

ARCHITECTURAL GUIDELINES
TALAVERA MAINTENANCE CORPORATION

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**ARCHITECTURAL GUIDELINES
FOR
TALAVERA MAINTENANCE CORPORATION**

I. PURPOSE

As set forth in the Declaration of Restrictions, the Architectural Committee is vested with the power to review and approve all improvements to all residential Lots and Dwellings for Talavera Maintenance Corporation. Such improvements include, without limitation, additions, modifications and alterations to residential dwellings, signs, fences, landscaping, walls, screens, patios and patio covers, window treatments, air conditioning units and attic fans, and any other modifications to the exterior of a Dwelling or other improvements or alterations to your home.

The Architectural Review Committee does not seek to restrict individual creativity or personal preference, but rather to help assure continuity in design, which will help preserve and improve the appearance of the Community and enhance the property values of all Owners in the Community.

The Architectural Review Committee shall consist of three (3) members. Members of the Architectural Committee shall receive no compensation for services rendered other than reimbursement of the corporation for any expenses that might be incurred in performing their duties. The Architectural Review Committee has the right to retain architects or other construction specialists as may be necessary to perform its duties.

Prior to the commencement of any addition, alteration or construction work of any type on any residential Lot and Dwelling in Talavera Maintenance Corporation, you must first make an application to the Architectural Review Committee for approval of such work. Failure to obtain approval of the Architectural Review Committee may constitute a violation of the Declaration of Restrictions affecting your home, and may require modification or removal of unauthorized works of improvement at your expense. The Architectural Review Committee shall have the right and duty to promulgate reasonable standards against which to examine any request made pursuant to Article IX of the Declaration of Restrictions, in order to ensure that the proposed plans conform harmoniously to the exterior design and existing materials of the buildings in the Properties. The Architectural requirements are in addition to the approval requirements of the SAMLARC Architectural Committee under the SAMLARC Declaration. In addition, a building or other permit may be required by the County of Orange Building Department, or other governmental agencies prior to the commencement of any work. Neither the Architectural Review Committee, nor the Corporation assumes any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the obligation to obtain Architectural Review Committee approval.

II. GUIDELINES

A. Submission Procedure and Requirements

- 1) All requests (“Requests”) for Architectural Committee approval are to be made on the standard Talavera Home Improvement Form (Exhibit A).
- 2) Submission of Requests. All Requests are to be made to the Talavera Architectural Review Committee, c/o AMMCOR Property Management, 1211 Puerta Del Sol, Suite 120 San Clemente, CA 92673.
- 3) Reasonable Fees. The Board of Directors, or the Architectural Review Committee, may assess a fee not to exceed \$50.00 per submission for review of plans and specifications required pursuant to these Standards.
- 4) Construction Drawings. Plans and specifications for works of improvement must be prepared in accordance with the applicable building codes, and with sufficient clarity and completeness to enable the Committee to make an informed decision on your request.
- 5) Submission of Plans. Please forward three (3) sets of your proposed plans and specifications, together with the standard Home Improvement Form (Exhibit A), and a completed Impacted Neighbor Form (Exhibit B). The following information must be submitted to the Architectural Review Committee to constitute a complete Application. One (1) set will be returned to you after completion of the review:
 - a) Plot plan drawn to scale showing the following:
 - i) All proposed improvements and relevant elevations, together with the desired location of such improvements to dwelling units.
 - ii) Complete dimensions of the proposed improvements.
 - iii) Prospective plant list and location (trees and shrubs).
 - b) Description of materials to be used, including the proposed color scheme. Samples should be provided.
 - c) Grading plans (if applicable) where the established drainage pattern might be altered by the proposed improvements.
 - d) Floor plans (if applicable) showing overall dimensions and area of improvements reflecting your preliminary design concept.
 - e) Description of proposed construction scheduled.
 - f) Landscape plan and working drawings (if applicable).

- g) If proposed improvements require access over the Common or Community Areas or Community Facilities for purposes of transporting labor or materials, written permission shall be required from the Corporation. Any such requests must be filed with the Board of Directors prior to the commencement of your improvements.
- h) Any other information or documentation deemed to be necessary by the Architectural Review Committee in evaluating your request.

B. Failure to Comply with Required Procedures

Failure to comply with the requirements and procedures set forth herein shall cause your request to be delayed pending submission of other information and documentation to the Architectural Review Committee. An incomplete Application shall affect the time limits for approval otherwise reserved in favor of the Architectural Review Committee.

C. Final Approval by Architectural Review Committee

Decisions of the Architectural Review Committee and the reasons therefore shall be transmitted by the Architectural Review Committee to the applicant at the address set forth in the application for approval within forty-five (45) days after the receipt by the Architectural Review Committee of all materials required by the Architectural Review Committee. Any Application submitted pursuant to Article IX, Section 9.2 of the Declaration of Restrictions shall be deemed approved, unless written disapproval or a request for additional information or materials by the Architectural Review Committee shall have been transmitted to the application within forty-five (45) days after the date of receipt of the Architectural Review Committee of such application or additional information. The Architectural requirements are in addition to the approval requirements of SAMLARC Architectural Committee under the SAMLARC Declaration, and the SAMLARC Architectural Committee may withhold its approval until after the Architectural Review Committee has issued its approval under this Declaration. The applicant shall meet any review or permit requirements of the County prior to making any alterations or Improvements permitted hereunder.

D. Enforcement

Failure to obtain the necessary approval from the Architectural Review Committee, or failure to complete the improvements in conformity with the plans and specifications approved by the Architectural Review Committee, may constitute a violation of the Declaration of Restrictions and may require modifications or removal of any work of improvement at your expense. Pursuant to the provisions of the Declaration, the Board shall have the right to record against your home a Notice of Noncompliance which shall identify the reason(s) for such notice. If necessary, the County of Orange will be contacted to assist in enforcement of this policy.

E. Violations

All Owners in Talavera Maintenance Corporation shall have the right and responsibility to bring to the attention of the Architectural Review Committee, any violations of the Standards set forth herein.

F. Inspection

Upon completion of the work of improvement, the owner shall submit a written notice of completion (Exhibit C) to the Architectural Review Committee. Any member or agent of the Architectural Committee may, within sixty (60) days thereafter, at any reasonable hour or hours and upon reasonable notice, enter and inspect the subject property as to the completion of the improvement. Such entry shall be made with as little inconvenience to the Owner as possible, and any damage caused thereby shall be repaired by the responsible party.

III. ARCHITECTURAL STANDARDS

A. Structural or Material Additions or Alterations

Exteriors of any building shall conform to the material, colors, character and detailing as established on existing Lots and dwellings within the respective Tract.

- 1) Structures in this section shall conform to the original structural character of the existing dwelling.
- 2) No second-hand materials shall be used in the construction of any building or other structure without the prior written consent of the Architectural Committee.
- 3) Patio sunshades, arbors, trellis and gazebo structures shall be of appropriate and approved construction only, to include vertical supports, which may be of stucco or masonry. All sunshades, arbors, trellis and gazebo structures shall be approved by the Architectural Review Committee. Any metal used for architectural purposes must be 'wood like' in appearance, with the exception of certain elements, ie metal that would enhance the overall architectural appearance and/or function as approved by the Architectural Committee.
- 4) Unacceptable construction materials for patio and awnings structures are corrugated plastic, fiberglass, plastic webbing and reeded or strawlike materials.
- 5) Structures under this section will be stained or painted to match or be complimentary with colors used on its appurtenant dwelling.
- 6) Structures under this section shall have a form consistent with the existing rooflines.
- 7) In designing this addition, intrusion upon a neighbor's privacy, or the passage of light or air to a contiguous Lot of dwelling, shall be kept to an absolute minimum.

B. Landscaping and Other Related Improvements

The Owner of each Lot shall complete the installation of landscaping on the front yard of his/her Lot in accordance with a plan approved by the Architectural Review Committee, within one hundred and eighty (180) days after the Close of Escrow for the sale of such Lot from declarant. Each Owner shall obtain all permits necessary and shall comply with all requirements of the County of Orange.

Please refer to SAMLARC Architectural Guidelines Section A, Landscaping, and Section S, Miscellaneous, Item 22 regarding lava rock and decorative rock.

C. Drainage and Fill

There shall be no interference with the established drainage patterns over any Lot within the Properties, unless an adequate alternative provision is made for proper drainage with the prior written approval of the

Architectural Review Committee. For the purpose hereof, "established drainage pattern" is defined as the drainage which exists at the time that such Lot is conveyed to a purchaser from Declarant, and shall include drainage from the Lots in the Properties onto the Common Area and from the Common Area onto the Lots.

D. Fences and Walls

No fence or wall shall be erected, altered or maintained on any Lot in the Properties, except with the prior approval of the Architectural Review Committee and the SAMLARC Architectural Committee.

E. Gutters and Downspouts

No gutters, downspouts or scuppers to control water shed from roofs shall be installed without prior approval of the Architectural Review Committee. Such improvements shall be primed and painted to match the surface color of its appurtenant dwelling.

F. Unightly Items

All weeds, rubbish, debris or unsightly materials or objects of any kind shall be regularly removed from the Lot and shall not be allowed to accumulate thereon. All clotheslines, refuse containers, woodpiles, air conditioners, water softeners, storage areas, machinery and equipment shall be prohibited upon a Lot unless obscured from view of adjoining streets, lots, alleys, community facilities or Common Areas.

G. Exterior Fixtures

No patio cover, wiring, or air conditioning fixture, water softeners, or other devices shall be installed on the exterior of a Dwelling Unit or be allowed to protrude through the walls or roof of the Dwelling Unit (with the exception of those items installed during the original construction of the Dwelling Unit), unless the prior written approval of the Architectural Review Committee and the SAMLARC Architectural Committee is obtained.

H. View Obstructions

Each owner by accepting title to a Lot, hereby acknowledges that (a) there are no protected views within the Properties, and no Lot is assured the existence or unobstructed continuation of any particular view, and (b) any construction, landscaping or other installation of Improvements by Declarant or other Owners may impair the view from any Lot, and the Owners hereby consent to such view impairment.

I. Antenna/Satellite Dish

No radio station or short-wave operators of any kind shall operate from any Lot or Dwelling Unit unless approved by the Architectural Review Committee. No exterior radio Antenna, "C.B." antenna, television antenna, earth receiving station, satellite dish or other antenna of any type shall be erected or maintained in the Properties. However, a master antenna or cable television antenna or antenna contained within a building or underground conduits may, but need not, be provided by Declarant for the use of all Owners, and Declarant may grant easements for such purpose.

J. Flagpoles

The installation of flagpoles shall be subject to review by the Architectural Review Committee.

K. Basketball Standards

No basketball standards or fixed sports apparatus shall be constructed or maintained in the Properties without the prior approval of the Architectural Review Committee and, if required, the SAMLARC Architectural Committee.

L. Window Coverings

No window shall be covered with aluminum foil, newspapers or other material not designed for use as a window cover.

M. Equipment and Storage Sheds

No structure of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be installed or used on any Lot at any time, temporarily or permanent.

N. Skylights and Other Solar Energy Equipment

The installation of rooftop structures or a system to accommodate solar energy equipment or skylights are not permitted without prior Architectural Review Committee approval. No other appliances or installations on exterior roof structures, including, without limitation, rooftop turbine ventilators shall be permitted, except that solar energy systems may be installed in accordance with the provisions of the CC&R's and the SAMLARC Declaration.

O. Water Supply Systems

No individual water supply, sewage disposal system, or water softener system shall be permitted on any Lot in the Properties unless such system is designed, located, constructed, and equipped in accordance with the requirements, standards, and recommendations of any water district serving the Properties, the Health Department for Orange County, the Architectural Review Committee, and all other applicable governmental authorities.

P. Right to Adopt Additional Architectural Standards

The Architectural Review Committee may, from time to time, adopt and promulgate additional Architectural Standards to be administered through the Architectural Committee. Copies of such additional Architectural Standards, together with any Rules & Regulations adopted and promulgated by the Board of Directors and/or the Architectural Review Committee, shall be on file at the office of AMMCOR.

Q. Front Yard Hardscape

No part of the front yard shall be constructed fully of solid materials such as concrete, brick, etc., from the residence to the street, with the exception of the driveway, a walkway leading to the resident's front door and a walkway leading from the top of the driveway to the side yard gate.

Adopted: February 11, 1994

R. Limited Slope Access

Access to slopes is to be gained at the access way for the landscape crew. Homeowners are to access the slope only for retrieval of items that mistakenly go over rear yard fencing and on to the slope area. Homeowners are to walk along the path provided for the landscapers and avoid any damage to the landscaping. Slopes are not to be accessed for walking of pets or any other purposes.

GENERAL CONDITIONS

1. Talavera Maintenance Corporation Architectural approval does not constitute waiver of any requirements required by applicable governmental agencies.
2. Architectural approval of plans does not constitute acceptance of any technical or engineering specifications, and Talavera Maintenance Corporation assumes no responsibility for such. The function of the Architectural Review Committee is to review submittals as to aesthetics. All technical and engineering matters are the responsibility of the Lot owner. The SAMLARC Architectural Review Committee approval is still required.
3. An oversight of a Covenant, Condition or Restriction, or a Committee policy does not constitute waiver of that rule and therefore, must be corrected upon notice.
4. Access for equipment used in construction must be through your property only. Access over Community Property will not be permitted without prior approval from the Board of Directors.
5. Streets may not be obstructed with objects and building materials that are hazardous to pedestrians, vehicles, etc. Items such as, but not limited to, dumpsters, sand and building materials may not be stored on streets, sidewalks or Common Area Property.
6. Any damage to Talavera Maintenance Corporation Community Property will be replaced or repaired by a Talavera subcontractor. All applicable charges for restoration will be charged back to the homeowner by Talavera Maintenance Corporation and is due and payable within 30 days from notification or assessment of penalties.
7. Approval of plans is not authorization to proceed with improvements on any property other than the lot owned by the applicant.
8. Orange County ordinances require homeowners to maintain correct grades of lots so that water drainage does not flow into adjoining properties or does not prevent off flow from same.

NOTE: Plans that are approved are not to be considered authorization to change the drainage plans as installed by the developer and approved by the County of Orange. The review is intended to consider aesthetic appearance of the drains, pipes, and coring and other applicable aspects of drainage.

Owner may also need to obtain approval from the County of Orange for permission to encroach within County easement.

NOTICE OF COMPLETION

Upon completion of any work for which approval has been given, the Owner shall submit written notice of completion (Exhibit C) to the Committee. The Architectural Committee shall have the right to inspect the work and notify the responsible Owner of any noncompliance within sixty (60) days after the latest to occur of the following events: (i) submittal of the plans for the work to the Architectural Committee; (ii) completion of the work as provided in the approved plans; and (iii) written notice from the Owner to the Architectural Committee that the work has been completed. This time limit for inspections and notification by the Architectural Committee shall be extended indefinitely if any of these conditions has not occurred. If the Committee finds that such work was not done in substantial compliance with the approved plans, it shall notify their owner in writing of such noncompliance within the sixty (60) day period and require the Owner to correct the matter.

If upon expiration of sixty (60) days from the date of notification the Owner has failed to remedy the noncompliance, the Committee shall notify the Board of Directors of the Corporation in writing of such failure. After affording such owner notice and hearing, the Board shall determine whether there is a noncompliance of the CC&R's and, if so, the nature thereof and the estimated cost of correcting or removing the same. If a noncompliance exists, the owner shall remedy or remove the same within a period of not more than forty-five (45) days from the date that notice of the Board ruling is given to the Owner. If the owner does not comply with the Board ruling within that period, the Board, at its option, may record a Notice of Noncompliance and commence a lawsuit for damages or injunctive relief, as appropriate, to remedy the Noncompliance.

If for any reason the Architectural Review Committee fails to notify the Owner of any noncompliance within the sixty (60) days after receipt of said notice of completion, the improvement shall be deemed to be in accordance with said approved plans.

VARIANCE

The Committee may authorize variances from compliance with any architectural provisions contained in the CC&R's for Talavera Maintenance Corporation, including, without limitation, restrictions upon height, size, or placement of structures, or similar restrictions when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require. Such variances must be evidenced in writing, must be signed by a majority of the Architectural Review Committee, and shall become effective upon Recordation. After the Declarant has lost the right to appoint a majority of the members of the Architectural Committee, the Board must also approve any variance recommended by the Architectural Review Committee before such variances shall become effective. If such variances are granted, no violation of the covenants, conditions and restrictions contained in the CC&R's shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such variance shall not operate to waive any of the terms and provisions of the CC&R's for any purpose except as to the particular property and particular provision hereof covered by the variance, nor shall it affect in any way the Owner's obligation to comply with all governmental laws and regulations affecting the use of his/her Lot and Dwelling Unit.

HOMEOWNER/ARCHITECTURAL COMMITTEE TRANSMITTAL FORM

**REQUIRED TO BE PREPARED BY APPLICANT & ATTACHED TO
COMPLETED APPLICATION WHEN SUBMITTED:**

Name of HOA: _____

Name of Owner/Applicant: _____

Address of Property : _____

Mailing Address **if different** than property address: _____

Contact email or phone number (if needed by Committee): _____

=====

RESPONSE FROM COMMITTEE TO APPLICANT:

____ **Approved by Committee as submitted.**

____ **Denied by Committee - homeowner may request Appeal to the Board of
Directors.**

____ **Rejected by Committee due to incomplete application - further consideration
requires resubmission by Applicant.**

____ **Conditional approval with required following conditions:** _____

**IMPORTANT: Approval by the Architectural Committee does not constitute a
waiver of any requirements by the applicable governing agencies.**

=====

Official Tracking Information: Log # _____

Date Sent to Committee ___/___/___ Date of Response to Applicant ___/___/___

**EXHIBIT A
HOME IMPROVEMENT FORM**

Talavera Maintenance Corporation
C/o AMMCOR
1211 Puerta Del Sol, Suite 120
San Clemente, CA 92673

LOT # _____

TRACT _____

ARCHITECTURAL REVIEW COMMITTEE

X _____

HOMEOWNER'S SIGNATURE

Name _____ Home Phone _____

Work Phone _____

Address _____ Talavera Maintenance Corporation

PROJECTS BEING SUBMITTED: (Please check appropriate box) Start ____/____/____ Finish ____/____/____

- | | |
|--------------------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> AIR CONDITIONER | <input type="checkbox"/> GREEN HOUSE |
| <input type="checkbox"/> AWNINGS | <input type="checkbox"/> GAZEBO |
| <input type="checkbox"/> BASKETBALL BACKSTOPS | <input type="checkbox"/> LAWN ONLY |
| <input type="checkbox"/> DECK | <input type="checkbox"/> LANDSCAPING |
| <input type="checkbox"/> DRAINS (IF ALTERING EXISTING GRADE) | <input type="checkbox"/> SIDE |
| <input type="checkbox"/> GUTTERS | <input type="checkbox"/> FRONT |
| <input type="checkbox"/> FENCE(S) OR | <input type="checkbox"/> BACK |
| <input type="checkbox"/> WALL(S) | <input type="checkbox"/> PATIO COVER |
| <input type="checkbox"/> FRONT | <input type="checkbox"/> PAINTING |
| <input type="checkbox"/> SIDE | <input type="checkbox"/> PLAYHOUSE |
| <input type="checkbox"/> REAR | <input type="checkbox"/> POOL AND EQUIPMENT |
| <input type="checkbox"/> RETAINING | <input type="checkbox"/> SPA AND EQUIPMENT |
| <input type="checkbox"/> EXTENSION | <input type="checkbox"/> ROOM ADDITIONS |
| <input type="checkbox"/> RELOCATION | <input type="checkbox"/> TREES |
| <input type="checkbox"/> OTHER _____ | |

PLEASE FILL IN DETAILS BELOW IF NOT SHOWN ON PLANS:

ARE EXISTING IMPROVEMENTS SHOWN ON PLANS? _____
NAME OF PLANTS _____
TYPE OF MATERIALS USED _____
TYPE OF WOOD SURFACES _____
COLOR SCHEME _____
ORANGE COUNTY BUILDING PERMITS ATTACHED? _____
IMPACTED NEIGHBOR STATEMENT ATTACHED? _____
THREE COPIES ATTACHED? _____

NOTE: Plans that are approved are not to be considered authorization to change the drainage plan as installed by the developer and approved by the County of Orange. The review is intended to consider aesthetic appearance of the drains, pipes and coring and other applicable aspects of drainage.

Owner may also need to acquire approval from the County of Orange for permission to encroach within County easement.

DO NOT WRITE BELOW THIS LINE

Signature of Board Member _____ **Approved** _____ **Denied** _____

NEIGHBOR NOTIFICATION

It is the intent of the Architectural Review Committee to consult neighbors on any improvements, which may impact their use and enjoyment of their property. Neighbor approval or disapproval of a particular improvement shall only be advisory and shall not be binding in any way on the Architectural Review Committee's decision.

1. Definitions: Facing Neighbor, Adjacent Neighbor, and Impacted Neighbor.

Facing Neighbor: Means the three (3) homes most directly across the street.

Adjacent Neighbor: Means all homes with adjoining property lines to the Lot in question

Impacted Neighbor: Means all homes in the immediate surrounding area, which would be affected by the construction of any improvements.

2. Improvement Requiring Notification:

Any exterior improvements that may impact the neighbors in the community.

3. Statement:

The Facing, Adjacent and Impacted Neighbor Statement (Exhibit "B") must be provided to the Architectural Review Committee to verify the neighbors have been notified about the proposed improvements.

EXHIBIT B

TALAVERA MAINTENANCE CORPORATION

FACING, ADJACENT AND IMPACTED NEIGHBOR STATEMENT

The attached plans were made available to the following neighbors for review:

FACING NEIGHBOR

<i>Name</i>	<i>Address</i>	<i>Signature</i>
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FACING NEIGHBOR

<i>Name</i>	<i>Address</i>	<i>Signature</i>
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ADJACENT NEIGHBOR

<i>Name</i>	<i>Address</i>	<i>Signature</i>
-------------	----------------	------------------

ADJACENT NEIGHBOR

<i>Name</i>	<i>Address</i>	<i>Signature</i>
-------------	----------------	------------------

IMPACTED NEIGHBOR

<i>Name</i>	<i>Address</i>	<i>Signature</i>
-------------	----------------	------------------

IMPACTED NEIGHBOR

<i>Name</i>	<i>Address</i>	<i>Signature</i>
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The neighbors have seen the plans I am submitting for Architectural Review Committee approval (see above verification). I understand neighbor objections do not in themselves cause denial. However, the Architectural Review Committee will contact the neighbors to determine their objections and their appropriateness, if necessary.

SUBMITTED BY:

Name: _____ Date: _____

Address: _____

EXHIBIT C

TALAVERA MAINTENANCE CORPORATION

NOTICE OF COMPLETION

Notice is hereby given that:

The undersigned is the owner(s) of the property located at

(Street & Number)

(City)

The work of improvement on the described property was COMPLETED ON THE _____
day of _____, 20_____ in accordance with the Architectural
Committee's written approval of the above owner's plans and submitted package.

Signature of Owner _____

Date: _____