antenna.
- B. The Owner is responsible for all damage caused by or connected with the antenna.
- C. The Owner must hold the Association harmless and indemnify the Association in the event that someone is injured by the antenna.

- D. The Owner shall keep the antenna in good repair so that it does not violate any portion of this Resolution and Policy.
- E. The antenna is permitted for as long as it is necessary to receive service; once the antenna is no longer being used to receive service, it must be removed from the exterior of the Dwelling.

V. Notification

- A. An Owner must complete the notification form attached as Exhibit A and submit a copy of the completed form to the Association within five (5) business days after installing an antenna allowed pursuant to this Resolution and Policy.
- B. If requested by the Architectural Inspector, the Owner must establish a mutually convenient time to meet with the Architectural Inspector to review and discuss the antenna.

VI. Enforcement

- A. In the event of a violation of this Resolution and Policy, the Association may bring an action for declaratory relief with the FCC or the Maricopa County Superior Court after notice and an opportunity to be heard.
- B. If an antenna poses a serious, immediate safety hazard, the Association may seek injunctive relief to compel the removal of the antenna.
- C. The Association shall be entitled to recover its reasonable attorney's fees, costs and expenses incurred in the enforcement of this Resolution and Policy.

VII. Severability

- A. If any provision of this Resolution and Policy is ruled invalid, the remainder of these rules shall remain in full force and effect.
- B. If the FCC modifies its rules, the modified rules shall be incorporated into this Resolution as if fully set forth herein.

CERTIFICATION

This Antenna Resolution and Policy is adopted and is immediately effective this 26th
day of March, 2025

Signature: *Jim Van Heule*
Printed Name: Jim Van Heule
President, Venture Out At Mesa, Inc.

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 26th day of March, 2025, before me personally appeared Jim Van Heule, whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document, and who acknowledged that he/she signed this document.

Pamela R. Byfield
Notary Public

Notary Seal:

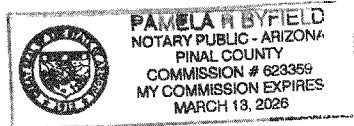


EXHIBIT A
Notice of Installation of Antenna on Lot

Homeowner(s): _____

Address: _____

Phone: (Day) _____ (Evening) _____

Type of Antenna: _____

Direct broadcast satellite 18-inch Other Size _____

Television broadcast

Multi-point distribution service Size _____

Internet Size _____

Company Performing Installation: _____

Identify Installation Location: Patio Rear Yard Roof
Other Indicate "other:" _____

Date Installation Performed: _____

Please indicate the method of installation.

Will the installation be in compliance with all Association guidelines (which include manufacturers' guidelines and applicable building codes)? Yes No

Please provide three days and times for which you are available to meet with us to discuss the antenna installation. At this meeting, you will need to provide information supporting the necessity for non-routine installation.

Is a mast necessary for reception? Yes No

If yes, is the mast required to extend more than twelve feet (12") above the roofline or extend to a height greater than the distance from the installation to the Lot line? Yes No
If yes, you must complete the form for mast installation.

I will comply with all Association rules for installing, maintaining, and using antennas. I assume liability for any damage to the Association and other Owners' property that occurs due to antenna installation, maintenance and use.

Signed: _____ Date: _____

EXHIBIT B

Notification Form for Installation of Oversized Masts

Is a mast extending more than twelve feet above the roofline required for your antenna?

Yes No

Is a mast extending higher than the distance from the installation to the Lot line?

Yes No

If you responded “yes” to either question, please provide your reasons why such a mast is necessary. Include a detailed drawing of the installation plans, including:

- Description of the antenna and mast.
- Exact location of the mast and antenna installation.
- Description of the manner and method of installation.
- Total height of the mast and the height it will extend beyond the roofline. *(Include an explanation of why the mast must extend to this height.)*
- Manufacturer specifications regarding the installation of the mast.

Please provide a copy of the certificate of insurance of the contractor installing the antenna and the mast.

I will comply with all Association rules for installing, maintaining and using antenna masts. I assume liability for any damage to the Association or other Owners’ property that occurs due to mast installation, maintenance, and use.

Signed: _____

Date: _____

Address: _____

Phone: (Day) _____ (Evening) _____