
SEABRIDGE VILLAGE

HOMEOWNERS ASSOCIATION

TO: All Seabridge Village Homeowners

FROM: Community Manager

REF: Summary of Architectural Control Procedures

Dear Association Member:

The California Civil Code requires the Association to publish a notice annually that describes the types of architectural changes that require Association approval. This Summary of Architectural Control Procedures has been prepared for that purpose. This is only a summary and owners are therefore requested to refer to the CC&Rs and to the Association's [Rules and Regulations/Architectural Guidelines/other appropriate document(s)] for additional architectural improvement related information. If you have questions about whether there are any standard guidelines or requirements for the type of improvement you would like to make, please contact management *before* you start work.

A. No Exterior Additions and Changes without Prior Approval. No landscaping, fence, wall, building, or other structure...shall be installed, modified, altered, commenced, constructed...until plans and specifications showing ...shall have been submitted to and approved in writing by the Architectural Committee... (CC&Rs Article IX, Section 9.03).

The ARC shall consider and act upon all plans and specifications submitted for its approval under this Declaration. No construction, installation or alteration of an Improvement, including landscaping, in the Properties may be commenced or maintained until the plans and specifications therefore showing the nature, kind, shape, height, width, color materials and location thereof have been submitted to and approved in writing by the ARC; provided, however, that any Improvement may be repainted without ARC approval so long as the Improvement is repainted the identical color which is was last painted.

B. Board Approval Requirement. In addition to Architectural Committee approval, modifications or additions affecting the Common Area also require prior approval from the Board of Directors. (CC&Rs Article IX, Section 9.02).

C. Submission Procedures/Plan Requirements. An Owner's architectural application shall be submitted only on the Association's Home Improvement Form. The completed Home Improvement Form, three (3) copies of the Owner's plans and specifications, and the completed Neighbor Awareness form shall be submitted only to the Association's management agent, Action Property Management, Inc., and not to any Association Director, Officer, or Committee member. The plans and specifications shall show the nature, kind, shape, color, size, materials, and location of the proposed improvements or alterations. The Committee may require such detail in plans and specifications submitted for its review as it deems proper, including without limitation, floor plans, site plans, drainage plans, elevation drawings, and description or samples of exterior materials or colors. Until the Committee received all required plans

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and specifications, the application is not deemed complete, the Committee may postpone review of the application, and the forty-five (45) day period within which the Committee must make [notify the applicant of] its decision does not commence. (CC&Rs Article IX, Section 9.03).

D. Approval Criteria. Approval shall be based, among other things, on adequacy of site dimensions; adequacy of structural design and material; conformity and harmony of external design with neighboring structures; effect of location and use of improvements on neighboring properties, improvements, operations and uses; preservation of [natural view if CC&Rs provide for view protection]; aesthetic beauty; and conformity of the plans and specifications to the purpose and general plan and intent of the CC&Rs. (CC&Rs Article IX, Section 9.03).

E. Decision Timing. If the Architectural Committee, or its designated representatives, fails to approve or disapprove [fails to notify the applicant of the Committee's decision to approve or disapprove] a complete submission of plans and specification within forty-five (45) days after the same have been submitted to the Committee, it shall be conclusively presumed that the Architectural Committee has approved such plans and specification. No purported oral or verbal approval of the Committee shall be permitted or effective, and any approval, to be binding upon the Committee and the Association, must be in writing. (CC&Rs Article IX, Section 9.03).

F. Disapproval/Request for Reconsideration. If plans and specifications submitted to the Architectural Committee are disapproved, the applicant shall be advised in writing of the reason(s) for the denial and of the application's ability to request reconsideration by the Board of Directors. The applicant may submit a request to the Board of Directors to reconsider the Architectural Committee's denial at an open meeting, or the applicant may request the matter to be heard in an executive session meeting of the Board of Directors. The request for reconsideration shall be in writing, shall be addressed to the Board of Directors of the Association, shall be delivered to the Association's managing agent, Action Property Management, Inc., and must be received by the Association's managing agent not more than fifteen (15) days following delivery to the applicant of the Architectural Committee's notice of disapproval. The term "delivery" as used herein is defined in Civil Code Section 1350.7.

G. Board Decision on Request for Reconsideration. Notice of the date, time, and location of the Board of Directors meeting at which the applicant's request for reconsideration shall be heard shall be delivered to the applicant at least ten (10) days prior to the meeting. The Board of Directors shall render its decision on the request for reconsideration within forty-five (45) days following the Association's managing agent's receipt of the request for reconsideration, and the Board shall transmit its decision to the Owner within fifteen (15) days after its decision; provided, however, if no written decision is provided to the Owner within fifteen (15) days after the hearing, the request for reconsideration shall be deemed denied and the Architectural Committee's decision shall be deemed affirmed. In no event will a request for reconsideration be deemed approved based upon the passage or lapse of time; any approval must be by affirmative written action of the Board of Directors to be effective. The Board of Directors shall uphold the Architectural Committee's disapproval if the Board of Directors determines that the Architectural Committee acted within its authority under the Declaration and the Architectural Guidelines and otherwise acted in a manner the Board believes to be in the best interests of the community.