

**RESOLUTION
OF THE
PAWNEE HILLS COMMUNITY ASSOCIATION, INC.
REGARDING ARCHITECTURAL REVIEW STANDARDS AND PROCEDURES**

SUBJECT: Adoption of a policy and procedure to be followed regarding architectural review standards and procedure.

PURPOSE: To adopt standard procedures governing the construction of any structure, whether a residence, accessory building, fence, wall, driveway, or any other improvement being constructed, including exterior addition, change, landscaping or alteration to existing improvements upon any Lot.

AUTHORITY: The Declaration of Protective Covenants (Declaration), Articles of Incorporations, Bylaws of the Association and the Colorado Revised Statutes.

EFFECTIVE DATE: Amended August 2019

RESOLUTION: The Association hereby gives notice of its adoption of the following policy and procedure regarding Architectural Review Standards and Procedures:

1. Establishment of Architectural Review Committee. The Architectural Review Committee (Committee) shall consist of either the Board of Directors or of persons appointed by the Board of Directors of the Association. A majority of the Committee shall designate a chairperson.
2. Committee Duties and Responsibilities. The Committee shall consider and act upon any and all plans and specifications submitted for its approval under the Declaration and perform such duties including written notification of approval, Owner compliance, and completion deadlines. Additional duties, include, inspection of construction in progress to ensure its conformance with the approved plans, and maintain documentation for lot files and progress reports to the Board of Directors. (Attachment 2)
3. Architectural Review Application: No improvements shall be constructed, erected, placed, planted, applied, or installed upon any Lot until an Architectural Review Application (Attachment 1) has been submitted and approved in writing. The Committee may require further detail in plans and specifications submitted for its review as it deems necessary. The vote of a majority of the members of the Committee shall constitute action on any matter before it.
4. Review of Completed Application. The Committee shall approve or deny plans within thirty (30) days of receipt of completed application (Attachment 1) and send written notification to the Owner.

- a. If approved, the submitted plan shall be completed within 180 days of commencement subject only to delays caused by inclement weather, Act of God, strike, or unless some other exception is granted in writing by the Board of Directors or the Committee.
 - b. If denied, written notice of the reason for denial, and request for further information shall be provided to the Owner for resubmittal for approval.
5. Expense of Reviews. The Committee may obtain the service of an architect, engineer, attorney, or other professional in its review and require that the applicant(s) reimburse the Committee for actual expenses incurred payable to Association prior to final application approval. Owner must be notified prior to incurring review expenses.
6. Appeals. In the event an application is denied, the applicant shall have the right to appeal to the Board of Directors. If a written request for a hearing on an appeal of the same shall be submitted to the Board with 14 days after the applicant receives notice of the denial of their application.
7. Inspection Upon Completion. Upon notification of completion, the Committee will inspect the project to determine whether it has been completed in conformance with the plan. Inspection results are documented on the Application. If the improvement has not been completed in accordance with the Application, the Committee will provide the Owner with a written notice of incompleteness and allow the owner another 45 days to correct the improvement. If the improvement remains uncorrected, the Committee will notify the Board for enforcement action.
8. Noncompliance. The Committee may issue and record Notice of Noncompliance if the Owner fails to obtain written consent or fails to comply with the terms of the written approval. In the event a Notice of Noncompliance is issued, the premises shall be restored to its condition prior to the noncompliance within 30 days of issuance of the Notice of Noncompliance. The cost to restore the premises to its previous conditions is the sole responsibility of the Owner.
9. Communications. All Communications and submittals shall be addressed to the Architectural Review Committee at the Association's principle address: ~~35560~~ ³⁵⁶⁴⁴ Cheyenne Trail, Elizabeth CO 80107.
10. Waiver. The approval or consent of the Committee, or appointed representative thereof, to any application for design approval shall not be deemed to constitute a waiver of any right to hold or deny approval or consent by the committee as to any application or other matters subsequently or additionally submitted for approval or consent pursuant to this Architectural Policy or other governing documents of the community.
11. Liability. The Committee and the members thereof, as well as any representative of such Committee designated to act on its behalf, shall not be liable in damages to any person submitting requests for approval or for any approval or denial, or failure to approve or deny in regard to any matter within its jurisdiction under these Governing Documents.
12. Records. The Committee shall maintain written records of all applications, additional communications submitted, and actions taken. Such records shall be open and available to inspection in accordance with Colorado law.

13. Effect of Governmental and Other Regulations. Owners are responsible to ensure that use of the property and improvements to property comply with applicable building codes and zoning requirements. Approval by the Committee will not constitute assurance that the improvement will comply with the applicable city or code or any proposed sewage disposal system from the appropriate governmental agency. Approval by the Committee may be conditioned on such approval from an appropriate governmental agency.
14. Interference with Utilities. In making improvements to property, Owners are responsible for the location of all water, sewer, gas, electric, telephone, cable, television, or other utility lines or easements and are responsible for any damages to these utilities due to construction of any improvements.
15. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
16. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing Community.
17. Deviations. The board may deviate from the procedures set forth in the Resolution if in its sole discretion is reasonable under the circumstances.
18. Amendment. This Policy may be amended by the Board of Directors.

CERTIFICATION

The undersigned certify that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on August 27, 2019 and in witness thereof, the undersigned has subscribed his/her name.

PAWNEE HILLS COMMUNITY ASSOCIATION, INC.

A Colorado non-profit corporation,

Cynthia L. Cregger
President

David L. Howell
Vice President

Attachment 1

**APPLICATION FOR APPROVAL
SUBMISSION TO ARCHITECTURAL REVIEW COMMITTEE
(Completed by Homeowner)**

Pursuant to the Declaration of Protective Covenants, Conditions, and Restrictions of Pawnee Hills Community Association, Inc., I/we hereby submit the following application to make Improvements:

Date:

Names of Owners:

Property Address:

Lot _____ Block _____ Filing _____

Mailing Address (if different):

Phone Number: (H) (____) ____ - ____ (W) (____) ____ - ____

(C) (____) ____ - ____

Detailed description of proposed improvement (Attach plans, drawings, county approvals and permits)

Location on Property – Attach Plat Map with description of improvement

Materials

Color Scheme

Planned Commencement Date: _____

Planned Completion Date: _____

I understand that I must receive the written approval of the Architectural Review Committee in order to proceed. Architectural Review Committee approval does not constitute approval of the local building or zoning department, drainage design, structural, engineering safety, and/or soundness.

I understand that am required (when applicable) to obtain building or other government permits and approvals prior to the commencement of any work. I agree that my failure to obtain required building or other permits and approvals will result in the withdrawal of Architectural Review Committee’s approval.

I further agree not to alter existing drainage patterns on Lots without the expressed approval in writing by the Board of the Architectural Review Committee. I will notify the Architectural Review Committee in writing within 10 days of my improvement. Upon completion of my improvement, I hereby authorize the Architectural Review Committee or its delegate to enter onto my property for exterior inspection at a mutually agreed upon time. I agree that failure to notify the Architectural Review Committee in writing of the completion of the improvement.

I further agree that if, at any time during the process, the Architectural Review Committee requests to enter onto the Lots or requests further information to determine if the improvement is being constructed in accordance with the approval plan and in compliance with the covenants, I will comply with the request. I agree that my failure to comply with the request shall result in withdrawal of the approval. I further understand that the Association may request additional information prior to approving this request. In addition, I agree that my failure to start or complete the improvement within the time specified on the application may result in a need to file an extension in writing.

Homeowner

Homeowner

I hereby acknowledge receipt of the above and its marked attachments.

Date: _____ By: _____

This receipt is not an acknowledgement that such submission is complete

Attachment #2

RECEIPT AND REVIEW OF APPLICATION CHECKLIST
(Completed by Architectural Review Committee)

Name _____ Address _____

Date Received _____ Received by _____

Proposed Start Date _____ Proposed Completion Date _____
(180 days maximum from start date)

REQUIREMENTS

	YES	NO
1. Plans and Specifications of Improvement	_____	_____
2. Materials of Improvement	_____	_____
3. Location of Improvement	_____	_____
4. Exterior Design of Improvement	_____	_____
5. Color Scheme	_____	_____
6. Conforms with Community Standards	_____	_____

ARCHITECTURAL FORMS

1. Application Attachment #1	_____	_____
2. Plans/Drawings	_____	_____
3. Platt Map	_____	_____
4. Copy of County Permits for final approval	_____	_____

STATUS OF SUBMISSION

1. Application Complete	DATE: _____
2. Application Incomplete	DATE: _____
3. Conditional Approval send copy of permits for final approval	DATE: _____
4. Approved	DATE: _____
5. Declined (See attached)	DATE: _____

ARC REPLY TO APPLICANT

DATE: _____

ARC NOTIFIED OF PROJECT COMPLETION (PENDING)

(For inspection and filing)

DATE: _____

SIGNATURE OF ARCHITECTURAL REVIEW COMMITTEE

Conditional Approval Signature

Final Approval Signature

Date: _____

Date: _____

ITEMS NEEDED FOR FINAL APPROVAL

ARC Committee Signature

DATE:
