

Attachment 4

SWANSWAY HOMEOWNERS ASSOCIATION ARCHITECTURAL CONTROL PROCEDURES

Background - The SWANSWAY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the "Covenants") create an Architectural Control Committee (the "Committee") charged with the responsibility of approving all plans for specified construction and other activities of homeowners before commencement of such activities. The Covenants state:

"No building, sign, fence, wall or any other structure, including but not limited to grading and swimming pools, shall be commenced, erected or maintained upon any or all of the real estate" in the development, "nor shall any change or alteration thereon, be made until the plans and specifications, including but not limited to architectural and engineering, showing the nature, kind, shape, height, materials, color and location of the same, shall have been submitted to and approved in writing by" the Committee.

The Committee is to review the plans as to "harmony of external design and location in relation to the surrounding structures and topography, and as to aesthetics and effect on the balance of" the development.

Procedures - In order to facilitate homeowners' compliance with the Covenants regarding architectural control, the Board of Directors has adopted the following procedures.

1. Whenever any homeowner plans to erect a building, fence or addition to the homeowner's Property, or to commence any of the activities subject to review as set forth in the Covenants, that homeowner should request in writing a review of the planned project by the Committee. Whenever there is any question as to whether or not any planned activity is subject to review by the Committee, the homeowner should discuss the planned activity with the Committee prior to commencing the project. Exhibit I sets forth the suggested form of request for review. Requests for review should be submitted to the Secretary of the Board.
2. The Committee will meet with the homeowner and review the homeowner's plans and specifications for the project. The Committee may require architectural drawings, and grading and engineering plans as required to make an informed judgement. It is understood that the Committee intends to submit grading and engineering plans to a licensed engineer to determine that the plans conform to those of the development. Any fees incurred in this process are the responsibility of the homeowner submitting the plans for approval.
3. The Committee will inform the homeowner of its decision in writing. If any project is rejected as a result of deficiencies noted by an outside expert, such as the licensed engineer, the Committee will attempt to specify the deficiencies to the extent necessary for the homeowner to alter the submitted plans and specifications and remove the noted deficiencies. After modification of plans and specifications, the homeowner may re-submit for review.
4. If the Committee approves the project, the homeowner may proceed with the work. If the Committee rejects the project, the homeowner may appeal the decision to the Board of Directors. The Board of Directors will review the project, meet with the homeowner if requested, and then inform the homeowner of its decision in writing. The Board of Directors' decision shall be final.

EXHIBIT I

SWANSWAY HOMEOWNERS ASSOCIATION REQUEST
FOR ARCHITECTURAL CONTROL REVIEW

Date:

To: The Architectural Control Committee of the Swansway Homeowners Association

From: Name of Homeowner

Address:

Planned start date: Homeowners should allow up to 30 days for this process. The Committee believes it is reasonable to believe most projects could be reviewed during this time frame. However, the Committee reserves the right to take as much time as is reasonably necessary to perform its review and to protect the rights of all homeowners.

Description of Project: Include a brief description of the planned project. For example; construction of swimming pool, pool house and surrounding fence

Attachments: The homeowner should list any documents submitted in support of the project with the initial request. Submitting documents, such as blueprints or drawings, is not required at this time, but doing so may speed the review process. If no documents are submitted with the request for review, the Committee will specify in writing any documents it deems necessary for review.

SWANSWAY HOMEOWNERS ASSOCIATION REQUEST
FOR ARCHITECTURAL CONTROL REVIEW

Date:

To: The Architectural Control Committee of the Swansway Homeowners Association

From:

Address:

Planned Start Date:

Description of Project:

For painting, please provide manufacturer and name or number of all colors you are proposing. Also provide a sample sheet for all colors.

Attachments:

Approved by Committee

Date

Upon approval, a signed copy will be returned to the homeowner