



PINNACLE POINTE HOMEOWNERS ASSOCIATION

ARCHITECTURAL GUIDELINES

1. PURPOSE AND POLICIES

The goal of these guidelines is to preserve and enhance the beauty of the Pinnacle Pointe Homeowners Association and to assist the Association Member to design plans in conformity with this goal. The Architectural Committee shall make decisions regarding an external change or alteration on behalf of and for the good of the community as a whole. Any change not specifically addressed or outlined in these Guidelines will become a matter of reasonable discretion on the part of the Architectural Committee.

In the event of a conflict between this document and the CC&R's, the CC&R's shall control.

2. THE COMMITTEE ROLE

2.1 SCOPE: All exterior alterations, additions, or changes to any structure or to the landscape of any lot, must be submitted to the Architectural Committee for approval prior to any installation or commencement of construction.

2.2 FAILURE: Work commenced before architectural plan approval is subject to removal at the cost of the homeowner if subsequently deemed unacceptable by the Architectural Committee.

2.3 DEVIATION: If landscape or any improvements (hereinafter collectively referred to as "Improvement") have been constructed or installed in a manner which materially deviates from the plans that were approved, the Architectural Committee will make recommendations for

changes, if those changes are not completed within 45 days the matter will be turned over to the Board of Directors to take appropriate remedial action in accordance with the CC&R's.

3. MEETINGS OF THE ARCHITECTURAL COMMITTEE

The Architectural Committee will meet on a regular basis to review proposed plans and make recommendations regarding the approval/ denial of plans. In addition, the Architectural Committee may review completed construction and landscaping to ensure compliance to these guidelines and the CC&R's. The Architectural Committee will also notify homeowners of corrections required and turn unresolved matters to the Board for appropriate remedial action in accordance with the CC&R's.

4. SUBMISSION OF PLANS

All plans must be submitted as outlined below, and must be approved in writing prior to the actual starting of work. Plans that do not contain all of the information required below will be returned for additional information, prior to review.

All plan submissions must be accompanied by a check for \$50.00 as a refundable deposit if all requirements outlined here are met. (See attached sketch)

4.1 What to Submit

All submissions must be made in triplicate, in writing on at least 8 1/2" X 11" paper, and be accompanied by a plot plan drawn to scale showing: (See attached sketch)

- The location of your residence on your lot, with all relevant dimensions indicated.
- Complete dimensions of proposed improvements.
- Measurements of the proposed improvements showing their relationship to your home and lot.
- Detailed description of materials to be used in the improvements.
- Drawing showing applicable elevations, footings, etc.
- Color scheme of end product.
- Plotted location of sprinklers, drains, trees, shrubs, fences, patios, patio cover, walls, pools, spas, and associated equipment, and all other structures.
- Exact plants to be used, as well as heights at maturity.
- The street address, lot number, owner's name, and a day and evening telephone number.
- Proposed start date and estimated completion date.
- A copy of Neighbor Comment Statement with signed plans.
- View Waiver Form with signed plans (as applicable).
- \$50.00 fee payable to Pinnacle Pointe Homeowner's Association.

NOTE: Make submissions at least forty-five (45) days prior to construction begins to allow time for approval.

4.2 WHERE TO SUBMIT PLANS

All three sets of plans should be submitted to the management company. The management company will retain a copy on file, and forward two copies to the Chairperson of the Architectural Committee. The management company is presently:

Questions related to the submission of plans of the guidelines should be directed to your Property Manager.

5. ARCHITECTURAL SPECIFICATIONS

The following specifications constitute guidelines for submitting plans to the Architectural Committee in regard to the following:

5.1 Fences and Walls

The California Civil Code, Section 841, requires that the cost of building and maintaining common fences should be shared by adjacent landowners. All homeowners have a right to privacy in their homes and immediate yards. However, the rights of other homeowners to enjoy natural landscape must also be respected simultaneously. (See Section 23, Article VII of CC&R's, View Obstruction)

The following guidelines apply to all fencing within the community:

- No double fences shall be constructed. In other words, adjacent landowners cannot construct separate fences parallel to one another. No hedge, shrub, or other landscaping shall be used as a fence or a wall.
- No fence may be more than six feet high.
- Fences and walls require Neighbor Comment Statement.

5.2 Patio Slabs, Walkways, Courtyards, Decking, Mow Strips

- Materials which are acceptable for patio slabs, walkways, courtyards, decking, and mow strips are concrete, brick, raised redwood, and terra cotta tile.
- In all cases, colors must be clearly specified on the plans. Mow strips may be of redwood or other appropriate material, as determined by the Architectural Committee.

5.3 Patio Covers, Gazebo Covers

- The material that is accepted for patio covers and gazebos is wood. The patio cover or gazebo cover must be painted to match the trim of the house.
- No aluminum, metal, fiberglass, plastic, cloth, composition shingle, or screens may be used.
- Patio covers and gazebo covers require adjacent and impacted neighbor notification.

5.4 Miscellaneous Guidelines

All of the following are policy guidelines only and approval by the Architectural Committee must be applied for:

- Awnings – Awnings must be approved by the Architectural Committee
- Glass Tinting – Glass tinting requests will be considered by the Architectural Committee. However, mirror finished will not be approved as the Architectural Committee finds it offensive to homeowners.
- House Numbers – House numbers must be uniform. House numbers other than the house numbers installed by the Developer, or those approved for the entire association by the Board of Directors will not be permitted.
- Lighting – Exterior lighting must be low voltage (12V). Higher voltage lighting will be approved if it is not directed, or if it is placed so that it does not create an annoyance to the neighbors, as determined by the Architectural Committee.
- Pools – Pools, Jacuzzis and related equipment will be considered on an individual basis and require adjacent and impacted neighbor notification.
- Playground Equipment – Swings, playhouse and other playground equipment will be considered on an individual basis and permitted if located unobtrusively.
- Rooftop Appliances – Rooftop appliances will not be permitted except for solar panels, as approved. Solar panels may be approved if they are mounted directly on the roof and are of a color, size and shape consistent with the roof line. Color should be

as unobtrusive as possible. Solar panels are allowed within the plane of the roof only.

- Screen Doors – Screen doors on the front door or entrance should be black, brown, bronze or almond, and in harmony of the design of the building elevation. The Architectural Committee has the authority to control design of screen doors and to request removal if not in harmony as required. If in doubt, consult the Architectural Committee for approval to prevent removal after installation.
- Security Bars – Security bars visible from the exterior on windows and doors are not allowed.

6. NEIGHBOR NOTIFICATION

It is the intent of the Architectural Committee to consult neighbors on any improvement that may impact on 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 Committee's decision.

6.1 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 adjacent to the home in question. Impacted neighbor means all homes in the immediately surrounding area that would be affected by the construction of any improvements (For example, the improvement would be visible or heard by them or obstruct their view).

6.2 Improvements Requiring Notification

The following improvements require neighbor comment statements prior to the submission of plans:

- Fences and walls (adjacent and facing neighbors).
- Patio covers and gazebos (adjacent and impacted neighbors).
- Related equipment of pools and Jacuzzis (adjacent and impacted neighbors).
- Any other exterior improvements that may impact neighbors and community.

6.3 Statement

A neighbor comment statement must be provided to the Architectural Committee that the neighbors have been notified about the proposed improvements (See Exhibit B).

6.4 Inspection of Plans

A copy of the proposed plans will be available for inspection by neighbors upon request prior to the scheduled Architectural Committee meeting.

6.5 Objections

Objections from adjacent, facing, impacted and any other interested neighbors should be voiced in person at the meeting, or in writing to any of the members of the Architectural Committee prior to the date of the meeting. Any objections received after the approval will not be considered by the Architectural Committee, regardless of the reason for delay.

7. APPROVAL

7.1 Meaning of Approval

Approval by the Architectural Committee does not constitute approval by the City or County of Orange, NOR does approval by the City or County of Orange constitute approval by the Architectural Committee. Architectural Committee approval means only that the plans meet the written satisfaction of the Architectural Committee, do not substantially impair the view of other lots, and are consistent and in harmony with the general plan of the community. As a particular matter, building permits will usually not be issued by governmental agencies until they are satisfied that the proposed plans comply with pertinent CC&R's and homeowner specifications.

It is also recommended that all plans requiring City building permits be given a preliminary plan check by the City to verify compliance with City Building Codes prior to submission to this Committee.

7.2 Condition Approval

Approval is conditional upon the commencement of the work within ninety (90) days after approval has been obtained or within a longer or shorter period specified by the Architectural Committee. Work must be performed diligently to completion. Revised plans incorporating any changes required by the Architectural Committee must be resubmitted and approved before any work can start. Work may start only after receipt of written approval and the satisfaction of any prior conditions related to the approval.

7.3 No Liability

The Architectural Committee, the Board of Directors, all members of the Association, Owner or Developer, shall not be responsible or liable to any one in any way for any defect in any improvement constructed in accordance with plans and specifications approved by the Architectural Committee, or for any reason of mistake in judgment, negligence, or nonfeasance arising out of the approval or disapproval, or failure to approve or disapprove any plans.

7.4 Decision: 45 Days

In accordance with Section 10 of the CC&R's, the Architectural Committee must approve or disapprove submitted specifications within 45 days of receipt of plans. Failure to approve or disapprove the plans within the 45 day period shall be deemed an approval of the plans.

7.5 Revised Plans

Revised plans incorporating any changes required by the Architectural Committee must be resubmitted and approved before any work can start.

7.6 Disapproval

Approval of any plans may be withheld, not only because of non-compliance with the CC&R's, but also by reason of the reasonable dissatisfaction of the Architectural Committee with the plan, color scheme, finish, design, proportions, architecture, shape, height, style, and appropriateness of the proposed plans, the materials used therein, or because of its reasonable dissatisfaction with any matters or things which render the proposed plans inharmonious with the general plan of the community or which would substantially impair the view from other lots.

8. APPEAL PROCEDURE

8.1 Procedure

In the event of an adverse decision, either the applicant or any interested adjacent, facing, or impacted neighbor may request an appeal of the Board of Directors.

An appeal by an applicant must be filed within 30 days of the Architectural Committee's decision. The appeal must be made in writing to the Board through the managing agent. The Board shall submit such request to the Architectural Committee for review, whose written recommendations will be submitted to the Board. Within 45 days

following receipt of the request for appeal, the Board shall render its written decision. The failure of the Board to render a decision within said 45 day period shall be deemed a decision in favor of the appellant. An appeal by adjacent, facing, or impacted neighbors must be filed within 10 days of the Architectural Committee's decision. The appeal must be made in writing to the Board through the managing agent. Said appeal shall be heard and decided upon at the next Board of Directors meeting. The decision of the Board of Directors on any appealed matter will be final and conclusive.

9. IMPROVEMENTS NOT REQUIRING APPROVAL

The following improvements do not require approval of the Architectural Committee:

- Repainting or re-staining the exterior surfaces of any structure, including the dwelling, in their original colors. Any change of color requires written approval from the Architectural Committee.

10. COMPLETION OF IMPROVEMENT

When work on the improvement is completed, each homeowner will complete and return to the Architectural Committee a work completion statement. The Committee may then inspect the exterior of the completed work as to conformity with the approved plans and notify homeowner of any violation within 60 days.

11. MAINTENANCE AND REPAIR

11.1 Landscaping

Front, rear, and side lot landscaping shall be completed no later than 180 days from close of the first escrow of the purchased lot and home without exception as stated in Section 2 of Article IX of the CC&R's. In the event that substantial completion of this landscaping has not been achieved within 180 days after close of escrow, the Architectural Committee reserves the right to request that the homeowner attend a meeting of the Architectural Committee to discuss the status of the landscaping. Notice of this meeting will be given to all facing and adjacent neighbors.

Softscape shall be consistent with the style and quality of the community. It shall be specified on plans as to type, location, and quantity of plantings, subject to approval by the Committee.

It is recommended that a mixture of lawn, plant materials, and ground cover be used.

Any use of decorative rock, natural rock, and boulders is subject to approval by the Committee.

Irrigation systems are required to be approved by the Committee.

11.2 Trash

Trash must be located out of view from any street, except when it is put out for pick up. Trash should not be put out until the evening prior to trash pick up day, and must be removed promptly within 24 hours.

11.3 Driveways and Walkways

Driveways and walks are to be swept and kept clean and free of oil stains.

11.4 Drainage

Any modifications by owner to the grading and improvements as installed by the developer and builder shall relieve the developer and builder of responsibility for any damage brought upon by said modification.

All drainage from improvements shall be constructed to return drainage to the front street. Backyard drainage must be cored through the curb, and may not run over the sidewalk or neighboring lots. County Encroachment Permits may be necessary. Sidewalks may not be broken to lay drainage, as they are County property.

11.5 Maintenance of Exterior Structures

All exterior surfaces of all structures, including the dwelling, must be maintained structurally and kept well painted and/or stained.

12. NON-APPLICABILITY TO OWNER AND DEVELOPER

The provisions of these guidelines shall not apply to lots owned by the builder for purpose of development. All improvements constructed by the builder shall be deemed in full compliance with these guidelines.

EXHIBIT "A"

APPLICATION FOR ARCHITECTURAL APPROVAL
PINNACLE POINTE HOMEOWNERS ASSOCIATION

GENERAL INFORMATION

Homeowner(s) Name: _____
Property Description: Tract #: _____ LOT #: _____
Street Address: _____

Mailing Address of homeowner, if different:

Daytime Phone: _____ **Evening Phone:** _____
Contractor's Name and Phone (if applicable): _____

APPLICATION

There is a \$50.00 application fee, made out to Pinnacle Pointe Homeowner's Association. This fee is automatically waived if approval is obtained before a commencement of the proposed improvement. The submittal fee, if not waived, will be a Special Assessment against the homeowner's lot in accordance with the CC&R's.

ENCLOSURES

Enclosed are three (3) copies of the following (please check):

- _____ This application
- _____ The location of residence on the lot, with all relevant dimensions indicated
- _____ Complete dimensions of the proposed improvement
- _____ Measurements of proposed improvements showing relationship to home and lot
- _____ Detailed description of materials to be used in the improvements
- _____ Drawing showing applicable elevations, footings, etc.
- _____ Color scheme of end product
- _____ Plotted location of sprinklers, drains, trees, shrubs, fences, patios, patio cover, walls, pools, spas, and associated equipment, and all other structures

- _____ The street address, lot number, owner's name, and a day and evening telephone number
- _____ Proposed start date and estimated completion date
- _____ Appropriate copies of neighbor comment statements, with plans signed off
- _____ View Waiver with signed plan (as applicable). (Use if neighbor affected by improvement is willing to waive their rights under the CC&R's to a view that is not unreasonably obstructed and is in agreement with the proposed obstruction. NOTE: Please also have them sign the plans.)
- _____ Letter of explanation requesting variance from Architectural Guidelines.
- _____ \$50.00 fee payable to Pinnacle Pointe Homeowners Association
- _____ Other _____

APPROVAL SOUGHT

We believe that these plans show proposed construction, alterations, or additions that:

- Will not be detrimental to the surrounding properties as a whole
- Will be in harmony with the views of the surrounding structures
- Will not unreasonably interfere with other existing lots
- Will not become a burden on the Pinnacle Pointe Homeowners Association

Check One:

- _____ WILL NOT be an unreasonable obstruction of the view from other lots
- _____ Will be an obstruction of the view from other lots or condominiums, but attached to a View Waiver from each homeowner who is affected by this improvement, and their signature is found on my plans.

COMMENTS that would be helpful to the Committee when reviewing plans:
(use additional page if necessary)

The Architectural Committee has my/our permission to inspect the property for architectural approval.

Signature of Applicant(s)

_____ DATE _____

_____ DATE _____

THIS SPACE IS FOR ARCHITECTURAL COMMITTEE USE ONLY

The Architectural Committee has determined that the above approval sought is:

_____ APPROVED
Proposed improvements satisfy requirements a, b, c, and d
Above.

_____ DISAPPROVED AS SUBMITTED
Proposed improvements will meet the requirements a, b, c, and d
Above if the following changes to the proposed construction
Alteration or addition is made.

ARCHITECTURAL COMMITTEE

BY: _____

DATE: _____

EXHIBIT "B"
NEIGHBOR COMMENT STATEMENT
PINNACLE POINTE HOMEOWNERS ASSOCIATION

To: Architectural Committee – Pinnacle Pointe

FROM: NAME(S) _____

ADDRESS _____

We have received and signed the plans being submitted to you for approval by our neighbor _____ whose address is _____, California.

In relation to our residence and the neighbor's residence is (circle one):

SOUTH EAST WEST ABOVE BELOW Other: _____

Our evaluation of the proposed improvements shown on the plans is as follows:

_____ We DO NOT find the proposed improvements objectionable.

_____ We DO find something objectionable about the proposed improvements because:

- _____ It will not be in harmony with the surrounding structures
- _____ It will be detrimental to the surrounding properties as a whole
- _____ It might become a burden to the Community Association
- _____ It will be an obstruction of our view from our lot or condo
- _____ Other: _____

For the following reasons: _____

Suggestions for making the improvements acceptable to us are as follows: _____

We can be reached for further comments, clarifications, etc., by telephone during the hours of:

_____ to _____ at () _____

_____ to _____ at () _____

We would like our comments to be as confidential as possible.

YES

NO

Signature(s): _____ DATE: _____

Signature(s): _____ DATE: _____

EXHIBIT "C"
VIEW WAIVER FORM
PINNACLE POINTE HOMEOWNERS ASSOCIATION

TO: Pinnacle Pointe
Architectural Committee

FROM: Name(s) _____

Address _____

We (I) are (am) aware that the Covenants, Conditions, and Restrictions for Pinnacle Pointe Homeowners Association preserves views from being unreasonably obstructed, but makes no representation concerning views:

Section 24, No Easements for View Purposes: Disclaimer. The Article herein entitled "Architectural Control – Approval" sets forth procedures for the approval of improvements which may be constructed upon lots in the project which are consistent with the Architectural Standards adopted, from time to time, pursuant to said Article. The Architectural Standards may have some effect on preserving views from, and ensuring the passage of light and air to individual lots. However, by promulgation and enforcement of the Architectural Standards, or otherwise, neither Declarant, the Board, nor the Architectural Control Committee, or the members, employees or consultants of any of the foregoing, have made any representations whatsoever concerning the view, if any, that a particular lot or other improvement thereon will enjoy. There are no express or implied easements whatsoever appurtenant to any lot for view purposes, or for the passage of light and air across any other lot or any property not within the project, regardless of whether such lot is owned by Declarant. Each owner, by accepting a deed to a lot, hereby expressly acknowledges and agrees that further construction within the project may impair the view from such owner's lot, and each owner hereby expressly consents to any such impairment.

Our (my) view could be considered to be obstructed by:

- _____ Improvements proposed by the neighbor
_____ whose address is _____
- _____ Improvements proposed by us (me)
- _____ Improvements proposed by both us (me) and the neighbor(s)

EXHIBIT "D"
NOTICE OF COMPLETION
PINNACLE POINTE HOMEOWNERS ASSOCIATION

On _____, I have completed the improvements to my property as outlined in my approved plans. The following changes from the submitted, approved plans were made at the time of construction/planting (list exact changes, if any, and show revisions on copy of plan. If no changes, write "none"). I understand these changes will be reviewed by the Architectural Committee for approval or disapproval.

Signature

Date

Lot Number