

SECTION 22 REQUIREMENTS FOR ARCHITECTURAL REVIEW

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1. Purpose

.1 The purpose of these requirements is to summarize the Section 22 HOA's uniform restrictive covenants, declarations, and restrictions related to the use and type of buildings and developments permitted within the Section 22 plats.

.2 These Requirements are also designed to provide guidance to property owners, local associations, and homeowners regarding the procedures and submittals necessary for architectural review of proposed new construction, external modification of existing structures, or significant modification of landscaping within the Section 22 platted area. Architectural review is required for all such construction or modification.

.3 An Architectural Review Committee (ARC) appointed by the Board of Directors of Section 22 shall review the submittals for compliance with Section 22 restrictions and standards in such a manner as to maintain and enhance property values as well as to promote aesthetically pleasing structures and grounds.

2. Introduction

.1 The requirements apply to all property owners, associations, unit or homeowners and structures in areas within the Section 22 plats. In the event of a conflict between the restrictive covenants, declarations and restrictions, and those of various associations, the more restrictive shall take precedence.

.2 Areas within the Section 22 plats include:

- I Blocks 990 through 1011 (Tract B)
- II South Shore, North Shore, Diamond Point, Prosperity Point, Marina and Harbor Towers, and Grand Isles (Tract C)
- III Keel Club

3. Construction or External Modification Including Landscaping (Areas I, II, III)

Unit owners or persons desiring to construct a new structure or modify an existing structure should review all applicable deed restrictions, covenants, declarations, association rules and requirements, and Section 22 rules and requirements. All construction must conform to legal requirements. The attached review request form for approval of new construction, or external modification of any existing structure, or substantial modification of existing landscaping along with appropriate documents (see Plans and Specifications) shall be submitted to the Architectural Review Committee (ARC) for its review and appropriate action. If a contractor is not to be used, the unit or property owner is obligated to observe these requirements. Construction or modification of an existing structure or substantial modification of landscaping shall not be undertaken or completed unless approved in writing by Section 22(ARC).

4. Procedures (Areas I, II, III)

.1 Copies of the Architectural Review Form are available for download from bsm22.org, its property manager or from members of ARC. One complete copy of working drawings and specifications shall accompany the application. The Architectural Review Committee shall meet monthly to review and take action on the application in a timely manner. The ARC may contact the submitter to ask for clarifications or other relevant questions and may hold an open review to seek neighborhood comments. After a decision by ARC any interested person may appeal that decision to the Board of Directors of Section 22. Any such appeal must be made in writing within 30 days following ARC'S decision. The Board shall take up such matter at its next following regular board meeting after the appeal is made. If an application to ARC requests, or requires a wavier of, or an interpretation of a deed, covenant restriction, or reservation, it will be sent for review to the Section 22 Board of Directors with ARC's recommendation. Notice of ARC meetings will be posted at the front gate 48 hours before a scheduled meeting.

.2 Refusal to approve plans, specifications or locations of buildings may be made on any grounds Section 22 deems sufficient including purely aesthetic grounds.

.3 If the application is approved, neither the Architectural Review Committee nor Section 22 will be liable for safety, soundness, workmanship, materials or usefulness, or as to its compliance with government or industry codes or standards.

5. Plans and Specifications (Areas I, II, III)

.1 Working drawings, specifications and other appropriate documents shall be provided with the application and shall include, but are not limited, to the following:

- a) A Plot Plan showing locations of buildings, structures, property lines, required set backs, grade elevations, terraces, patios, walks, walls, fences, driveways, pools, lanais and any other pertinent information.
- b) Floor plans including square footage and building elevations of the proposed structure.

- c) Roofs for single unit structures shall be tile, or metal, of a neutral or earth tone color that is consistent with the neighborhood and with a pitch not less than 3 to 1. Roofs for multiple unit structures shall be of a material approved for such use by the appropriate governmental body.
- d) A schedule of colors proposed for all exterior surfaces such as walls, roof, driveways as applicable, and sidewalks supported by samples of the proposed finishes.
- e) Proposed landscaping layout showing locations and types of plants and an irrigation plan showing location of heads sufficient to keep the lawn and plants adequately watered. A suggested list of plants and prohibited plants is available from the Section 22 Landscaping Committee.

6. Contractors and Bonds (Areas I, II, III)

.1 Prior to approving any application for work to be performed by a contractor to be used for the construction, that contractor must be approved in writing by Section 22(ARC). That contractor must be a regularly employed bona fide building contractor duly licensed by the appropriate governmental authority. The building contractor is required to post a performance bond for the full amount of the cost of the work shown in the plans and specifications. The bond shall be obtained from a recognized institutional bonding company and shall be in the form approved by Section 22(ARC).

.2 The contractor shall indemnify and hold harmless Section 22 and its employees or agents from and against claims, damages, or losses arising out of, or resulting from the contractor's operations.

REV. 3/05/06