

# Creekview Landing Property Owners Association and the Architectural Control Committee

## Introduction

The Creekview Landing Property Owners Association has an Architectural Control Committee in place which consists of three (3) members who are natural persons, an owner within the development and who have been appointed by the Declarant or by the POA. These three Owners will serve for a period of three (3) years beginning May 1, 2008, and serving through July 1, 2011, in order to provide consistency, stability and commitment to ensure a level of distinction that reflects our community during the initial development of the Properties. As of October 1, 2010 the three (3) persons appointed must be current residents of Creekview Landing.

At the end of the three (3) year term, the POA Board may, at its option, either decide to elect new members of the ACC for a period of two years or to allow the current members to continue to serve for a period of one year terms, at their discretion.

The Architectural Control Committee will have the **exclusive and absolute authority to administer and enforce architectural controls and to review and act upon all applications for construction** within the Properties. They also possess the authorization to impose fines for non-compliance to the Covenants and Deed Restrictions in order to insure conformity to them.

The Committee may authorize variances from compliance with the Deed Restrictions and any required procedures. Such variances shall not, however, be effective unless in writing and does not prevent the Committee from denying a variance in other circumstances.

The ACC's approval of any plans for any work done or proposed, or in connection with any other matter requiring the approval and consent of such Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any similar plans or other matters subsequently or additionally submitted for approval.

All site or building construction, alterations or additions thereto, requires approval in writing from the Architectural Control Committee (ACC) **prior** to construction or lot preparation work. Trees and underbrush are not included in this requirement, but care should be taken to preserve as many of the hardwood trees as possible on each Lot within Creekview Landing. The use of any "construction" equipment or anything else that could alter the current topography of the property (e.g. the natural swale along the street) is prohibited prior to obtaining a Build Approval.

**Property Owners must receive ACC Approval BEFORE beginning any Construction or Lot preparation work. A "Build Request" application must be submitted by the builder or owner along with appropriate deposits and fees.**

*Please note. After receiving ACC Build Request Approval, you will be required to submit a "Form Survey" and have that specific document approved before you are allowed to perform an actual "Pour". This allows the ACC to review the actual placement of your planned structures to ensure compliance with all setback and lot-line requirements. Please allow at least 48 hours for this specific approval during your construction process.*

Meetings of the ACC and Owners/Builder will be closed meetings in order to protect financial information from being made public. All paperwork, plans, pictures and brochures will be kept in a locked cabinet in order to insure privacy.

Your familiarity, adherence to the Covenants and Deed Restrictions and proper communication with your Builder that he must abide by these guidelines will help assure quick and positive responses to your requests by the Architectural Control Committee.

Review and approval of any application by the ACC shall not bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, compliance with building codes for McKinney or Collin County or other governmental requirements, or conformity of quality, value, size or design among Lots. The ACC does have the authority to disallow any Builder, if they feel that the homes do not meet the standard for Creekview Landing.

The ACC's approval of any application shall not be deemed to be a representation or warranty that the construction or modifications or any improvement pursuant to such approval will be free of defects in the quality of materials or labor provided or in its design.

Each Builder/Owner should obtain whatever soils reports, foundation studies, and/or engineering studies they deem necessary to determine the adequacy of construction of any improvements prior to the purchase of a Lot and beginning of construction.

The Association, the Declarant, the Property Owners Association Board, the ACC nor member of any of the previously listed entities, shall be held liable to anyone submitting plans and specifications for approval or to any owner of land. None of the stated individuals will be liable for the choice of any builder that is listed as approved by the ACC.

These guidelines are designed to protect our community and the investment we have made in it. In addition, the Creekview Landings Covenants and Deed Restrictions are intended to assist you and expedite the process when you are requesting the Committee's approval of plans for a new construction or for alterations to the exterior of your home and property.