

[11.2] Procedure to Obtain Architectural Approval. The procedures to apply for approval to make exterior modifications to the Member's separate interest or to the common area are as follows:

(a) The member shall submit an application to the Board of Directors, c/o the Management Company, if one, on a form obtained by the Member from the Association. The Board of Directors will submit the application to the Architectural Committee, if any, within fifteen (15) days of its receipt. The Architectural Committee will tender its recommendation to the Board of Directors within thirty (30) days of the committee's receipt of the application. If there is no appointed committee, the Board shall have 45 days to render a decision.

(b) The Board of Directors, at its next regularly scheduled meeting, will issue its decision on the application. The Board of Directors will advise the Member applicant, in writing, of its decision on the application within ten (10) days of reaching its decision. If there is no Architectural Committee or if the Board of Directors elects to act upon the application itself, it shall so act at the next regularly scheduled meeting after receipt of the application unless the meeting is to occur in less than thirty (30) days of receipt of the application, and in that event the Board of Directors shall act upon the application at the following regularly scheduled meeting.

(c) In the event the Board of Directors determines that it needs additional information before approving or denying the application, the Board shall notify the Member applicant as soon as practical after making said determination. Upon obtaining the requested additional information, the Member applicant shall tender the information on an addendum application to the Board of Directors. Upon receipt of the addendum, the application process recommences and is subject to the timetable set forth in paragraph one, above.

(d) Any decision on the application will be made in good faith and will not be unreasonable, arbitrary, or capricious. If a proposed change is disapproved, the written decision shall include both an explanation of why the proposed change is disapproved and a description of the procedure for reconsideration of the decision by the Board of Directors. If a proposed change is disapproved, the applicant is entitled to reconsideration by the board of directors of the association that made the decision, at an open meeting of the board. This paragraph does not require reconsideration of a decision that is made by the Board of Directors at an open meeting of the Board.

(e) The application shall include, but is not limited to, the following information to the extent it is pertinent:

(i) A complete description of the proposed change; Any color modification shall include a color swatch and the brand of paint to be used;

(ii) Any structural change shall include competent drawings that are easily understood with to-scale measurements;

(iii) In the event a building permit is required by the governing authority, a copy of all plans required to be submitted for the permit process;

(iv) Any work that requires a building permit shall be performed only by a licensed professional or tradesman. Said professional or tradesman shall be approved by the Board of Directors or its designee(s) and shall provide proof of their license and worker's compensation and liability insurance prior to the commencement of any work;

(v) All building permits or copies thereof shall be presented to the Board of Directors or its designee(s) prior to the commencement of any work.

(f) In the event the Board of Directors fails to approve or deny a complete application within 90 days of its submission, the application shall be deemed approved. However, no application for structural changes to any structure shall be deemed approved if not denied within said 90 days.

In the event the application is disapproved in whole or part, the applicant may apply, in writing, to the Board of Directors for reconsideration. Any reconsideration shall be heard by the Board that denied the application, in whole or part, at an open meeting of the Board. Said meeting shall take place at the next regularly scheduled meeting if said request for reconsideration is received by the Board within 20 days of said meeting. Otherwise said hearing shall occur at the following regularly scheduled meeting. However, if the original denial, in whole or part, was rendered at an open meeting of the Board of Directors, the Board is not required to reconsider its decision.

[11.3] Modifications to Approved Plans. Once a proposed work of Improvement has been duly approved by the Board of Directors of Directors, no material modifications shall be made in the approved plans and specifications therefore and no subsequent alteration, relocation, addition or modification shall be made to the work of Improvement, as approved, without a separate submittal to, and review and approval by, the Board of Directors. If the proposed modification will have, or is likely to have, a material effect on other aspects or components of the work, the Board of Directors, in its discretion, may order the Owner and his or her contractors and agents to cease working not only on the modified component of the Improvement, but also on any other affected component. The restrictions of this subparagraph shall also apply to any proposed modification of any Residence, fence or other structure from its appearance or location as originally constructed.

If it comes to the knowledge and attention of the Association, the Architectural Committee, or the agents or employees of either, that a work of Improvement, or any modification thereof, is proceeding without proper approval, the Association shall be entitled to exercise the enforcement remedies specified in Section 11.12 below, including, without limitation, ordering an immediate cessation and abatement of all aspects of the work of Improvement until such time as proper architectural review and approval are obtained.

[11.4] Composition of Architectural Committee. The Architectural Committee shall be composed of three (3) Members of the Association appointed by the Board of Directors. In selecting Members for the Architectural Committee, the Board of Directors shall try to select individuals whose occupations or education will provide technical knowledge and expertise relevant to matters within the Architectural Committee's jurisdiction. Architectural Committee members shall serve one (1) year terms subject to the Board of Directors' power to remove any