

## CHARTER

The Architectural Committee (the Committee) is created under the Article IX of the *Amended and Restated Bylaws of San Ignacio Vistas, Inc.* (the Bylaws) and its powers are established in the *Second Amended and Restated Declaration of Establishment of Covenants, Conditions and Restrictions for San Ignacio Vistas* (the Declaration or CC&Rs).

When conceived it was the desire of San Ignacio Vistas, Inc. (the Association) to preserve property values and the natural beauty of its setting. These principles are no less important today. They are the essence of the Committee charter. It is the purpose of the Committee to serve the homeowners (the Owners) of the Association in three ways.

First the Committee reviews applications received from Owners that wish to construct, alter or otherwise improve their Lots, including the exterior of their homes. During review the Committee determines if the application conforms to the Rules of the Association. Based upon this determination, the Committee may approve, disapprove or conditionally approve an application. By law the Committee cannot approve an application that would violate the Rules of the Association. It may exercise its discretion when approving an application where discretion is called for under the Rules. The Committee must be timely in its response. It is not the responsibility of the Committee to participate in a substantial way in the design process or to suggest alternative designs.

Second the Committee shall follow a uniform set of procedures when reviewing each application so as to ensure a fair, non-discriminatory outcome consistent with the Rules so as to preserve the value and appearance of the homes in SIV.

Third the Committee may recommend to the Board changes, additions and modifications to existing rules. The Committee does not have the authority or power to modify, waive or provide a variance to the Rules.

Only the Board can modify the Rules the Board has initiated. To modify Rules contained in the CC&Rs a vote of the Owners is required. The Board may, under well documented and exceptional circumstances, provide a limited variance to the Rules. This is to say the Board cannot make a one-time waiver to accommodate one owner without making this accommodation available to all. The sole exception is the rare instance where the waiver of the rule is made necessary by the physical disability or other health needs of the Owner. Neither the Committee nor the Board can forsake the express duty of the Association to enforce its Rules and Regulations. This is a matter of Arizona law.