

## **Project or Plan Approval Process**

All exterior projects including additions or alterations, (“Improvements”) visible to the exterior must be submitted to the Architectural Review Committee (ARC) prior to commencement of any work or construction on any lot. No exterior additions, changes, or alterations, including substantial change in exterior color, shall be made until the same shall have first been approved in writing by the Architectural Review Committee (ARC); and following notice of the request to all adjoining property owners.

**Approval shall be requested by submission to the Architectural Review Committee (ARC) of plans and specifications, showing all areas of proposed construction, additions, and alterations as required by the Architectural Review Committee (ARC).** Specifications shall describe types of construction and exterior materials to be used, including, without limitation, the colors and manufacturers thereof, and shall otherwise be prepared according to the Design Guidelines and all restrictions. Improvements which can include requests for drawings or descriptions of, but not limited to, the following:

- Existing and proposed land contours and grades
- All buildings, and other Improvements, access drives, and other improved areas, and the locations thereof on the site;
- All hardscape landscaping improvements;
- Plans for all floors, cross sections and elevations, including projections and wing-walls;
- Exterior lighting plans, excluding low voltage landscaping lighting;
- Mail boxes and address markers;
- Walls, fencing, and screening plans;
- Patio, deck, gazebo, and porch plans;
- Plans for parking areas;
- Plans for swing sets, play areas, playhouses, forts, play structures, basketball backboards, tennis and other sport and recreational courts; and similar improvements;
- Samples of materials to be used to the extent requested by the Architectural Review Committee; and
- Such other information, data, and drawings as may be reasonably requested by the Architectural Review Committee.

**Basis of Approval; Commitment to Build.**

Approval shall be based, among other things, upon conformity and harmony of the proposed plans with the restrictions contained in Association Governing Documents, the Design Guidelines, and other structures in Woods on Seldom Seen Phase III; the effect of the erection and use of Improvements on neighboring property; and conformity of the plans and specifications to the purpose and intent of the provisions of this Amended and Restated Declaration. Approval of plans and specifications shall constitute the commitment of the Owner to install the approved Improvements according to the approved plans and specifications within a reasonable time, not to be longer than one (1) year from the date of approval.

**Failure to Approve or Disapprove.**

If the Architectural Review Committee fails either to approve or disapprove any such plans and specifications within twenty-one (21) days after a complete set of plans and specifications have been delivered to it, subject only to the member approval option that is established in **Responsibilities; Effect of Actions**, it shall be conclusively presumed that the Architectural Review Committee has approved those plans and specifications. In disapproving any plans or specifications the Architectural Review Committee shall specify the elements which are deemed objectionable, and shall describe the basis for any such objection.

**Responsibilities; Effect of Actions.**

The Architectural Review Committee shall exercise its best judgment to see that all Improvements are built to conform to the Design Guidelines and the restrictions contained in the Association Governing Documents. The decisions of the Architectural Review Committee as to conformity with the Design Guidelines and the restrictions contained in the Association Governing Documents shall be conclusive and binding on all parties unless, within fourteen (14) days following the issuance of written notice of the action or decision to all Lot Owners, a Lot Owner demands in writing review of the action or decision by the membership of the Association, in which case a meeting of the membership of the Association shall be held within thirty (30) days following the date of the written demand. A vote of not less than a majority of all of the Lot Owners shall be sufficient to reverse, modify, or change any decision of the Architectural Review Committee. The Architectural Review Committee may also periodically view, without entry upon any Lot, all property in Woods on Seldom Seen Phase III and actions taken with respect thereto, and advise the Board of all violations of the covenants and restrictions imposed hereby, for further action at the discretion of the Association