

ARCHITECTURAL AND LANDSCAPE GUIDELINES
THE VINEYARD-MURRIETA COMMUNITY ASSOCIATION



**Questions Regarding the Content of These Guidelines
Should be Directed to:**

KEYSTONE PACIFIC PROPERTY MANAGEMENT, INC.
41593 Winchester Rd, Suite 105
Temecula, CA 92590
(951) 491-6866

Adopted: October 27, 2004

MEMBERS ARE TO ADDRESS ALL CONCERNS
AND REQUESTS FOR ACTION DIRECTLY TO THE
MANAGEMENT COMPANY. MEMBERS SHALL
NOT MAKE REQUESTS TO LANDSCAPERS OR ANY
ASSOCIATION WORKERS. ANY SUCH REQUESTS
AND LIABILITY WILL BE AT THE MEMBER'S
SOLE RESPONSIBILITY AS TO BOTH COST AND
LIABILITY.

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Dear Homeowner:

Welcome to your new home in The Vineyard-Murrieta Community Association! These Architectural and Landscape Guidelines are designed with the goal of maintaining the aesthetic beauty of the community. Exterior Improvements to your home and yard must be approved by the Architectural Committee (AC) prior to beginning any construction activity. Homeowners may not make any alteration, removal, relocation, repainting, demolition, addition, installation, modification, decoration, redecoration or reconstruction of any Improvements, including landscaping, in the Properties, until the plans and specifications showing the **nature, kind, shape, height, width, color, materials and location of the same shall have been submitted to the AC and approved in writing by the AC.**

Please review these "Guidelines" prior to completing your application form to ensure your submittal is complete. If at any time you have any questions regarding the review process, please contact your management representative at (951) 491-6866.

I. PURPOSE AND POLICIES

The Architectural Committee shall approve plans and specifications submitted for its approval only if it deems that the construction, alterations, or additions contemplated in the locations indicated will; (a) not be detrimental to the appearance of the surrounding area of the Properties as a whole, (b) not be inconsistent with the Declaration, (c) that the appearance of any structure affected will be in harmony with the surrounding structures, (d) that the construction will not detract from the beauty, wholesomeness or attractiveness of the Association, and (e) that the upkeep and maintenance will not become a burden on the Association.

Any change not specifically addressed or outlined in these Guidelines will become a matter of reasonable discretion on the part of the AC. In the event of a conflict between this document and the Covenants, Conditions and Restrictions (CC&R's), the CC&R's shall prevail. The CC&R's reference "Maintenance of Architectural Standards" under Article 8. **Please review this section entirely prior to plan submission and work commencement.** It is suggested that specific attention be paid to the punitive references if work is completed outside the scope of these provisions.

II. COMMITTEE ROLE

Scope: All exterior alterations, additions or changes to any structure or to the landscape of any Lot, must be submitted to the AC for approval prior to any installation or commencement of construction.

The above mentioned changes include, but are not limited to, walls, arbors, decks, fences, pools, spas, landscaping, patio covers, front yard improvements, etc.

Failure: Work commenced before Architectural plan approval is subject to removal at the cost of the homeowner if subsequently deemed unacceptable by the AC.

Deviation: If any Improvements have been constructed or installed in a manner, which deviates from the plans that were approved, the AC may make recommendations for changes. If those changes are not complete within sixty (60) days the matter will be turned over to the Board of Directors to take appropriate remedial action in accordance with the CC&R's.

III. SUBMISSION OF YOUR ARCHITECTURAL APPLICATION: If you are mailing your information, please submit your application and support documentation package to the Architectural Committee as follows:

The Vineyard-Murrieta Community Association AC
C/o Keystone Pacific Property Management, Inc.
41593 Winchester Rd, Ste. 106
Temecula, Ca 92590

If you choose to drop off your package of information, please do so to:

Keystone Pacific Property Management, Inc. – Temecula
41593 Winchester Rd, Ste. 106
Temecula, Ca 92590
(951) 491-6866

When Should I Submit My Architectural Application?

The Association requires that Owners must submit plans to obtain AC approval AND install the front yard, if not installed by the developer, within six (6) months of the close of escrow. Plans for rear yards must be submitted and approved within six (6) months and installed within one (1) year of the close of escrow. The Architectural Committee will review and respond to all written requests within sixty (60) days of their receipt. We therefore recommend that plans be submitted with a complete application at least ninety (90) days prior to the scheduled commencement of construction to allow the AC ample time to complete their review. Should the AC fail to respond within the sixty (60) day period, the Owner shall submit a written notice to the AC advising of its failure to act. If the AC fails to respond within fifteen (15) days after receipt of this notice, then said plans shall be deemed approved. Only complete submittals will be considered, and will be accepted after Close of Escrow. **Please note that a \$90.00 review fee is due at the time of submittal, which pays for the services of an Architect to act on behalf of the Association’s Architectural Committee. Additionally, a \$250.00 refundable deposit is due at the time of submittal. The deposit may be used towards repair of the common area, should it be damaged during your construction, or towards fines assessed by the Association for violation of the CC&R’s and/or Architectural and Landscape Guidelines.**

What Should I Submit?

1. The Association Property Improvement Form (Exhibit A)
2. Plan & Specifications (3 sets). One copy will be returned to the Owner and two sets will be retained by the Association.
3. Neighbor Statement (Exhibit B) (1 copy)
4. Photographs, brochures and/or material samples (1 set) where applicable (items provided will **not** be returned to the Owner).
5. One check payable to “The Vineyard-Murrieta Community Association” in the amount of \$340.00 (\$250 refundable deposit and \$90 review fee).

What Should My Plan Include?

Please refer to the Submittal Requirements Information Sheet (Exhibit D) for a detailed list of what your plan should include.

Plans may be drawn on an 8-1/2 x 11 sheet of paper, or a formal plan may be submitted. The plans should detail all proposed Improvements. Three (3) sets of plans are required for submittal.

1. **Plot Plan.** Must be drawn to scale (1/8”=1’0”).
2. **Landscape Plan.** Include location, type, size and quantity of all plants proposed. Please refer to the sample plan provided by the Master Association (Exhibit E).

3. **Drainage Plan.** Show proposed drain inlets, drain lines and outlets.
4. **Improvement Plan.** Show the nature, shape, dimensions, materials, color, finish and location of proposed Improvements.
5. **Hardscape Plan.** Show existing versus new paving, walls, fences, pools, patio covers, etc.
6. **Outdoor Lighting Plan.** All outdoor lighting must be approved. Provide details on proposed fixtures (cut-sheets), voltage information and location. Lighting may not be affixed to the building.
7. **Fixture Plan.** If you plan to install lighting fixtures, statues, fountains or any decorative item, you must include cut-sheets and brochures or pictures showing the proposed item along with applicable dimensions. The location of any proposed item must be shown on your plans.

Details to be noted on plans are as follows:

- (a) Location of residence on lot; include all relevant dimensions.
- (b) Complete dimensions of the proposed improvement; including the height of any patio covers. Show all dimensions on work to be considered, distances between existing and proposed work and distance of proposed work from property lines.
- (c) Detailed description of materials to be used shall be provided. For example, indicate whether brick to be used is full size, pavers, false brick, etc. Block work should be described by size and type. For example 6*8*16 plain block, split face, etc. Indicate whether or not block work is to have stucco applied or not. Whenever possible use brand names, supplier sources and or trade names. For example; Orco Block "La Paz" Split Face 6*8*16.
- (d) Drawing showing applicable elevations (side view), footings, etc.
- (e) Colors of all proposed materials to be used.
- (f) Plotted location of sprinklers, drains, trees, shrubs, fencing, patios, patio covers, walls, barbecues, pools, spas, and association equipment, and any other structures.
- (g) Types and sizes of plants to be used, as well as height at maturity.
- (h) All water details (fountains, waterfalls and ponds), **must** be accompanied by hard drainage system plan.
- (i) Any applicable statue details (photos, cut-sheets, dimensions, color, material, etc).
- (j) The street address, tract and lot number, Owner's name, a daytime and evening phone number.

Other Information:

1. If proposed Improvements require access over the Common Area or Covered Property for the purpose of transporting labor or materials, written permission for such access shall be required from the Association. If permission is granted, an additional refundable deposit of \$500 is required before work begins. The deposit will be refundable after a visual inspection of the area confirms the area is in its original condition.
2. No Owner shall alter or otherwise change any Common Area hardscape or landscape owned and maintained by the Association.
3. Color samples of all paint or stain are required to be submitted to the AC when they deviate from the original color scheme assigned to the Lot.

4. Any color changes proposed must be compatible, in the opinion of the AC, with the neighboring Lots.
5. Any other information may be deemed necessary by the AC in reviewing the request.
6. The AC may require additional fees for items which require extensive review.

“Neighbor Awareness” Statement (Exhibit B):

Any neighbor that will be impacted by your Improvements must sign off on the “Neighbor Awareness” portion of the application. For instance, immediate neighbors on either side must sign-off on the form, as they will be able to view the Improvements on your property from their Lot. Your rear neighbor may be able to view your yard depending on the elevation of his or her Lot. Side and rear three (3) neighbors shall sign, based on occupancy at date plans are submitted.

Neighbor awareness forms are considered a courtesy notification of proposed landscaping installation, alterations, additions or changes to directly impacted neighbors. **Neighbors do not have the ability to approve or disapprove your plans. Their signature represents that they had an opportunity to review the plans and provide comments.** Even if your neighbor does not approve of the plans, it does not mean that your plans will be denied.

If the home next to you is vacant, you will need to note this on the neighbor awareness form. If you turn in your application and neighbor awareness form with missing information, it will be returned as incomplete.

If any neighbor refuses to sign the neighbor awareness form, or is never home to sign it, you must then send a letter to your neighbor summarizing the landscaping installation, alterations, additions or changes proposed. The letter shall be sent by regular first class mail. A copy of the letter must be sent along with your application to represent that you attempted to obtain the signatures of your neighbor(s).

Material changes to plans, as previously approved by the AC, must have the Neighbor Awareness form resigned prior to submitting to the AC.

Variance/Appeal: In the event of an adverse decision, the applicant may request a variance/appeal to the Board of Directors. The variance/appeal must be filed within thirty (30) days of the decision by the AC and must be submitted in writing, to the Board, through the managing agent. Within forty-five (45) days following receipt of the request for variance/appeal, the Board shall render its written decision. Should the Board fail to respond within the forty-five (45) day period, the Owner shall submit a written notice to the Board advising of its failure to act. If the Board fails to respond within fifteen (15) days after receipt of this notice, then said plans shall be deemed approved as provided in the CC&R’s as may be amended.

Submittal to the City/Municipal Agencies:

Upon obtaining the written approval from the AC, the Owner shall thereafter submit plans and specifications to the City/Municipal Agencies if the proposed Improvements require the issuance of a building permit or other City/Municipal Agencies approval. In the event of a discrepancy between this document and City/Municipal Agencies requirements, the City/Municipal Agency standard shall prevail as to structural matters only. The Association will not be responsible for actions taken by government agencies. Owner is solely responsible to determine and comply with all Municipal requirements.

Hours of Operation

All improvement installation operations shall be carried on between the hours of 7:00 a.m. and 7:00 p.m. In the event the City ordinances are more restrictive, the City ordinances shall prevail.

Notice of Completion (Exhibit C):

Within thirty (30) days after completing installation, a completed "Notice of Completion Form" (NOC) must be submitted to the AC. Upon the AC's receipt of the NOC form, the Committee shall have sixty (60) days to inspect those Improvements completed upon the Owner's Lot and shall notify the Owner in writing of failure to comply, specifying the particulars of noncompliance, if any. The Owner shall remedy such noncompliance or remove the same within a period of not more than thirty (30) days from the date that notice of the Architectural Committee ruling is given to the Owner. If after thirty days the Owner has failed to remedy such noncompliance, the AC shall notify the Board in writing of such failure, which shall result in the hearing process.

If the AC fails to notify the Owner of any noncompliance with previously submitted and approved plans within sixty (60) days after receipt of the NOC form, or the improvement was not inspected within sixty (60) days from the date the AC received the NOC, the Improvements shall be deemed to be in accordance with the approved plans.

Once the NOC is approved in writing, and it is confirmed that the Common Area has not been damaged during yard installation, and there are no fines assessed against the Owner, the \$250.00 deposit will be refunded with the Association's regular check run.

IV. GENERAL GUIDELINES:

1. Patio Covers/Gazebos/Trellis/Decks/Playhouses/Play Structures

Note: The design of all structures shall include construction plan with dimensions, elevation view (decks attached to structure must provide rear and side elevation and photos) and construction details/catalog cut sheets, and must be approved by the AC **prior** to construction or installation. Trellises/patio covers with open roof shall not be constructed over decks or balconies. The Association is not responsible for reviewing installation methods. Owner is solely responsible to insure installation method does not result in damage and/or leaks into their home.

Gazebos: Freestanding structures (sometimes pre-manufactured) with "pitched roof". Roofs can be "open" trellis type or have "solid" roofing material.

- a. Must be set back a minimum of 5' from the property line, perimeter fence/wall and/or top of slope, whichever is more restrictive.
- b. May be a maximum of 12' in height.
- c. Must be of wood construction or AC approved substitute (i.e. Trex). Color shall match existing structure. Roof material (if solid) shall match existing house material and color.

Trellis/Patio Cover: Wood shade structures with "open" trellis type (normally flat) roof.

- a. No Owner of a Lot or Condominium shall construct or install a patio cover or similar structure without complying with all ordinances and regulations of the City. This restriction shall specifically include, without limitation, full compliance with all setback requirements of the City.
- b. Must be set back a minimum of 5' from the rear property line, perimeter fence/wall and/or top of slope, whichever is more restrictive and 5' from the side property line, perimeter fence/wall and/or top of slope, whichever is more restrictive.
- c. May be a maximum of 12' in height.
- d. Must be of wood construction or AC approved substitute (i.e. Trex), minimum 4x4 post size, minimum 2x3 lattice size. Color and detailing shall match existing structure color(s) and style.

Deck: Wood structure raised off the ground more than 2'. Normally intended for "live loads" (walking or sitting on).

- a. Must be set back a minimum of 5' from the rear property line, perimeter fence/wall and/or top of slope, whichever is more restrictive and 5' from the side property line, perimeter fence/wall and/or top of slope, whichever is more restrictive.
- b. Deck Railing must be minimum of 42" and maximum 48".
- c. Must be of wood construction or AC approved substitute (i.e. Trex).

Playhouses/Structures: Any structure or apparatus for play or recreation.

- a. Must be set back a minimum of 5' from the property line, perimeter fence/wall and/or top of slope, whichever is more restrictive.
- b. May be a maximum of 12' in height.
- c. Must be of wood, plastic or metal construction. Wood must be stained, painted and/or sealed. Colors shall be earth tones and complimentary to, or match, colors of existing home. These criteria shall also apply to tarps, screens or fabric canopies, and should be limited to one color maximum.
- d. Must be buffered from public view, including neighboring residences, with appropriate planting.

2. Walls/Fences/Gates

- a. No double fences may be constructed.

3. Swimming Pools, Water Features and Spas

Spas and similar water features such as swimming pools, reflecting pools, koi ponds, and fountains are permitted in private yards not visible from the street. A spa or other similar water feature must not damage existing walls or fences. Rockwork, slides, fountains, or other water features may not exceed the height of the adjacent property line walls or fences. They must be set back from any property line or top of slope a minimum of 3' or equal their height, whichever is more restrictive. Owner must determine if there are utility easements on their property. Owner shall understand that construction is not permissible over any easements. Owner is solely responsible to install and maintain water feature (pool, pond, etc.) safety fence.

4. Accessory Equipment

- a. Shall be screened from the view of any Lot, and from the public view from any public right-of-way with acceptable fence, wall or plant material.
- b. Shall be located where it will not disturb neighboring Lot Owners.
- c. Shall conform to governing laws and agency regulations.

Heaters (Pool/Spa):

- d. Gas fired heaters shall be stackless or low profile in configuration.
- e. Solar heating systems are not permitted, unless permitted by Municipal Ordinances.

5. Temporary Structures

No outbuilding, tent or other temporary building, structure or Improvement may be placed upon any portion of the Properties either temporarily or permanently. No garage, carport, trailer, camper, motor unit, recreation vehicle or other vehicle may be used as a residence in the Properties, either temporarily or permanently. Sheds may be installed in rear yards with AC approval provided they comply with the following guidelines

- a. Exclusive use for garden equipment and/or firewood, tools, etc. No flammable or toxic chemicals, insecticides, etc. may be stored inside the shed.
- b. Shed must demonstrate structural integrity either by major manufacturer or detailed

- blueprints sent to the Architectural Committee for prior approval.
- c. Color of shed must blend with surrounding structure. Color samples, photographs to be provided by homeowner with application.
 - d. Sheds to be located in rear yards or side rear yards only and screened in accordance with these guidelines.
 - e. Maximum footprint of shed to be 7x10 feet or 70 square feet with a maximum structure height of 7' from foundation, providing all set back requirements are fully met. A maximum 4 inch foundation height from native soil is allowed in addition to the structure height.
 - f. The shed structure must be set back from any fence or yard wall a minimum of 3 feet per City of Murrieta set back requirements. It is the Homeowner's sole responsibility to make sure all requirements of the City of Murrieta Zoning and Fire Codes are met. Any approval of the AC does not constitute approval of the City of Murrieta.
 - g. If the shed is taller than the adjoining fences or walls, then screening materials, plants and shrubs, must be planted on all sides where shed is visible from adjoining property or front of the house. Such screening materials must be selected to insure screening will be 100% within six (6) months of installation of the shed. Trellises or plant supports must not exceed 7.5' or the height of the shed if less and must be stained the same color of the fence.
 - h. Proper foundation preparation is required to support the shed structure.

Please keep in mind that these are guidelines to follow if you wish to install a shed. As with all architectural modifications you must submit a completed architectural application.

6. Exterior Fires/Barbecues/Fireplaces

There shall be no exterior fires allowed except barbecues, or fires contained within appropriate receptacles. Barbecues, outdoor fireplaces, or other similar items must be set back a minimum of 3' or equal its height, whichever is more restrictive. Height may not exceed 12'.

7. Alteration of Community Common Area

The addition of plant material or alteration of flatwork is not permitted in the Community Common Area. Regardless of whether a submitted set of plans with proposed alterations to the Community Common Area is deemed approved per Section III above, Improvements of this nature shall not be permitted, unless explicitly approved in writing as also noted in Section III above.

8. Trees

No trees or plants may be planted or maintained in pots on the Association maintained Community Common Area.

9. Drainage

There shall be no interference with the established drainage pattern over any part of the Properties. For the purpose hereof, "established" drainage is defined as the drainage which exists at the time the overall grading of any part of the Property is completed by the Developer, which may include drainage from the Community Common Area over any Lot in the Properties. Your Lot has been graded in accordance with the requirements of local agencies for the purpose of directing the flow and drainage of surface water. If the existing drainage is altered in any way as a result of, (a) the alteration of swales or drainage courses, (b) a change in grading, or (c) any landscaping or other Improvements that are installed in such a way so as to alter the drainage flow on your property, you should consult with a licensed civil engineer. Developer and Association shall not be responsible for such drainage of water of any damage to persons or property resulting therefrom. No changes to the existing grade are allowed.

You are advised to properly maintain and to promptly repair any leaks in pipe systems and valves. The Developer and Association will not be responsible for damage that results from over-watering, failure to maintain pipe systems or valves, and/or damage or alteration to developer installed drainage pipes and systems.

10. Address Numbers

Address numbers shall be uniform. Address numbers other than those originally installed by the Developer or those approved for the entire association by the Board of Directors will not be permitted.

11. Lighting

Original exterior lighting is the only approved lighting that may be affixed to the building. No additional lights may be installed without AC approval.

12. Holiday Lighting

December holiday lighting is permitted without AC approval from the day after Thanksgiving until January 15th only. Holiday lighting is limited to your own Lot. Other Holiday lighting is permitted for one week prior to and must be removed within one week after the holiday.

13. Advertising/Contractor Signs

No sign, poster, billboard, advertising device, or other display of any kind shall be displayed so as to be visible from outside the Properties without the prior written consent of the AC. Contractors performing work on the individual Lots may not post their company's sign upon the Owner's Lot. No sign shall be placed by a homeowner on an Association maintained fence, on the building or in a window.

14. Mailboxes

Mailboxes are the property of the Association and shall not be altered. If applicable, replacement keys/lost keys/broken locks are the responsibility of the homeowner.

15. Streets/Walkways

No construction debris or materials such as sand or bricks may be permitted to remain on the streets or walkways. All items of such nature must be stored wholly on the Owner's Lot. In the event that any materials are delivered and deposited on the streets or Community Common Areas, the Owner will be held responsible for the costs involved in cleaning and/or restoring the Community Common Area, streets or walkways. The Association reserves the right to clean the streets and bill the responsible Owner for costs.

16. Window Coverings

Only curtains, drapes, shutters or blinds may be installed as permanent window covers. No aluminum foil, paint, newspaper, stickers or similar coverings deemed to be inappropriate for a window covering shall be applied to the windows or doors of any Lot. Owners may use plain clean white sheets to cover windows after the Close of Escrow pending the installation of curtains, drapes, shutters or other appropriate interior window coverings for three (3) months from the original conveyance of Lot from the Developer.

17. Window Tinting

Window tinting requests will be considered by the AC. However, mirror finishes will not be approved. **NOTE:** Most failures of dual-glazed units are due to “moisture” condensation that can be traced to the presence of tinted film on the inside of the glass. The deflection caused by the tinted film creates heat build-up and consequent expansion within the airspace of the dual unit, and destroys the butyl seal. Water vapor is thus admitted and condenses between the panes. In addition, cracking of the windowpanes may occur. Neither the window manufacturer nor the Developer will be responsible for

replacement of dual glazed windows should window tinting be applied.

18. Water Supply System

No individual water supply, sewage disposal or water softener is permitted on any Lot unless such system is approved by the AC and is designed, located, constructed and equipped in accordance with the requirements, standards and recommendations of any applicable water district, the City, the AC, and all other applicable government authorities.

19. Solar Energy Systems

Solar energy systems must be approved by the AC prior to installation.

20. Satellite Dishes & Antennae

No Owner shall install, or cause to be installed, or maintain any satellite dish or similar electronic receiving or broadcasting devices having a diameter more than one (1) meter in the project.

For the installation of any receiving or broadcasting device one (1) meter or less in diameter, the location of the satellite dish/antennae should take into account their visibility from the streets and common area. Please attempt to install your dish/antennae in the least visible location possible.

Satellite dishes/antennae are not to be located above the roof line.

All wiring should either be hidden out of site, or painted to match the structure it is attached to. Wires may not be left hanging loose or unpainted.

Owners are encouraged to seek prior AC approval for proposed satellite dish/antennae locations and manner of installation.

If satellite dish/antennae is installed in an area that is visible to the Common Area or street in order to receive a signal, the Association reserves the right to request additional camouflage to mitigate its obtrusiveness and visual impact.

21. Screen Doors

Screen doors may be installed on the front door or entrances without AC approval provided the door is retractable and that the frame is painted to match the adjacent surface. Any other type of screen door must be submitted for AC approval, along with a brochure of the screen door and proposed color.

22. Non-Liability of Approval

Neither the AC, nor any member of the AC, nor the AC's duly authorized representative shall be liable to the Association or to any Owner for any loss, damage or injury arising out of or in any way connected with the performance of the AC duties as contained in Article 19, Section 19.17 of the CC&Rs. The AC shall review and approve or disapprove all plans submitted to it for any proposed Improvement, alteration or addition, solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity and the Properties generally.

Plans and specifications are not approved for (a) engineering design, (b) compliance and zoning and building ordinances, and other applicable statutes, ordinances or governmental rules and regulations, (c) compliance with the requirements of any public utility, (d) any easements or other agreement, or (e) preservation of any view. By approving such plans and specifications, neither the Architectural Committee, the members thereof, the Association, the Owner, the Board nor the Developer, nor agents, employees, attorneys or consultants of any of the foregoing, assume liability or responsibility therefore, or for any defect in any Improvements constructed from such plans and specifications for any

obstruction or impairment of view caused or created as the result of any Improvements approved by the Architectural Committee.

IN THE EVENT OF CONFLICTS BETWEEN THE CC&R'S AND THESE DOCUMENTS, THE CC&R'S SHALL GOVERN.