



ARTICLE 5 From Lakeshore Village Bylaws

ARCHITECTURAL COVENANTS AND CONTROL

5.1 PURPOSE. Because the Lots are part of a single, unified community, the Association has the right to regulate the design, use, and appearance of the Lots, Townhomes, and Common Areas in order to preserve and enhance the Property's value and architectural harmony. The purpose of this Article 5 is to promote and ensure the level of taste, design, quality, and harmony by which the Property is developed.

5.2

ARCHITECTURAL CONTROL COMMITTEE. Architectural Control Committee (the "ACC") consists of 3 persons appointed by Declarant during the Declarant Control Period. After the Declarant Control Period, the ACC shall consist of 3 persons appointed by the Board, pursuant to the bylaws, or at the Board's option, the Board may act as the ACC. If the Board acts as the ACC, all references in the Documents to the ACC are construed to mean the Board. Members of the ACC need not be Owners or Residents.

5.3

PROHIBITION OF CONSTRUCTION ALTERATION & IMPROVEMENT. Without the ACC's prior approval, a person may not construct a Townhome or make an addition, alteration, improvement, installation, modification, redecoration, or reconstruction of or to the Property, if it will be visible from the street, another Lot, or the Common Areas. The ACC has the right but not the duty to evaluate every aspect of construction, Landscaping, and Property use that may adversely affect the general value or appearance of the Property.

BEFORE MAKING ANY IMPROVEMENT OR ALTERATION TO A LOT OR TOWNHOME, A BUILDER OR OWNER MUST OBTAIN THE ACC'S PRIOR WRITTEN APPROVAL.

5.4

ACC APPROVAL. To request ACC approval, an Owner must make written application and submit two identical sets of plans and specifications showing the nature, kind, shape, color, size, materials, and locations of the work to be performed. The application must clearly identify any requirement of this Declaration for which a variance is sought. The ACC will return one set of plans and specifications to the applicant marked with the ACC's response, such as "Approved" or "Denied." The ACC will retain the other set of plans and specifications, together with the application, for the Association's file. Verbal approval from a director, officer, member of the ACC, or the Association's manager does not constitute ACC approval, which must be in writing. If the application is for work that requires a building permit from the City, the ACC's approval is conditioned on the City's issuance of the appropriate permit. The ACC's approval of plans and specifications does not mean that they comply with the City's requirements. ACC approval may not be "deemed" from its actions or failure to act.

