

Highpointe Homeowners Association
Board of Trustees

Rule and Regulation 2008-2

Dated: March 18, 2008
Last revised: December 6, 2010

(Notice: This Rule and Regulation supersedes all previous Association Board actions and Rules related to this subject.) In the event of an inconsistency or conflict between these Rules and the Association's Covenants, the Covenants shall supersede and apply.

TITLE: PRESERVATION OF THE ENVIRONMENT: Modification of exterior of existing buildings or structures including paint color and installation or construction of new buildings or structures

PRIMARY RESPONSIBILITY: Architectural Control Committee
REFERENCES:

- a) Amended & Restated Declaration Of Covenants Conditions And Restrictions For Highpointe Section 7.1, 7.2, 8.8, and 8.9.
- b) Rule and Regulation 2007-5: Fence Installation or Replacement
- c) Rule and Regulation 2007-3: Roofs
- d) Rule and Regulation Rule and Regulation 2008-1 Fine Schedule/Right to Hearing

PURPOSE:

To maintain the appearance of the neighborhood and high property values and to provide for consistent handling of requests for approval of the installation or modification of buildings and structures.

STANDARDS / PROCEDURE:

1. Any modification of the exterior of existing buildings or structures requires the approval of the Architectural Control Committee (ACC). This requirement for approval includes, but is not limited to, the following:
 - Paint color
 - Installation or construction of new buildings or structures, e.g., storage sheds, greenhouses, kennels, play sets

Additionally, no window fans or window air conditioners may be visible

from the street. This restriction applies to all houses, including those in cul de sacs and on corner lots; however, in the latter cases it is recognized that visibility from the street may not be possible due to the placement of the houses. In these cases, the window fans or window air conditioners shall not be visible from the street directly in front of the house in which they will be used.

The ACC shall consider the following in making a decision to approve the modification of existing buildings or structures and the addition of new buildings or structures:

- (a) Compatibility with landscape and structural surroundings
- (b) Aesthetic appeal
- (c) Consistency with Amended & Restated Declaration of Covenants, Conditions and Restrictions for Highpointe Section 7.1, and 7.2
- (d) Consistency with Amended & Restated Declaration of Covenants, Conditions and Restrictions for Highpointe Section 8.8 and 8.9
- (e) Quality of workmanship and materials
- (f) Consistency with Rule and Regulation 2007-3: Roofs
- (g) Such other Covenants, Bylaws, or Rules, as may apply, on a case by case basis

2. Procedures for requesting approval of modifications or new structures or buildings:

- (a) Requests must be submitted in writing. The request must contain:
 - (1) Name of homeowner
 - (2) Contact phone number
 - (3) Lot number
 - (4) Address
 - (5) Description of proposed action including location of proposed modifications or new buildings or structures
 - (6) Proposed paint colors with samples
Each color sample shall be on a foam core panel at least one foot by one foot. Alternatively, a sample of at least one square foot in area may be painted on the structure to be painted; such sample shall be a minimum of 4 inches in any dimension.
 - (7) Construction plans and specifications for any building.
- (b) Requests other than those for paint should include approval or

comments from all adjacent neighbors whose lots are part of the Highpointe subdivision.

- (c) The request shall be submitted in duplicate. One copy shall be delivered to the Board President and one copy shall be delivered to the Board Secretary.

3. Consideration:

- (a) The ACC may condition approval on the installation of landscaping.
- (b) The judgment of the Architectural Control Committee may be appealed to the full Board. The Board's judgment of whether the proposed construction/installation will maintain or enhance the aesthetic appeal of the neighborhood is final.

4. FINE:

In addition to all available legal remedies for enforcement, violation of this Policy, including non-compliance with conditions imposed by the ACC, will cause a property owner to be subject to fines under Rule and Regulation 2008-1 Fine Schedule/Right to Hearing.

ADOPTED this 7th day of December, 2010.

Mark Adkins

Board Member

James H. ...

Board Member

Mark ...

Board Member

Donald W. Fitzwater

Board Member

Al ...

Board Member

Tom ...

Board Member

Christy ...

Board Member