

McDowell Mountain Village

Scottsdale, Arizona

SIGN CRITERIA

I. INTRODUCTION

The purpose of this sign criteria is to ensure an attractive shopping environment and to protect the interests of the surrounding neighborhood, Landlord, and Tenant. Conformance shall be strictly enforced and any installed nonconforming or unapproved signs shall be brought into conformance at the sole expense of the Tenant.

Each Tenant shall obtain a copy of the sign program including this criteria before designing their sign.

II. General

- A. Landlord shall administer and interpret the criteria and shall have the right to approve all signs in writing prior to their installation.
- B. Tenants, at their expense, shall identify their premises with one exterior wall sign per street front on the fascia or face of their building and one arcade sign above their storefront.
- C. Submittal and Compliance
 - 1. Tenant shall submit or cause to be submitted to Landlord for approval three (3) sets of detailed shop drawings covering location, sizes, design, color, materials, lettering, graphics, conduits, junction boxes, sleeves and other mounting apparatus of the proposed wall sign and arcade sign.
 - 2. Landlord shall review the drawings and return two sets marked "Approved", "Approved as Noted", or "Revise and Resubmit".
 - a) "Approved" drawings will permit the Tenant to proceed with construction and installation of its sign in accordance with the drawings.
 - b) "Approved as Noted" drawings will permit the Tenant to proceed with sign construction and installation, provided that the modifications noted are incorporated into the design. If the Tenant takes exception to the modifications, Tenant shall revise and resubmit under (c) below.
 - c) "Revise and Resubmit" drawings will be returned to the Tenant with comments. These drawings shall be revised and resubmitted for Landlord approval within fifteen (15) days of their receipt by Tenant.
 - 3. No signs, advertisements, notices, or other lettering shall be displayed, exhibited, inscribed, painted, or affixed on any part of the buildings visible from outside the premises except as specifically approved by Landlord. Signs which are installed without written approval or inconsistent with approved drawings may be subject to removal and reinstallation by Landlord at Tenant's expense. Rude, obscene, or offensive signs are not permitted in any location, whether or not visible from outside the premises and shall be removed at Landlord's discretion.
 - 4. The City of Scottsdale requires sign permits for all signs and electrical permits for any sign, which is illuminated. It shall be the Tenant's sole responsibility to secure these and any other permits which may be required.
 - 5. Any sign presented for approval by the Tenant shall conform with the sign package finally approved by the City of Scottsdale.

6. Landlord's approval of Tenant's plans shall not constitute an implication, representation, or certification by Landlord that said items are in compliance with applicable statutes, codes, ordinances, or other regulations. Said compliance shall be the sole responsibility of Tenant for all work performed on the premises by or for Tenant.
 7. All signs must meet applicable setbacks.
- D. Tenant shall be fully responsible for the upkeep and maintenance of Tenant's sign(s) and Tenant shall have any sign defects repaired within five (5) days. If Tenant does not repair said sign(s), Landlord, at Tenant's sole cost and expense, may repair and/or replace said sign(s).

III. DESIGN REQUIREMENTS

- A. Power to illuminate the Tenant sign shall be from Tenant's meter switched through a Tork DW-2100AY time clock set in accordance with schedules determined by Landlord.
- B. Animated, flashing, blinking, rotating, moving, audible, placards, posters, playbills, postings, paintings, change-panel, flags, signs in public rights-of-way, and fixed balloons are not permitted.
- C. Signs will be restricted to advertising only the person, firm, company or corporation operating the use conducted on the site, or the products sold therein.

- D. Monument Sign (see Exhibits 1 and 2)

Center ID sign shall consist of an aluminum cabinet on a stone veneer base with internally illuminated letters, per Exhibits.

The one monument sign on Thompson Peak Parkway and one on Frank Lloyd Wright Boulevard are the only freestanding signs allowed along the street frontage. These two signs must be turned off from 11:00 p.m. to 6:00 a.m.

- E. Major Tenant Sign (see Exhibit 3, 3A, 3B, 3C)

Signs shall consist of a non-illuminated logo sign with green neon halo-lit AJ's letters pegged off the logo and individual reverse pan channel letters.

Logo signs shall be 5'-5" diameter and 6'-0" diameter. Individual letters will be 2'-0" height.

Colors shall be AJ's custom green, gray and white.

- F. Shop Tenant Signs (see Exhibit 7A, 7B)

Maximum sign area shall not exceed one square foot (1 S.F.) or 1½ S.F. per lineal foot of store width, per the site plan Exhibit 1. Minimum 50 SF. The length of any shop Tenant sign shall not exceed eighty percent (80%) of that Tenant's storefront width. Signs shall be mounted on the fascia above the shop and shall be individual, internally illuminated, channel letters. Returns and trim shall be same as face color. Typestyle per Tenant design. The minimum distance between the top of the sign band coping and any copy shall be 12".

Maximum Letter Height: Single Line 24"
 Double Line 16" either row, 30" maximum overall

Colors: Acrylite 607 1GP Blue, 507 Off Green, 262 0GP Rust or similar color. **Illuminated red and/or orange signage will not be allowed on the Property except for those national tenants, including Walgreens, who require such colors for their trademark signage. The Owner and the Association will work together in good faith to specify decorative lighting and a color scheme and palate for all elements of the development of the Property which will provide consistency with the character of the Scottsdale Horizon area per the Settlement Agreement. (See Exhibit 9.)**

- G. Arcade Sign (see Exhibit 4)

Each Tenant shall identify their store name only on an Arcade Sign per the attached Exhibit. Sign shall be non-illuminated.

H. **Directional Signs**

Signs necessary for on-premise vehicle control and the performance of business transactions from a vehicle shall be allowed subject to the following conditions:

1. Maximum area of 4 S.F.
2. Maximum height of 3'-0".
3. Signs shall be permanently affixed to the ground.

I. Landlord shall have the right to modify the design requirements for any Tenant.

Landlord shall comply with the Settlement Agreement dated August 18, 1998 and the Development Agreement No. 980114.

J. Sign text may be placed on more than one row, subject to space availability, required approvals, and provided the maximum allowable area guidelines are not exceeded.

K. Retail Tenants shall be allowed to place one (1) sign in the window panel adjacent to entrance door per the attached Exhibit. Business name, address or suite number, and hours of business shall be vinyl letters. No other window signage will be allowed without Landlord approval (see Exhibit 5.)

L. A Tenant may identify their rear service door for delivery and emergency purposes only per the attached Exhibit. Signs shall identify Tenant's name only and be located in the center of the door, five feet (5'-0") from finished floor to bottom of one (1) 6" x 24" plaque. 1/2" maximum engraved white copy on engraving stock. Letter style same as storefront (see Exhibit 6.)

M. No sign shall be closer than 12 inches (12") from a demising partition between Tenants.

IV. CONSTRUCTION REQUIREMENTS

A. All sign bolts, fastenings, sleeves, and clips shall be of hot dipped galvanized iron, stainless steel, aluminum, brass, or bronze and no black iron material of any type will be permitted.

B. No labels shall be permitted on the exposed surface of signs, except those required by local ordinance. Those required shall be applied in an inconspicuous location.

C. All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight condition.

D. All exposed metals shall be painted to render them inconspicuous.

E. All neon shall have P-K housings.

F. Sign contractor and/or Tenant shall pay for any damage to the fascia, canopy, structure, roof, or flashing caused by sign installation.

G. No exposed tubing, ballasts, crossovers, conductors, transformers, conduit, or raceways will be permitted.

H. Wall signs shall be centered vertically and horizontally on the fascia.

I. All electrical signs shall bear the UL label.

J. All signs shall conform to the local Building Code Standards and Electrical Code Standards.