
KERRIGAN RANCH II HOMEOWNERS ASSOCIATION

SUMMARY OF ARCHITECTURAL CONTROL PROCEDURES

Dear Kerrigan Ranch II Homeowner,

California Civil Code requires an Association annually publish a notice that describes the types of architectural changes that require Association approval. This is only a summary of the Association's Architectural Guidelines, therefore, owners are also encourage to refer to the Association's CC&Rs, Rules and Regulations, Full Copy of the Architectural Guidelines and any other governing documents that pertain to improvements. Please contact management ***prior*** to commencing your project to ensure all guidelines are met.

A. No Exterior Additions and Changes without Prior Approval.

No landscaping, fence, wall, building, or other structure...shall be installed, modified, altered, commenced, constructed...until plans and specifications showing ...shall have been submitted to and approved in writing by the Architectural Committee... (CC&Rs Article V, Section 5.3.1).

B. Submission Procedures/Plan Requirements.

An Owner's architectural application shall be submitted only on the Association's Home Improvement Form. The completed Home Improvement Form, three (3) copies of the Owner's plans and specifications shall be submitted only to the Association's management agent, and not to any Association Director, Officer, or Committee member. The plans and specifications shall show the nature, kind, shape, color, size, materials, and location of the proposed improvements or alterations. The Committee may require such detail in plans and specifications submitted for its review as it deems proper, including without limitation, floor plans, site plans, drainage plans, elevation drawings, and description or samples of exterior materials or colors. Until the Committee receives all required plans and specifications, the application is not deemed complete, the Committee may postpone review of the application, and the thirty (30) day period within which the Committee must make its decision does not commence. (CC&Rs Article V, Section 5.3.2).

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C. Approval Criteria. Approval shall be based, among other things, on adequacy of site dimensions; adequacy of structural design and material; conformity and harmony of external design with neighboring structures; effect of location and use of improvements on neighboring properties, improvements, operations and uses; aesthetic beauty; and conformity of the plans and specifications to the purpose and general plan and intent of the CC&Rs. The Architectural Committee is composed of volunteers and will not review applications to ensure compliance with building codes, or other local or state laws. The homeowner submitting plans shall have the duty to obtain any necessary building permits from the governmental agencies involved to ensure compliance with these codes. Any violations of these ordinances will be the responsibility of the homeowner to correct. (CC&Rs Article V, Section 5.3.3).

D. Decision Timing.

If the Architectural Committee or its designated representatives, fails to approve or disapprove or fails to notify the applicant of the Committee's decision to approve or disapprove a complete submission of plans and specifications within thirty (30) days after the complete application has been submitted to the Committee, it shall be presumed that the Architectural Committee has approved such plans and specification. No purported oral or verbal approval of the Committee shall be permitted or effective, and any approval, to be binding upon the Committee and the Association, must be in writing. (CC&Rs Article V, Section 5.3.2).

E. Appeals.

So long as Declarant has the right to appoint and remove a majority of the Design Review Committee's Members, the Design Review Committee's decisions are final. There is no appeal to the Board. After Declarant's right to appoint the majority of the Design Review Committee's members expires, the Board shall adopt policies and procedures for appeal of the Design Review Committee decisions to the Board. (CC&Rs Article V, Section 5.10).

ADOPTED BY THE BOARD OF DIRECTORS FEBRUARY 2009