



**Architectural Review Committee Guidelines and
Procedures of the Tamarron Association of Condominium Owners, Inc.**

These Architectural Review Committee Guidelines and Procedures (“Guidelines”) have been established by the Tamarron Association of Condominium Owners, Inc. (“TACO”) Board of Directors (“Board”) in accordance with the provisions of the TACO Bylaws and Declaration of Condominium and Covenants, Conditions and Restrictions. As these Guidelines are subject to amendment from time to time, it is the responsibility of each interested party to obtain a copy of the most recently revised version.

1. **Overview.** The purpose of these Guidelines is to establish a comprehensive design review process in which the individual owner desiring to improve, remodel or modify his, her or their unit must comply. The primary motivation in adopting these Guidelines is to preserve and enhance the integrity of Tamarron and establish a uniform, consistent process in which a unit owner shall submit all proposed plans to an unbiased committee for review. Owners are encouraged to make changes that add value to their units but such changes must be architecturally acceptable.

2. **Architectural Review Committee.** These shall be formed an Architectural Review Committee (“ARC”) which shall review plans submitted by unit owners in accordance with these Guidelines.
 - 2.1. **Membership.** The ARC shall consist of three (3) members. Chairperson for ARC shall be appointed by the Board and the Chair shall recommend ARC committee members for approval by the Board.

 - 2.2. **ARC Meetings.** The ARC shall meet from time to time when necessary to perform its duties as indicated in these Guidelines. The ARC Chairman shall keep minutes of such meetings and shall keep on file records of all submittals and copies of any and all written responses submitted to the Board and/or the unit owner. The meetings shall take place at Tamarron and at a location and time of day agreed upon by the ARC Members, or by telephone if necessary.

 - 2.3. **Compensation.** The members of the ARC shall not receive compensation for services rendered. All ARC members shall, however, be entitled to reimbursement for reasonable expenses incurred by them in connection with the performance of their duties. Professional consultants and representatives of the ARC retained for assistance in the review process as indicated herein shall be paid such compensation as the ARC determines. If pre-approved by the Board and necessary for a project, travel expenses for ARC members may be paid by TACO.

3. Improvements Requiring Submission of Plans

- 3.1. **Required Submittals**. Any changes that are more than cosmetic, or any improvement, remodeling or modification of any unit within Tamarron which either requires a building permit (to be issued by La Plata County), the involvement of a contractor or outside expertise, or will change the internal, external or structural integrity of a unit or the overall architectural theme of Tamarron must be submitted to the Director of the TACO Maintenance Department (“Director”) and then the ARC as discussed in Section 4 herein. Items that shall require approval include any changes to common elements/areas, walls, windows, or improvements that increase square footage. Plumbing, electrical or similar type work must be done in a workmanlike manner, and be accomplished by duly qualified professionals.

The unit Owner must recognize that any project sent to the committee for review may take several months for resolution. This potential delay is due to the fact that the committee and the Board only meet periodically throughout the year.

Minor interior design to be performed by the unit owner, including but not limited to painting, drapes, wallpapering and tiling, shall be exempt from the submittal process. Any questions a unit owner may have as to the significance of that owner’s proposed improvements, remodeling or modifications shall be posed to the Director for interpretation. The Director shall have the authority to inform the unit owner that no ARC approval is necessary for the minor interior design items, or to inform the unit owner that plans must be submitted to the ARC in accordance with the provisions of these Guidelines.

- 3.2. **Form of Submittal**. The unit owner shall submit all applicable plans before initiating any work on a proposed project. These plans shall consist of the following:
- A. A clear and concise narrative of the scope of the proposed project, including the specific changes to the unit, whether or not a building permit is required, and, if applicable, the name of any and all contractors potentially hired to perform said work.
 - B. Architectural drawings or renderings pertaining to the plans, and, if said drawings or renderings are not yet available upon submission of the narrative statement, the owner shall submit said drawings or renderings at the time they are complete and before final review by the ARC.

4. Procedure.

- 4.1. Notification and Submission to Director.** The unit owner shall submit to the Director the owner's plans for improvement to his, her or its unit. The Director shall insure that the submittal is complete and shall require the unit owner to resubmit if all of the necessary information is not included (as indicated in Section 3.2 herein).
- 4.2. Submission to ARC.** Once the Director has determined that the plans submitted by the unit owner are complete, the Director shall notify the Chairperson of the ARC of such plans have been received and that the owner is requesting ARC review. The Director shall then submit the plans to the ARC Chair and all ARC members, and the ARC shall conduct its review according to these Guidelines.
- 4.3. ARC Review.** Once complete plans are submitted to the ARC, including the drawings and renderings referred to in Section 3.2(B) above, the ARC shall call a meeting in accordance with Section 2.2 herein. At that meeting, the ARC shall review the submitted plans to insure that the plans are, at a minimum, in conformance with the following:
- A.** The proposed changes to the owner's unit do not unreasonably and/or adversely alter the interior or exterior integrity of the unit;
 - B.** The proposed changes do not unduly interfere with other units at Tamarron;
 - C.** The proposed changes are in harmony with the overall architectural theme of Tamarron;
 - D.** The work required to facilitate such plans does not cause unreasonable disruption to the other unit owners, visitors and employees of Tamarron and can be completed in an efficient and timely manner;
 - E.** The changes do not create liability, expense, bad precedent, or any other adverse consequences for the Association or its members.

The ARC shall use its subjective opinion in interpreting and applying provisions 4.3 (A), (B), (C), (D) and (E) above.

The ARC shall have thirty (30) days following the next meeting of the ARC in which to review said plans. If necessary and upon written notification to the submitting unit owner, the ARC shall have the right to extend this review period to sixty (60) days.

- 4.4. Submission of ARC Recommendation to Board.** Once the ARC has fully reviewed all aspects of the submitted plans, the ARC shall make a recommendation to the Board as to whether to approve or deny the plans. At the next scheduled meeting of the Board, the Board shall make the final

determination and shall render a decision in writing to the submitting unit owner within fifteen (15) days of the Board meeting.

- 4.5. Construction of Approved Project.** Upon approval of the unit owner's submitted plans, the owner must begin construction in a timely manner or in a specific manner as set forth by the Board. Failure to do so may result in fines levied upon the unit owner as indicated in Section 5.2 herein.
- 4.6. Notification to Owners of Adjacent Units.** If in the ARC's opinion a submittal affects other unit owners, the ARC in its discretion may notify such affected unit owners and/or provide such unit owners with a copy of the submitted plans. It is not the intention of this provision to notify adjacent unit owners of minor changes or remodeling of the interior of a unit.
- 4.7. Certification of Completion; Correction of Noncompliant Construction.** Following completion of all construction on a unit, a member of the ARC and/or the Director shall inspect the unit to insure complete compliance with the approved plans. Following the inspection, and if the construction was performed in compliance with the approved plans, the Director shall issue a certificate of compliance to the unit owner acknowledging that the improvements, remodel or modifications are satisfactory and in compliance with the approved plans.

If however, the completed construction is not in accordance with the approved plans, the unit owner is subject to fines as indicated in Section 5.2 herein, as well as the necessary costs to correct the noncompliant aspect(s) of the project. If the unit owner fails to correct the noncompliant aspects within a reasonable time period, the ARC, the Director or a representative thereof may enter the unit and correct the violation at the expense of the owner; this expense to be secured by a lien upon the unit enforceable in accordance with the TACO Declaration of Condominium and Covenants, Conditions and Restrictions.

5. Miscellaneous Provisions

- 5.1. Liability.** Neither the ARC, the Board nor any member thereof shall be liable to any unit owner or any other person or entity for any loss or damage claimed on account of any of the following:
- A.** The approval or disapproval of any plans, drawings, renderings and/or specifications, whether or not defective;
 - B.** The construction or performance of any work, whether or not pursuant to approved plans, drawings, renderings and/or specifications;

Every owner or other person or entity, by submission of plans, drawings, renderings and specifications to the ARC and Board for approval, agrees that he,

she or it will not bring any action or suit against the ARC, the Board, or any of the members thereof, regarding any of the action taken by the ARC or the Board.

Approval by the ARC and/or the Board of any improvement, remodel or modification of a TACO unit only refers to these Guidelines and in no way implies conformance with local government regulations. It shall be the sole responsibility of the owner to comply with all applicable government ordinances or regulations, including by not limited to local building codes.

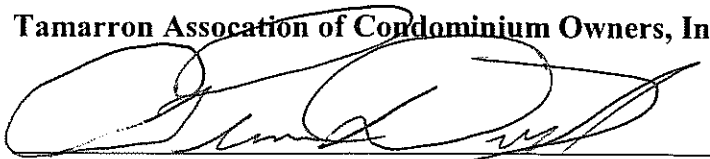
- 5.2. Enforcement Prior to Completion.** Any member of the ARC and/or the Director may, upon reasonable notification of the unit owner, inspect a unit while that unit is under construction as per approved plans. Upon discovering noncompliance with the approved plans, the ARC and/or the Director shall provide written notice of noncompliance to the unit owner, including a reasonable time limit within which to correct the noncompliant feature. If an owner fails to comply within this time period, the ARC, the Director or a representative thereof may enter the unit and correct the violation at the expense of the owner; this expense to be secured by a lien upon the unit enforceable in accordance with the TACO Declaration of Condominium and Covenants, Conditions and Restrictions.

In the event any violation of these Guidelines, including beginning construction without ARC and/or Board approval, the ARC and/or the Board may, as its sole discretion and in addition to the restoration expenses (if any), impose without limitation a reasonable fine, commensurate with the severity of the violation.

- 5.3. Severability.** If any provision of these Guidelines, or any section, clause, sentence, phrase or word, or the application thereof in any circumstances, is held invalid, the validity of the remainder of these Guidelines, and the application of any such provision, section, sentence, clause, phrase or word in any other circumstances, shall not be affected thereby, and the remainder of these Guidelines shall be constructed as if such invalid part were never included therein.

These Architectural Review Committee Guidelines and Procedures are hereby adopted this 4th day of June, 2004, by the Board of Directors of the Tamarron Association of Condominium Owners, Inc.

Tamarron Association of Condominium Owners, Inc.



By: Glenn Dorsett, its President