

**Application for Review.** Prior to the commencement of any exterior alteration or addition to an existing structure, or a significant landscape alteration, Owners shall submit the plans and an Architectural Control Committee Review Control Form to the Architectural Control Committee. An example of items requiring Architectural Review are ponds, paint color, roofing material, retaining walls, sheds, fences, pergolas, trees which will mature to a large size and other significant exterior features which would be visible to other Owners when driving or walking through the community. For additional clarification please refer to the Architectural Control Committee Guidelines. If you still question whether your proposed project requires approval, please contact the Management Company or Committee directly for clarification.

The Committee has 45 days from the date of receipt to review the application and ask for additional supporting documentation if required. After review, the Committee will provide the Owner with a written Approval/Disapproval/Approval with Conditions decision.

Each alteration or addition must be specifically approved even though the intended alteration or addition conforms to the CC&R's and Guidelines, and even when a similar or substantially identical alteration or addition has been previously approved.

The Committee has the authority to Approve/Conditional Approve/Disapprove the plans, or to require that the plans be resubmitted or redrawn by an appropriate professional contractor and/or with the additional information accurately provided.

The Committee approvals are conditional dependant upon an optional As-Built final inspection, which may be performed at the discretion of the Committee or the Managing Agent within 60 days of the completion of the project. The Committee reserves the right to require modifications if the quality of the finished project is deemed inferior, in either material or construction, than the generally accepted standards of the community.

**Product Specification.** The Committee has the authority to specify a product type (example: cedar fencing instead of vinyl) to maintain the uniformity of appearance of the home and lot and/or its improvements.

**Appeal.** The Owner may appeal a decision of the Committee by providing additional information or supporting data. If the Committee's decision remains unchanged, the Owner may send a written appeal to the Board of Directors for a review of the decision. Any ruling by the Board of Directors will be considered final.

**New Construction ACC Charges and Fees.** The Committee will charge a \$750.00 ACC review fee for each home plan submitted, non-refundable. A \$3,250.00 construction deposit which can be refundable upon approved completion of home as submitted and approved by the ACC committee.

**ACC Charges and Fees.** The Committee may request reimbursement from the Owner for Architectural Review if the review would require the services of an architect or engineer to best determine the appropriateness of the change to the community. The Committee will advise the Owner in advance if their request will incur such charges and fees.

**Verbal Requests** will not be considered. For the protection of the Owner, the Committee and the Board, all requests must be made in writing. A copy of all correspondence, forms and decisions will be kept in the Owner's folder.

**Commencement.** Approvals shall be valid only for a twelve-month (12) period. Failure to commence construction within 12 months following the date of approval shall require reapplication and re-submittal of plans, specifications, and fees to the ACC.

**Timelines for Project Completion** shall be twenty-four months from close of escrow or such other time as the ACC deems appropriate.

**Periodic Review.** The Committee will make inspections of the development on a periodic basis. Any Owner found to have altered or added to their home or lot will be sent an Architectural Review Control Form to be completed and submitted to the Committee. The Owner must respond within 30 days of receipt of the form. Owners who do not respond within the 30 days will be fined \$25 fee regardless of whether the addition/alteration meets the current Guidelines. If after review of the Form, the Committee determines the additional/alteration to be Disapproved, the Committee shall notify the Owner of what modification needs to occur to return the addition/alteration to a state that is Approved. The Committee shall provide the Owner with a time frame not to exceed three months to make this modification. If the exterior feature is not restored the Association shall impose a fine of \$25 daily until the required modification is made. Three months after the expiration of the time frame required by the Owner to make the alteration, the Association may choose to make the alteration for the Owner and bill the Owner for the costs incurred.

These ACC Review Procedures are a summary of items contained within Section 8 of the Declaration of Covenants, Conditions, and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon. Applicants are encouraged to read the entire Section for complete understanding.