

ARCHITECTURAL CONTROL RULES POLICY

Any Owner planning a new build, whether home site or outbuildings or both, to include external additions affecting any dwellings elevation, must submit to the Association's Architectural Committee (Committee) a written request for approval. The Association's nonrefundable fees for Inactive Members (haven't paid annual dues) are \$250 for new residence, \$150 for new Outbuildings, and \$100 for decks, driveways, walkways, etc. These fees must be paid along with the other requests herein prior to the Architectural Committee to continue. The Owner's request shall include structural plans, specifications, and plot plans as described more fully below. The time period for the Committee's review does not commence until a complete application is submitted. Unless the Committee's approval of the proposal is first obtained, submitted to the EBOD, and approved by the EBOD, within 15 business days, no work on the project shall be undertaken.

Once a project and fees have been duly approved and accepted by the Committee, the Committee has provided a written document of approval, and approved by the EBOD, no modifications shall be made in the approved plans and specifications nor any subsequent alteration, relocation, addition, or modification shall be made to the project as originally approved. The modification will require a separate submission to and review by the Committee before the project may proceed. The Committee will maintain a heightened awareness of the need for constant process changes that are faced in both new and existing construction projects resulting from many variables. Our desire as a committee will be to react rapidly to changes in plans requiring review especially related to terrain, drainage, material issues, and cost saving approaches that may need quick review to keep projects moving forward—our desire is to assist, not to hinder.

Although it is recognized that the Committee's determination to approve or disapprove any project will, of necessity, be subjective to some degree, the members of the Committee shall act reasonably and in good faith. Factors commonly considered by the Committee in review of a proposed project shall include the quality of workmanship and materials proposed for the project; the harmony of the proposed project's exterior design, finish, and color with that of surrounding structures; and the proposed location of the project in relation to existing proximal areas and other structures with privacy of all parties as high priority. An applicant whose application is denied by the Committee and the EBOD may appeal that rejection by sending a notice of appeal to the HOA Board within 15 calendar days after the receipt of the EBOD's rejection of application. Within 15 calendar days of receipt of the notice of appeal, the Board must notify the applicant of the date, time, and place of an appeal hearing to be held at the next open meeting of the Board—not to exceed 30 calendar days from the Board's initial notice of appeal hearing.

The Committee shall be entitled to determine that a proposed project or a component thereof may be deemed unacceptable as proposed even if the same or a similar project or component has been previously approved for use at another location within the community. If factors such

as visibility from byways or other properties or prior adverse experience with a similar project or components, post completion design issues, unforeseen project liability for any party, or any other factor that might mitigate against the issuance of a project approval, the Committee has the right and obligation to disapprove the application and notify the EBOD of this decision. That said, past precedence will always weigh heavily in favor of a proposed project and will always be considered for the benefit of the Owner's submittal unless irrefutable evidence comes to bear that this particular project is a specialized case and may not be considered in context with similar past projects. This departure from precedent must be decided by both the Committee and the EBOD in joint agreement.

Preliminary Applications

To afford an Owner who is proposing to undertake substantial project investment an opportunity to obtain guidance and comment from the Committee before spending large sums for complete plans and specifications, any Owner may apply to the Committee for preliminary approval of the proposed project. Applications for the preliminary approval shall be considered and processed, and not limited to, as follows:

(1) Any application for preliminary approval shall be in writing and shall present sufficient detail to apprise the Committee of the general nature, location on the property, dimensions, and contemplated exterior design, color, masonry percentage, and finishes of the project.

(2) Within 15 calendar days after receipt of the application for preliminary approval, the Committee shall notify the EBOD to vote to grant the preliminary approval only if the proposed project, to the extent that its nature and characteristics are shown by the application, would be entitled to a final approval on the basis of a full and complete application. Failure of the Committee to act within 30 calendar days after the documented submittal date, the applicant should notify the Committee for a state of review.

(3) Any preliminary approval granted by the Committee must be submitted to the EBOD for approval. It shall be effective for a period of 90 calendar days from the date of issuance or such longer period as the EBOD, in its discretion, may grant. During that period, any application for final approval that presents complete plans and specifications as requested by the Committee for the proposed project, consistent with the provisions of the preliminary approval and otherwise acceptable under the terms of this Declaration and the Architectural Rules shall be approved by the Committee and the EBOD.

(4) In no event shall any preliminary approval of a proposed project be deemed to constitute final approval authorizing construction on the project. The purpose of the preliminary review is to give the Owner a measure of security in proceeding with the proposed project and to the commitment of funds thereto. Final approval shall be based on a complete submittal conforming to the requirements of subparagraphs (2) and (3) listed below in Final Application,

provided the Committee may, in its preliminary approval, waive any requirements that do not pertain to the proposed project, as provided in subparagraph (3).

Final Application

Regardless of whether an Owner elects to seek preliminary approval for a proposed project, all Owners who desire to undertake any projects must apply to the Committee and receive its prior approval from the EBOD before commencing any project(s) defined above including grading and preliminary ground work.

(1) The application shall be in writing and shall contain all information necessary to reasonably evaluate the nature, design, location, and extent of the proposed project, including, at a minimum, one complete set of plans and specifications for the project as defined and requested by the Committee either by Architectural Rules or while the project is under review.

(2) To be complete, the plans and specifications for the proposed project shall include a set of plans as requested by the Committee, the proposed construction schedule, elevation detail of all sides and the roof detail. Additionally, specifications for all proposed slab footprints, driveways, porches, patios, and out buildings along with their dimensions and locations from all property lines and setbacks will be required. Proposed electrification and/or plumbing of any structure or out-building must be stated on the original application. While blue line drawings are preferred, hand drawn prints with all appropriate dimensions will be acceptable.

(3) If the proposed project is not of a size and scope that would merit extensive plans and specifications, the Committee may waive or modify any of the above requirements upon a written request of relief from the Owner to do so.

(4) Plans and specifications shall be submitted to the Committee by personal delivery to any member of the Committee, or by any recordable means to any current Officer of the EBOD for delivery to the Committee. The automatic approval timed provisions shall not begin to run until the required package of plans and specifications is submitted. Work on the project shall begin promptly, and if the work is not commenced within 90 calendar days of the date approval is granted, any approval granted herein shall expire and a new application will be required. Further, the project shall be completed within 6 months of the date approval is granted. Either of these deadlines may be extended at the discretion of the Committee approved by the EBOD.

(5) If the proposed project will require alterations of drainage, potentially impair any natural sunlight, nightscape, or any other view rights, of any proximal neighbor, or give rise to any design issue wherein the Committee in its reasonable discretion believes the assistance of professional counsel might be required before approval of the project is authorized, the Committee may require the conference of the outside professional of the Owner's choosing and at the Owner's expense. This rare requirement would only be initiated in the most drastic of circumstances as it would never be the desire of the Committee to place undue burdens on any NRE Community Owner or new Owner to the NRE family.

(6) During the course of construction, representatives of the Committee shall have the right to inspect the jobsite during normal business hours to confirm that the project is proceeding in accordance with the approved plans and specifications. On the completion of any project for which Committee and EBOD approval is required, the Owner shall give the Committee a written notice of completion. Within 15 calendar days the Committee may inspect the project to determine whether it was constructed, reconstructed, altered, refinished, and/or installed in substantial compliance with the Owner's approved plans. If the Committee finds that the project was not in compliance with the Owner's approved plans, the Committee will provide the Owner a written notice of non-compliance to which the Owner must remedy all non-compliant issues within 30 calendar days or longer at the discretion of the Committee. Upon completion of corrective actions required by the Committee, a final approval will be given by the EBOD after a written letter of approval from the Committee.

(7) If the Owner fails to remedy any non-compliant condition within the time frame specified by the Committee for correction the Committee shall notify the EBOD in writing of such failure to correct. The EBOD shall then set a date on which a hearing before the Board shall be scheduled regarding the alleged non-compliance issue. The hearing date shall not be scheduled in less than 15 calendar days, or more than 30 calendar days, after the EBOD issued the notice of a non-compliance hearing to the Owner, to the Committee, and, in the discretion of the EBOD, to any other interested party(s). An Owner who willfully disregards corrective actions following notifications by both the Committee and the EBOD can face legal consequences including possible assessments and fines.